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Leo M. Frank and the American Jewish Community

LEONARD DINNERSTEIN

"The most horrible persecution of a Jew since the death of Christ," is what Reuben Arnold, the defense attorney, called the indictment and trial of his client, Leo M. Frank. A factory superintendent and part owner of the National Pencil Factory in Atlanta, Frank had been convicted of murdering one of his employees, a thirteen-year-old girl named Mary Phagan, in April, 1913. Although he denied his culpability, and the prosecution's key witness was a Negro—a rare occurrence in a Southern city at the beginning of the twentieth century—an all white jury found the superintendent guilty. The judge sentenced the defendant to hang.

Within a few weeks after Frank's conviction, the most influential American Jews were alerted to the fact that prejudicial circumstances had surrounded the trial. After learning the details, Louis Marshall, president of the American Jewish Committee, described the case as "almost a second Dreyfus affair." And because other prominent Jews shared this opinion, many devoted themselves to rectifying the injustice.

There were manifold reasons for Jewish involvement and concern with Leo Frank. To begin with, Jewish tradition dictated that brethren in distress had to be aided. As Louis D. Brandeis later said: "When men and women of Jewish blood suffer—because of that fact—and even if they suffer from quite different causes—our sympathy and our help goes out to them instinctively in what-

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Dr. Dinnerstein is Assistant Professor of American History at Fairleigh Dickinson University. His book, *The Leo Frank Case*, was published by Columbia University Press in 1968.

1 *Atlanta Constitution [AC]*, October 26, 1913, p. 1.


3 Louis Marshall to Irving Lehman, September 9, 1913. Louis Marshall Papers (American Jewish Archives, Cincinnati [AJAr]). Unless otherwise specified, all letters to and from Louis Marshall are in this collection; therefore, the expression "Marshall Papers" will not be repeated. Louis Marshall will be cited hereafter as LM.
ever country they may live...” Then, too, every Jew who familiarized himself with the details of the case seems to have become convinced of Frank’s innocence and to have recognized the importance of correcting a miscarriage of justice. An additional spur was the fact that anti-Semitic attacks had been growing both in Europe and in the United States since the end of the nineteenth century; the Dreyfus and Beilis affairs, in France and Russia, respectively, were perhaps the most dramatic examples of a significant, and an apparently growing, world-wide attitude. Where America was concerned, this represented a departure from past norms. The Jews — largely German and Sephardic — who had come to the United States before the 1880's had, for the most part, prospered and assimilated into the social, economic, and political life of the nation. Most of them had met with no organized persecution and were able to overcome the inconvenience of petty slights. But the influx of the East European Jews which began toward the end of the nineteenth century generated virulent anti-Semitic outbursts in the United States and threatened the Americanized Jews. To ignore Frank might suggest to other American communities that Jews could be attacked with impunity.

Crack the Jew’s Neck!

The raw facts in the case were these. A girl had been found dead, and allegedly raped, in the basement of Atlanta’s National Pencil Factory on April 27, 1913. Leo Frank, the factory superintendent, was by his own admission the last person to have seen her alive. Within a few days, hair identified as belonging to the dead girl, as well as bloodstains, was allegedly found in a workroom opposite Frank’s office. When questioned by the police, the superintendent appeared unusually nervous. On the basis of this “evidence,” the authorities arrested Frank two days after the girl’s body had been discovered.  


5 AC, April 28, 1913, pp. 1-2; Atlanta Georgian [AG], April 28, 1913, p. 1; April 30, 1913, p. 1; Atlanta Journal [AJ], April 29, 1913, p. 1; Frank v. State, Brief of the Evidence, pp. 15, 43.
Frank was incriminated further by tales of alleged indiscretions on his part. Former employees from his pencil plant accused the prisoner of having acted improperly with women. A policeman reported that he had seen Frank, a married man, caressing a young girl in the woods a year earlier, and a notorious Atlanta madam claimed that on the day of the murder Frank had phoned her repeatedly, imploring her to provide a room for him and a companion. When presented with the facts gathered, the grand jury returned an indictment.

Shortly thereafter the police released a series of startling affidavits, sworn to by Jim Conley, a Negro sweeper who had been employed at the pencil factory. The Negro, arrested a few days after the murder because he had been seen washing blood from a shirt, implicated Leo Frank in his statements. Conley claimed to have helped the superintendent carry the girl's body to the factory basement after Frank had committed the murder.

During the trial, Conley, elaborating upon his accusations, unfolded a gruesome story. Frank, he said, had used him on many occasions to guard the front door of the factory while the superintendent entertained women in his office. The sweeper claimed that he had seen Frank in certain unnatural positions—which he did not describe—and that on the day of the murder the superintendent had practically confessed to the crime. According to Conley, Frank had told him that the girl had refused his advances and that he had subsequently struck her. The sweeper alleged then that he and Frank had together removed the corpse to the basement and that, after returning to the superintendent's office, he had obligingly written the following notes while Frank dictated their contents:

Mam that negro hire down here did this i went to make water and he push me down that hole a long tall negro black that hoo it wase long sleam tall negro i wright while play with me

6 AC, May 8, 1913, p. 2; May 11, 1913, p. 1; May 23, 1913, pp. 1–2; AG, May 9, 1913, pp. 1–2.
he said he wood love me land down play like the night witch did it but that long tall black negro did buy his self.9

Leo Frank denied the allegation, branded his accuser an infamous liar, and attempted to account for his time on the day of the murder. Other witnesses supported his statements. The Atlanta Constitution observed that a "chain of testimony forged with a number of links has established a seemingly unbreakable corroboration of Frank's accounts of his whereabouts..."10

Beyond the main testimony, the jurors had little more on which to base their decision than hearsay, rumors, and unsubstantiated accusations. Yet most members of the public were thoroughly convinced of the defendant's guilt and made their voices heard. The intense summer heat necessitated that the courtroom windows be left open, and remarks from the crowds could be heard easily by those inside. "Crack the Jew's neck!" — "Lynch him!" — were some of the epithets emerging from the more boisterous. Threats were also made "against the jury that they would be lynched if they did not hang that 'damned sheeny.'" The editors of Atlanta's three major newspapers prevailed upon the judge to hold the trial over until a Monday, rather than let it conclude on a Saturday, so that there would be fewer people milling around when the courtroom proceedings ended. Judge Leonard Roan agreed, and also requested that Frank and his attorneys, for their own safety, remain away from court when the jury rendered its verdict. Roan had allegedly confided to a friend, "If Christ and his angels came down here and showed this jury that Frank was innocent, it would bring him in guilty." Few were surprised, therefore, when the jury found the defendant guilty. Outside the courthouse the news sent thousands of persons into a jubilant revelry.11

10 AC, August 17, 1913, p. 2A.
11 "Frank's Prophesy of Vindication Comes True 10 Years After Georgia Mob Hangs Him As Slayer," Jewish Advocate (Boston), XLII (October 18, 1923), 20; Minutes of the Executive Committee of the American Jewish Committee, November 8, 1913 (American Jewish Committee Archives, New York City) (cited hereafter simply as Minutes); AC, August 26, 1913, p. 1; October 24, 1913, p. 7. Judge Roan's remark is quoted in Elmer R. Murphy, "A Visit with Leo M. Frank in the Death Cell at Atlanta," Rhodes' Colossus, March, 1915, p. 10.
Shortly after the trial, Atlanta's leading rabbi, David Marx, went to New York to consult Louis Marshall. The American Jewish Committee, over which Marshall presided, had been established in 1906 by some of the most prominent Jews in the United States—men like Jacob H. Schiff, Oscar S. Straus, and Cyrus Adler—primarily to aid Jews "in all countries where their civil or religious rights were endangered or denied." Marx, as well as other Atlanta Jews, believed that Frank's conviction had resulted from an anti-Semitic outburst. Under the circumstances, the assistance of the more powerful American Jews was sought.

After reviewing the case, Marshall agreed that it was "one of the most horrible judicial tragedies" that had ever come to his attention. A keen judge of human behavior, he cautioned against any so-called Jewish intervention and advised Cyrus Sulzberger that "there is nothing that the [newspaper] American Hebrew should do in connection with the Frank matter. It would be most unfortunate if we made a Jewish question of the case. It is a matter which must be handled with the utmost delicacy, lest we arouse the very forces which we are seeking to destroy." He repeated this sentiment to other Jews whose confidence he held. On Simon Wolf, a prominent Jewish lawyer in Washington, D.C., who did not always see eye-to-eye with the president of the American Jewish Committee, Marshall urged, "Whatever is done must be done as a matter of justice, and any action that is taken should emanate from non-Jewish sources."

Yet anyone familiar with the divisions in the American Jewish community—the very term is, in fact, a misnomer because there never was any monolithic group of Jews in this country with an identical outlook—at the beginning of the twentieth century

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12 Minutes, November 11, 1906.
13 LM to Dr. Judah L. Magnes, September 5, 1913.
14 LM to Cyrus Sulzberger, October 3, 1913.
15 LM to Simon Wolf, October 3, 1913; to David Marx, September 9, 1913; to Irving Lehman, September 9, 1913; to William Rosenau, December 14, 1914. In many of the early letters to David Marx, the rabbi's surname is spelled as "Marks."
knows that no self-appointed authority could impose his views upon those whose opinions differed from his own. By the time Wolf received Marshall's advice, he had already sent out a circular letter in which he counseled members of the Union of American Hebrew Congregations to agitate in Frank's behalf. Wolf stressed the theme that racial prejudice had caused Frank's conviction, and he urged the recipients to encourage their newspapers to demand a new trial. Coincidentally, the week following Wolf's epistle, editorials appeared in Alabama, North Carolina, Minnesota, and Ohio newspapers deploring the fact that Frank's religion precluded "a fair trial and a square deal." Cincinnati's American Israelite—a Jewish weekly—opined, "the man was convicted at the dictates of a mob, the jury and the judge fearing for their lives, having received threatening letters, and the men who served on the jury have stated before the trial that they wanted to get on the jury to convict the Jew."

The publication of these editorials enraged Marshall. To Adolph Kraus, president of the B'nai B'rith, he wrote: "I... regret greatly such articles as that which appeared on the editorial page of the Israelite today. They can do no good. They can only accentuate the mischief." Marshall thought that his course of action, using influential people to get Southern newspapers to change public opinion, would eventually win Frank his freedom. In that way, the anti-Semitic prejudice which had been aroused in Atlanta "may not only subside, but may be absolutely counteracted and destroyed."

On November 8, 1913, the executive committee of the American Jewish Committee discussed the Frank case for the first time. It resolved to take no official action, although a number of the members indicated that they might personally help Frank. Louis

16 LM to Simon Wolf, September 27, 1913; clippings from Montgomery (Alabama) Times, September 25, 1913; Tribune-Herald (Chisholm, Minn.), September 26, 1913; Southern Republican (Charlotte, N. C.), September 27, 1913; all located among the Leo Frank Papers, AJAr. Since all newspaper references to the Frank papers are clippings, the word will not be repeated.

17 Ibid.

18 Ibid.

19 Minutes, November 8, 1913.
Marshall summarized the Committee's position a year later. "It would be most unfortunate," he wrote, "if our organization were to be considered as championing the causes of Jews who are convicted of crime."  

**Bought by Jew Money**

Although Marshall had advised caution and circumspection, he did not think that unpublicized assistance would do any harm. Hence, giving generously of his time to Frank's attorneys, he advised them about public relations and helped them prepare a brief for the judicial appeal. With over 100 specific allegations enumerated, the petition claimed in essence that prejudice and perjury had dominated the courtroom and that justice demanded a new hearing. The judge who had originally sentenced Frank refused the request, but acknowledged that he was not convinced of the defendant's guilt. In a second appeal, the Georgia Supreme Court disregarded the trial judge's personal opinion, and upheld his legal judgment by sustaining the courtroom verdict.  

The defense attorneys had been prepared for a denial of their petitions. Anticipating the result, they had begun seeking new evidence to free their client. They also hired William J. Burns, the internationally famous detective, to conduct his own inquiry. Other investigators had already obtained a number of affidavits from prosecution witnesses who claimed to have perjured themselves during the trial. Released to the newspapers over a period of weeks, these statements attested to police chicanery and fraud. Some of those who had testified for the prosecution claimed that the authorities had forced them to swear falsely in court. No sooner were these statements published, however, than the police arrested the affiants, reinterviewed them, and obtained new affidavits in which all claimed that their original stories had been correct, but that Frank's investigators had bribed them to retract.  

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20 LM to William Rosenau, December 14, 1914.  
21 *Frank v. State*, 141 Georgia 246.  
22 *AC*, February 24, 1914, p. 7; March 13, 1914, p. 1; March 15, 1914, p. 2A; March 28, 1914, p. 1; May 2, 1914, p. 2; May 4, 1914, p. 1; May 5, 1914, p. 10; May 6, 1914, p. 1; *AJ*, March 5, 1914, pp. 1–2; May 3, 1914, p. 1; May 5, 1914, p. 2.
The charge that Frank’s defense had used lavish amounts of money to influence persons associated with the trial traveled throughout the state of Georgia. Such rumors had been circulating, in fact, from the time of his arrest. It was said that the Atlanta newspapers gave Frank unusually kind treatment because they had been bought with “Jew money”; that Nathan Straus, a native Georgian and one of the owners of R. H. Macy’s department store in New York, had brought $40,000 into the state to “buy up” the Georgia Supreme Court; that “Big Money” had purchased newspaper coverage and editorials throughout the country; that wealthy Jews had spent half a million dollars on Frank’s defense; and, later on, that the figure had passed $1,000,000. That most Atlantans were convinced of the veracity of these accusations cannot be doubted. A Northern reporter discovered that “anyone who raises his voice in favor of Frank is accused of being bought by ‘Jew money.’”

Certainly it was true that considerable sums of money, as well as personal influence, had been used by Frank’s Jewish friends. That they were used improperly, however, has never been proved. Financial contributions had been made to the defense by men like Julius Rosenwald, head of Sears, Roebuck and Co., and Jacob H. Schiff, head of Kuhn, Loeb, and by others as well, but this was so, primarily, because these men were convinced that a fellow-Jew had been unjustly convicted of murder. To be sure, they recognized the national repercussions which might result from any open assistance, and they were probably afraid also that anti-Semitic eruptions might mushroom if Frank were left to fend for himself. But the Jewish tradition of helping brethren in distress must also be considered as a motivating force. As Louis D. Brandeis later said:

A single though inconspicuous instance of dishonorable conduct on the part of a Jew in any trade or profession has far-reaching evil effects ex-

tending to the many innocent members of the race. Large as this country is, no Jew can behave badly without injuring each of us in the end. . . . Since the act of each becomes thus the concern of all, we are perforce our brothers’ keepers.  

The amount of assistance given Frank by influential Jews cannot be overestimated. Aside from Marshall, perhaps the most energetic worker for Frank’s cause was Albert D. Lasker, the advertising wizard from Chicago. Personally informed of Frank’s plight by relatives, he conducted his own investigation in Atlanta. Interviews with Frank and his lawyers convinced Lasker that a monstrous mistake had been made and that the terrible injustice had to be eradicated. Taking a year’s leave from his business, Lasker marshalled nationally prominent people to the defendant’s aid, directed lawyers and investigators in search of new evidence, secured funds from diverse acquaintances, and personally contributed more than $100,000 of his own money to help secure justice.

Lasker and Marshall, among others, believed that Frank’s chance to obtain his freedom would be strengthened if his plight were publicized nationally, thereby stimulating throughout the country a “spontaneous” demand for a new trial. Although they alerted newspapers to Frank’s predicament, the two hoped that their own activities and the work of other Jews helping the prisoner would receive no mention in print. Typical of the way in which the president of the American Jewish Committee stimulated the dissemination of news was the answer that he sent to a friend who had asked what he could do for the cause. “The greatest aid that you and your friends in Baltimore can give to this cause,” Marshall replied, “would be to induce some of the leading newspapers in Baltimore, Richmond, Savannah, and other Southern points which you reach, to write editorials similar to that which recently appeared in the Atlanta Journal, and to reproduce the articles which have appeared from day to day in the New York Times and the Washington Post.”

26 LM to Siegmund B. Sonneborn, March 13, 1914.
In response to the initiative of those working to exonerate Leo Frank, sympathetic responses and assistance came from many non-Jews who were motivated, perhaps, by the nature of the injustice, or who felt obliged for some reason to publicize a case about which Lasker, Marshall, and others felt so strongly. The newspapers were the most vocal. In Atlanta, the Journal vividly recalled the temper surrounding the trial:

The very atmosphere of the courtroom was charged with an electric current of indignation which flashed and scintillated before the very eyes of the jury. The courtroom and streets were filled with an angry, determined crowd, ready to seize the defendant if the jury had found him not guilty. Cheers for the prosecuting counsel were irrepressible in the courtroom throughout the trial and on the streets unseemly demonstrations in condemnation of Frank were heard by the judge and jury. The judge was powerless to prevent these outbursts in the courtroom and the police were unable to control the crowd outside. . . . it was known that a verdict of acquittal would cause a riot such as would shock the country and cause Atlanta’s streets to run with innocent blood.27

New York’s Yiddish-language Forward devoted endless reams to the case, and its editor, Abraham Cahan, made a personal investigation in March, 1914.28 A North Dakota paper wrote: “We say without hesitation that we would have sat on that jury until this great globe hangs motionless in space and the rotting dead arise in the cerements, before we would condemn any man to death on the evidence which convicted Frank.” And The Mobile Tribune pronounced Frank “a rank and palpable victim of prejudgment and political ‘frame-up.’” Collier’s succinctly summarized the view of those working in behalf of the Atlanta Jew: “Trial by hysteria is not trial by jury.” By the end of 1914, Albert Lasker could write:

Outside of the State of Georgia, the press of the United States, including the leading papers of every city in the South, save Georgia, are editorially


not only commenting on the case, and agitating a public sentiment for the unfortunate Frank, but daily hundreds of papers, including the leading Southern papers, are editorially crying that Frank's execution would amount to judicial murder, and that in this case, the State of Georgia is more at bar than Frank. I do not exaggerate when I state that hundreds of such editorials are appearing daily.29

Assistance rendered, however, went far beyond alerting newspapers to the injustice. The new investigators, led by William J. Burns, made intensive efforts to unearth new evidence, and they succeeded in their tasks. The methods that Burns employed, however, irritated hypersensitive Georgians and made them reluctant to accept his findings, if not completely opposed to acknowledging them.

Mr. Burns talked too much. After his arrival in Atlanta, he announced his confidence in solving a case that the local citizenry already considered closed. For three months the famous detective exuded confidence and made public statements which he could not justify in terms of his discoveries. "I am utterly confident of success," he repeated to newspaper reporters time after time. "The trail is very plain," he revealed, but declined to elaborate.30 His conceited assertions led Northerners to assume that he would "produce a confession from the real murderer, or at least direct evidence. Failing to do that," Albert Lasker wrote to Herbert Haas, "the people up here will be very disappointed..."31

Burns did obtain letters from a Negro woman in Atlanta — although how he did so was never made clear — which Frank's accuser, Conley, had written to her from prison. The construction of the phrases, the handwriting, and the analogies were almost identical to those that had appeared in the so-called "murder notes" discovered near the corpse in April, 1913. The authorities, however,

29 American Israelite, May 21, 1914, p. 1; Mobile Tribune, March 21, 1914; Arkansas Democrat, April 15, 1914; Trenton (N. J.) Times, March 26, 1914; Collier's, April 28, 1914, Frank Papers; Albert D. Lasker to Jacob Billikopf, December 28, 1914, Julius Rosenwald Papers (University of Chicago).


31 Albert D. Lasker to Herbert Haas, April 20, 1914, Jacob Schiff Papers (AJAr).
arrested the recipient of the letters, reinterviewed her, and then produced an affidavit stating that Conley had written only two or three letters, and that none of them were lewd. Since Frank's attorneys had about ten letters in their possession, and since graphologists had identified them as Jim Conley's, the new affidavit released by the police could not have been the truth. Yet those who doubted Burns accepted the version of the police. Among the doubters was the judge, to whom another appeal had been made.32

Burns's association with the Frank case proved disastrous for the defendant. "It is the belief of nearly all of our friends," one of the Atlanta attorneys wrote to Lasker, "that Burns' connection with the case has done us irretrievable damage."33 Marshall, who had vigorously opposed employing the noted sleuth, explained his position: "I have been disgusted at the farcical methods to which Burns has resorted. Every one of his acts has been a burlesque upon modern detective ideas. It is deplorable that a case so meritorious as that of Frank should have been brought to the point of distraction by such ridiculous methods."34

Mob Law and Due Process

Although national newspaper agitation and flamboyant investigators aggravated Georgian feeling against Frank, an inadequate legal staff must also bear some responsibility for his predicament. This opinion seems to have been universally acknowledged by those familiar with the intimate details. Louis Wiley, for example, wrote to Marshall: "While I can understand the clamor and mob feeling which led to the unjust verdict in the Frank case, I am strongly inclined to believe that the prisoner was not adequately defended. If he had been, it seems to me the dreadful situation now before us might have been prevented."35 Others who echoed this sentiment

32 *New York Times*, April 15, 1914, p. 8; May 6, 1914, p. 3; *AJ*, May 5, 1914, p. 2; *AC*, May 6, 1914, p. 5.
33 Herbert Haas to Albert D. Lasker, May 2, 1914, Rosenwald Papers.
35 Louis Wiley to LM, April 3, 1914.
included Abraham Cahan, editor of the *Forward*, and DeWitt Roberts, who investigated the Frank case for Atlanta’s Anti-Defamation League in the 1950’s. Cahan lamented that “when one reads the long stenographic report of this cross examination [of Jim Conley], one cannot help thinking that in New York or Chicago, you could find dozens of lawyers who would have done a much better job.” And Roberts, a more recent chronicler, opined that “the defense of Leo Frank was one of the most ill-conducted in the history of Georgia jurisprudence.”

Louis Marshall was continually annoyed with the Atlanta attorneys. “One of the misfortunes of this case,” he testily observed in a letter to one of them, “lies in the fact that there have been too many counsel and that they do not work in unison.” Marshall had prepared a number of briefs and legal arguments for the Atlanta attorneys to use, and they frequently ignored his advice. Impatient with Frank’s other lawyers, he expressed his wrath forcefully:

After the motion for a new trial had been decided adversely by the Supreme Court of Georgia, and my attention was called to the circumstances attending the reception of the verdict, I insisted that a new proceeding should be instituted, for the purpose of raising the constitutional question. I took great pains in fully laying down the plan of campaign, the manner in which the questions were to be raised, and practically prepared a brief laying stress on the violation of the Federal Constitution. To my utter chagrin, the line of argument on which I proceeded, and which was the only theory on which there was the slightest hope of success, was flouted and disregarded, and it was only after plain talk that I induced you to file a supplemental brief, to some extent covering the line of argument which I had previously indicated. I prepared the assignments of error, and without rhyme or reason some of them were, without consultation with me, transformed into an argument, a practice which is utterly bad.

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36 Abraham Cahan, *Blettr fun Mein Leben* (5 volumes; New York, 1931), V, 416. The section on Leo Frank was translated for me from Yiddish by my father, Abraham Dinnerstein.


38 LM to Henry Alexander, December 1, 1914.

The briefs prepared by the Atlanta attorneys did not lead to the desired results. The Georgia courts rejected all the arguments presented — and so, too, did the United States Supreme Court in the first appeal it received. One of the main reasons for this was, as Marshall pointed out, that “the federal constitutional question could only be discovered in it by the aid of a high-power magnifying glass. It was necessary for you to point out to me,” he added in a letter to one of the Atlanta attorneys, “that there was even one line in which the Fourteenth Amendment was referred to.”40 A few days later Marshall added, “several very excellent lawyers were of the opinion that some of the concessions which you made [in the first brief to the United States Supreme Court] went further than the case warranted, and which indeed was my own view.”41

The second appeal to the United States Supreme Court was prepared by Marshall and delivered by him also. He argued that Frank had not been present at all stages of the trial, hence he had been deprived of his constitutional rights because the due process clause of the fourteenth amendment dictated that the defendant appear in court when the jury rendered its verdict. Therefore, the State of Georgia held Frank in custody illegally.42 The United States Supreme Court had never ruled on this particular issue before and agreed to hear arguments. Marshall devoted himself tirelessly to the presentation, but confided to one of the Atlanta associates an obstacle that had to be hurdled:

If the judges were confronted with the proposition, that the adoption of our views would mean the unconditional discharge of Frank whether guilty or innocent, they would struggle very hard against such a conclusion. On the other hand, if they are satisfied that Frank did not have a fair trial and that by adopting our jurisdictional theories they can accord to him a new trial, that would be in conformity with the modern tendencies in the administration of the criminal law, and would go far toward preparing the way for a favorable reception of our theories.43

40 Ibid.
41 LM to Henry Alexander, December 4, 1914.
43 LM to Henry Alexander, February 19, 1915.
Leo M. Frank

"Trial by hysteria"
By a vote of 7 to 2, a majority of the United States Supreme Court rejected Marshall's plea on the grounds that it was incorrect for a federal court to overrule a state court in procedural matters, that the Georgia Supreme Court had considered Frank's trial a fair one, and that no federal rights had been jeopardized. Justices Oliver Wendell Holmes and Charles Evans Hughes dissented from their brethren: "Mob law," they concluded, "does not become due process of law by securing the assent of a terrorized jury."44

I Would Be a Murderer

Disheartened, somewhat despondent, but nevertheless determined to save Frank's life, Marshall and other Jews inaugurated a massive campaign to obtain a gubernatorial pardon. In a series of letters written to every member of the American Jewish Committee, Marshall enunciated the plan of action:

What our people... should do is, to enlist in Frank's behalf the interest of United States Senators, Members of Congress, leading newspaper men and prominent church people, non-Jewish and non-Catholic, and to ask them to write at once to the Board of Prison Commissioners and to Governor John M. Slaton, urging executive clemency. The line of argument should be that doubt existed about Frank's guilt, that every tribunal which considered the case divided in its judgment, and that justice, therefore, required a commutation.45

44 Frank v. Mangum, 237 U. S. 347, 349.
45 LM to Herbert Friedenwald, May 10, 1915, and May 15, 1915; to Hollins N. Randolph, May 7, 1915. A number of other Jews also made substantial efforts to save Frank. Whether or not they acted in response to Marshall's directive is impossible to say. Herman Binder, a friend of Frank's, reported the case to B'nai B'rith's Supreme Lodge Convention which met in San Francisco in May, 1915. Under the leadership of the Supreme Lodge (without making a national issue of it publicly) delegates were urged to bring it before their respective lodges and Grand Lodges and work from the local level with their non-Jewish community leaders. Binder himself traveled across the country, speaking at various lodges in the Middle West, then on to the Rocky Mountain regions and the Pacific Coast states. The result of these efforts was that several state legislatures urged, through resolutions, the commutation of the death sentence of Leo Frank. Others urged a new trial, etc.
(Memo to Alex Miller from Richard E. Gutstadt, September 28, 1953, located in the Leo Frank folder of the Anti-Defamation League files, New York City).
The recipients of Marshall's communications heeded his advice. Letters went forth to the most influential people in the country, starting with President Woodrow Wilson and former President William Howard Taft, both of whom declined to intervene.46

From the amount of mail that poured into Georgia, however, it appears that almost everyone else with whom Marshall communicated responded in the desired fashion. Eight governors, a score of congressmen and senators, and prominent Americans, including the president of the University of Chicago and Jane Addams, wrote letters. Millions more signed petitions that were printed in newspapers like the Detroit Times and the Omaha Bee or simply circulated in well-traveled places.47 In May and June, 1915, Leo Frank's application for clemency received more newspaper attention in this country than almost any other issue.48

John M. Slaton, governor of Georgia, worked in a goldfish bowl. The fight to save Frank catapulted both prisoner and governor to national notice, and Slaton received more than 100,000 communications.49 (Some of the mail he received demanded that the sentence of the court be carried out.) In addition to the national hysteria, Slaton had to wrestle with the several court decisions, as well as


48 In his biography of Watson, Woodward noted: "The Frank case for a time rivaled the European war as a subject of national attention" (p. 436).

49 Lucian Lamar Knight, A Standard History of Georgia and Georgians (6 volumes: Chicago, 1917), II, 1168.
with the recommendation of the Georgia Prison Commission which had voted 2 to 1 to uphold the verdict.\textsuperscript{59}

The governor deliberated for more than a week. On the day before the hanging was to take place, he commuted Frank's sentence to life imprisonment.\textsuperscript{57} In a lengthy explanation which accompanied his decision, he showed that the inconsistencies in the evidence, as well as certain glaring contradictions, prevented him from being certain of the prisoner's guilt. At the time that he released his statement, Slaton added, "I would be a murderer if I allowed that man to hang."\textsuperscript{58}

Frank remained in prison for only two months. On August 16, 1915, a band of masked Georgians invaded the penal institution, kidnapped its most famous inmate, and drove with him all night to a grove outside of Marietta, Georgia, Mary Phagan's home town. The men tied a rope around Frank's neck, slung it over a large oak, and then let his body sway in the wind. By the time the townsfolk came to gaze, the lifeless figure was hanging limply from the tree.\textsuperscript{53}

That a great many Jews had come to Frank's aid during his two-year ordeal was generally known. The intercession on the Atlantan's behalf was not intended to thwart justice, but to obtain it. Nevertheless, Georgia's patrician historian, Lucian Lamar Knight, wrote afterwards that "the entire Hebrew population of America was believed to be an organized unit directing and financing a systematic campaign to mold public sentiment and to snatch Frank from the clutches of the law."\textsuperscript{54}

It was, of course, easy to criticize the nation's Jews for their participation; but what alternatives were there, and what would have been the consequence to Frank if his pleas had been ignored? In this country, unfortunately, minority groups frequently have to be defensive and have to protect their civil rights and civil liberties

\textsuperscript{50} AC, June 10, 1915, pp. 1–2.
\textsuperscript{51} Ibid., June 21, 1915, extra, p. 1.
\textsuperscript{52} Ibid.
\textsuperscript{53} Ibid., August 17, 1915, p. 1; August 18, 1915, pp. 1–2.
\textsuperscript{54} Knight, \textit{op. cit.}, II, 1165–66.
aggressively. Rabbi Stephen S. Wise had enunciated the problem a month before Governor Slaton commuted Frank's sentence:

It is occasion for real regret to me that it is necessary for a Jew to speak touching the case of Leo Frank. It would have been infinitely better if non-Jews had arisen throughout the land, as they ought to have done, to plead on behalf of this man. True, there have been those non-Jews within and without this city [New York] who have lifted their voices on behalf of justice for Frank. But the burden of seeking justice has fallen upon the fellow-Jews of Frank....

More on Abba Hillel Silver

The Editor
American Jewish Archives

Dear Sir:

I ought not enter into any controversies. I think I still have much to do, and not enough time in which to do it.

But I find it difficult to pass over one passage in Leon Feuer’s memoir on [Abba Hillel] Silver, in your November [1967] issue (page 116). Though the wording is careful in not implying that Silver was without blame, yet it leaves the impression that [Solomon] Goldman and [Barnett] Brickner, in their relation to Silver, were animated largely or primarily by jealousy. This I do not believe to be true. Nor does this rest upon conjecture. From Sol. Goldman I heard directly the reasons because of which he had come to feel he could not remain in Cleveland, and on many occasions, both from Brickner and from members of his official family, I was told the numerous causes and occasions for their feeling about Silver. A not inconsiderable list (headed, for example, by [Louis] Wolsey, Stephen S. Wise, Chet Aleph Friedland, and many others) could be drawn up of those who had the same kind of “jealousy” in regard to Silver. I shall not forget a remarkable occasion, during the Second World War, at the Zionist Emergency Council, of which Silver was then Chairman, when he was severely assailed by almost all his colleagues. In his long plea in defense, he came to a point when he conceded that almost all his life he had had real difficulty in “getting along with people.”

Perhaps by this time, Leon Feuer regrets having let this passage creep into his memoir. Certainly, it is trite to say, he is fully entitled to his estimate of Silver as Jewish leader, rabbi, and man, and to have feelings of gratitude and admiration for him. But was it wise—or good—to exalt Silver by denigrating his colleagues?

At any rate, all of this belongs to the past. All three of them, Silver, and my friends, Goldman and Brickner, are now at the board of the yeshivah shel ma‘alah [“Heavenly Academy”], under the refugence of the shekhinah, “with none to make them afraid,” and—it is to be hoped—without “jealousy.”

James G. Heller
The above letter elicited the following reply:

Toledo, May 21, 1968

Director
American Jewish Archives

Dear Sir:

I am taking advantage of your kind offer to reply to the caveat by Rabbi James G. Heller on my article, “Abba Hillel Silver: A Personal Memoir.”

There is no desire on my part to enter into a controversy with my friend, Rabbi Heller. As he himself suggests, these old unpleasantries might as well be forgotten. Nevertheless, this was not possible in my essay. There were relationships and controversies, and I was intimately involved in them. It would not have been quite frank of me not to refer to them and to describe them as they seemed to register in my memory. That is why I did not and cannot regret “having let this passage creep” into my memoir. I put it there, and I stand on it.

Incidentally, I was present at the session of the Zionist Emergency Council to which Rabbi Heller refers, and that is not quite how it was, or at least how I remember it. Rabbi Silver was not pleading a defense nor conceding anything. That would have been very unlike him. He was making it clear that in leading the Zionist cause he would not placate or appease anyone who was not as militant in its championship as he was, or who was seeking to make compromises that he thought disastrous. This could be described as stubborn and uncompromising, but that was Silver. You either admired or resented him. I admired him.

Sincerely yours
Leon I. Feuer

ISRAEL’S TWENTIETH ANNIVERSARY

The editors of the American Jewish Archives ask readers to bear it in mind that a file has been initiated at the Archives to document American Jewry’s observance of Israel’s twentieth anniversary. Material for this file—newspaper and magazine clippings, brochures, posters, organizational news releases, photographs, letters, etc.—will be very welcome.
The Ordeal of Gotthard Deutsch

G. A. DOBBERT

I.

In the early spring of 1916, Cincinnati’s Hebrew Union College faculty voted to bestow on Dr. Gotthard Deutsch, their esteemed colleague, “the highest honor at their disposal,” the honorary degree of Doctor of Divinity. This was their way of recognizing his twenty-five years of distinguished service to the institution as its dean, professor of history, and erstwhile president. The Board of Governors in turn granted him a full “year’s leave of absence . . . without loss of pay,” because it had been brought to their attention that he “was very anxious at the close of the European War to visit a number of European countries and the Orient.”

Barely a year later, the United States herself had entered the war. Peace seemed farther away than ever, and so was the realization of the tour abroad which Deutsch had “so anxiously desired.” Instead, the war insinuated itself step by step into the peaceful atmosphere of the Hebrew Union College, and with it Deutsch’s name came up increasingly as a subject of angry debate before the Board of Governors. By the end of November, 1917, it had reached such a point that the chair even entertained “arguments including suggestions of expulsion and dismissal.” Apparently, some members had come to the conclusion that “the public activities of Dr. Deutsch

Dr. Dobbert is on the faculty of Youngstown University, Youngstown, Ohio. He requested that the following be appended to his essay: “This article is based almost exclusively on manuscript sources in the Deutsch Collection deposited in the American Jewish Archives. Any references taken from material other than that deposited at the Archives will be cited accordingly. The author wishes to acknowledge his appreciation to the personnel of the Archives, Dr. Stanley F. Chyet, the Associate Director, and Mrs. Ralph Zelcer, the Archivist, who have more than generously given of their time and made valuable suggestions. The Administration of the Hebrew Union College has graciously provided free access to the relevant parts of the Minutes of the Board of Governors.”

have been of such a nature as to end his usefulness to Hebrew Union College.”

**His Place is in Berlin**

The last straw had been an incident before the United States District Court, where Gotthard Deutsch appeared as a character witness at a citizenship hearing. The presiding judge, the Honorable Howard C. Hollister, trying to ascertain whether Deutsch was qualified to act in that capacity, asked him the following “searching” question: “The United States being engaged in a great war with Germany, which side do you wish to see win?” To this Deutsch replied somewhat defiantly, “I do not think I am compelled to answer that question.” “If you do not answer the question,” the judge announced, “the court will assume that you refuse to answer,” and he put the question a second time. Deutsch refused again. Thereupon Judge Hollister disqualified him as a witness and dismissed the case.3

Too late did the good professor realize the error of his ways; but his immediate as well as subsequent efforts for personal redress with the honorable judge were of no avail. The press in Cincinnati had a field day.

On the following evening, the Reverend Madison C. Peters, of New York, came to Cincinnati to deliver to an enthusiastic crowd assembled at the Sons of Veterans Memorial Hall an address “filled with inspiring patriotic sentiment.” For Peters, the author of a treatise entitled *Justice to the Jew*, the Deutsch case was ready-made. Billed as the “Eulogist of American Jewry,” he fully lived up to his reputation by pointing out that Deutsch was one of those “exceptional Jews today [who] are so loud in their traitorous activities that the American can’t hear the patriotic Jew.” The fact, moreover, “that Professor Deutsch [was] personally a lovely old man, almost worshipped by his students, [made him] all the more a menace to our free institutions. Such a man,” Peters concluded, “has no more right in America than a weasel in a henhouse. . . .”

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place is in Berlin." The final disposition of the Deutsch case, though, Peters entrusted to the "patriotic Jews of Cincinnati and of America who support the College," and, for good measure, "to the Department of Justice," too.4

Pressures and counterpressures both to dismiss and to retain Professor Deutsch increasingly were brought to bear on the College. They emanated not only from the outside, but also from within the Board of Governors. And so the ordeal of man and institution began.5 That in the end, and under rather dramatic circumstances, the Board decided by the narrowest of margins to retain its distinguished professor was to the credit of the College and of Reform Judaism at large; for at the height of World War I hysteria it was by no means easy to stand in defense of a man who could be simultaneously so irrepressibly human and so stubbornly individualistic as Gotthard Deutsch. Under the overwhelming pressures of that 100 percent superpatriotism which tried to force everyone into the same jingoistic mold, Deutsch's human qualities were no longer lovable assets, but a heavy liability to himself and the College.

NIHIL IUDAICI MIHI ALIENUM EST

By any standard, Deutsch was "an outstanding personality." Behind his "fine patriarchal mien, his gracious and genial manner," though, there was no simple man. He straddled too many ages and too many cultures. Born on January 31, 1859, in Kaunitz, Moravia, the descendant of a "long line of scholars and teachers," he spent his childhood and adolescence in a province of Austria-Hungary where Czech and German cultures mingled freely and more harmoniously than in the somewhat more pugnacious Bohemia to the northwest. Timewise, too, he grew up between two distinct socio-economic eras. As he put it, "I have been brought up still next to


the spinning wheel, while only a few miles away the steam engine of industry has supplanted already the romance of handicraft.”

As symbolized by his name, he belonged culturally also to Moravia’s German minority. Accordingly, he went to the Gymnasium at Nikolsburg, and from there proceeded to the seminary at Breslau, Prussia, to study for the rabbinate. Simultaneously he “arranged to attend classes at the University,” where “he came under the influence” of Heinrich Graetz, at the time the foremost authority on Jewish history. His Ph.D. in that field he received from the University of Vienna at the age of twenty-one. Called in 1891 by Isaac M. Wise to the chair of history at the Hebrew Union College, he arrived in Cincinnati that same year on December 2.

Within the framework of American immigration history, Deutsch geographically was part of the “new” East European Jewish immigration; culturally, however, he belonged firmly in the older German-Jewish immigrant wave which had preceded the former by about half a century. Deutsch thus, by the peculiar chemistry of his geographic and cultural environments, by his personality and upbringing, had evolved into that “sort of a Jew to whom nothing Jewish can ever seem alien.”

He was interested in the oriental as well as in the occidental Jew. He sought out the Karaites, the Hassidim, the Samaritans, the Jews of Algeria, Mexico and Central America and other odd corners of the world. He was concerned about the Reformer and the Orthodox, the Zionist and the anti-Zionist, the ritualist and the non-conformist.

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6 Henry Englander, “Dr. Deutsch, the Teacher,” *H. U. C. Monthly*, VIII (March, 1922), 153. (This issue of the *H. U. C. Monthly* was designated a “Gotthard Deutsch Memorial Number”); *ibid.*, “Biographical Note” (no page given); Elizabeth Wiskemann, *Czechs and Germans* (New York, 1938), pp. 109-11; Deutsch to Joseph Spitz, April 1, 1914. *The Universal Jewish Encyclopedia* [UJE], VII, 642, says that the Jews of Moravia, though small in number, had a distinguished history. After the founding of Czechoslovakia, they “made it their mission to effect a bond between the West (Bohemia) and the East (Slovakia) of the republic, and to bring them together.”

7 *UJE*, V, 80-81; “Biographical Note,” *H. U. C. Monthly*, VIII (March, 1922): According to this Note, Deutsch enrolled in Vienna in the fall of 1879, which made him twenty. Hence, after two semesters, he must have received his Ph.D. in 1880 at the age of twenty-one.

According to his friend Max Heller, Deutsch "was entirely free from that uncomfortable self-consciousness which makes the rest of us squirm when Jewish gesture or Jewish accent escape into the publicity of the streetcar." Belonging to a generation which had not "a particle of patience for what they disdained as the jargon," Deutsch not only enjoyed "Yiddish poetry, Yiddish humor, Yiddish pathos, Yiddish proverb, and Yiddish idiom," but even went so far as to acquire "the language, write articles for Yiddish papers, until no compliment would please him more than praise of his 'Yiddish style.'"9

As historian, he allowed no aspect of Jewish life, be it ever so small and fleeting, to escape his grasp, or, to put it more accurately, his Zettelkasten — the paper-slip box into which he assiduously deposited every scrap of information he could get hold of. It was for him a great source of pride and pleasure to see it grow, until towards the end of his life he had accumulated some 70,000 or more ingeniously indexed and cross-indexed items. To this day, the Americana in his Zettelkasten occupy a not insubstantial section in the cabinets of the American Jewish Archives card catalogue.10

Prophets and Oyster-Gourmands

Almost equally devoted was he to keeping alive in Cincinnati what remained of its once-flourishing German immigrant culture. Fairly soon after his arrival he joined the German Literary Club, "a society," he observed in his diary, "of mostly elderly gentlemen," which a less kindly inclined member characterized as being more or less in a permanent "state of extinction." At a time when only 30 percent of its members attended the club's sessions regularly, Deutsch was among that minority which did so assiduously. But even he could not help noticing that the papers and debates

9 Max Heller, p. 151; Al, Oct. 21, 1921.
10 Deutsch to David J. Simonsen, June 7, 1916, and Jan. 27, 1918. The non-Americana in Deutsch's Zettelkasten are housed in the basement of the Hebrew Union College Library in Cincinnati.
given before the club were "stale," "commonplace," and "boring twaddle."^^

In a comparable endeavor, Deutsch also lent his considerable prestige as scholar to keeping the Cincinnati School Board from prematurely dismantling the administrative structure of its German division in the elementary schools, where part of the school day was assigned to classes taught entirely in German. By such and similar activities in behalf of the German community, Deutsch eventually came to be known as a "representative German citizen," when this still counted as an asset and "every mayor of Cincinnati greeted the annual 'Deutscher Tag' and showed off his German, when he could."^12

In regard to the German-Jewish weekly Deborah, Deutsch's zeal knew no bounds. As Isaac M. Wise, the paper's founder-editor, told Joseph Stolz, "If I would let him, he [Deutsch] would fill the Deborah every week with the production of his own pen." But already at that time Deborah no longer had "the patronage to guarantee its [material] existence." When the paper was discontinued after Wise's death, Deutsch fought for over a year to keep it going as a monthly. Then, by the end of 1902, he, too, had to give up the struggle, thereby vindicating Leo Wise, Deborah's previous publisher, in his judgment that there is no field in America for a Jewish German paper. . . . Jewish immigration from Germany has practically ceased, and the children of the immigrants from that country, who are now the active men and women, are Americans, and their language is English. (Italics added.)^13

For Deutsch, the content and tone of such comments must have been doubly painful. For one, being "a German at heart," he "was always gratefully conscious of his obligations to German culture."^11


^12 Dobbert, pp. 54-55; Deutsch to Harry Cutler, Dec. 3, 1917.

^13 Stolz, p. 125; Deborah, April 5, 1900; Deutsch, Diary, Dec. 25, 1902 (undated clipping identified by Deutsch as from Al).
But even more as a Jew to whom Judaism meant above all the promotion of universal brotherhood, he found the more extremist connotations of "America is our Zion" particularly obnoxious. This, to him, was not only a perversion of the true essence of Jewish history, but also smacked of pure hypocrisy to boot. He resented it especially during the war when "the old bourgeois idea of America is our Palestine" transformed itself into the American chauvinism voiced by such as Rabbi David Philipson, who proclaimed before the Cincinnati Business Men's Club that he heard "the words of the Lord speaking to America through the prophet even as he spoke to ancient Israel:

I the Lord have called thee in righteousness and have taken hold of thy hand . . . and set thee for a covenant of the peoples, for a light of the nations, to open the blind eyes, to bring out the prisoners from the dungeons . . . ." 14

In the eyes of Deutsch, such representatives of "prophetic Judaism" were nothing else but "oyster-gourmands" — though at least he took solace in the fact that, as he wrote to his friend Professor David J. Simonsen, they were "no more consistent than the enthusiasts of the Sermon on the Mount, the parable of the Samaritans, and the Letter to the Corinthians." But, when really exasperated, he even addressed his personal friend Joseph Stolz, a prominent leader of Chicago's rabbinical association and a member of the Hebrew Union College Board of Governors, with: "You of the snobocratic Jewish ministry will drive me in my old age into the ranks of Zionism, for no matter how confused and chimerical their ideas may be, there is at least self-respect in their camp." 15

Noses Out of Joint

Deutsch fought consistently for Zionism to be given a fair hearing before any Jewish meeting or convention. Because of the Zionists'

14 Heller, p. 150; Deutsch to Joseph Krauskopf, Dec. 12, 1902; Oscar Handlin, p. 168; Deutsch to Leon Kellner, Jan. 26, 1921; David Philipson, "Are the Germans the Chosen People?" (address before the Business Men's Club, Cincinnati, Ohio, Feb. 12, 1918), pamphlet file, Cincinnati Historical Society.

15 Deutsch to Simonsen, July 26, 1919; to Stolz, Jan. 11, 1917.
Jewish esprit de corps, he thoroughly enjoyed their gatherings, just as "he was fond of soliciting donations of olive trees for the Herzl Forest." Only "the political aspects of the movement . . . repelled him," for he always remained faithful to what he called the "utopian and old-fashioned ideal (Jes. 26:9) [sic] . . . that the hope of humanity, ourselves included, lies in the building of a road from Mizraim [Egypt] to Assur [Assyria]."\[16\]

Such prickly independence did not always endear him to that branch of Reform Judaism which remained bitterly opposed to Zionism — men like Kaufmann Kohler, the College's president, and David Philipson, rabbi of the fashionable Rockdale Avenue Temple and a resident member of the College Board of Governors. Nor did Deutsch render the life of the Board easier by his occasional criticisms of the American Jewish "aristocracy" on whose support the College depended. During the war, for instance, he categorically declined any connection with the drive for Jewish war victims, because, as he saw it, "Dr. [Judah L.] Magnes in his courageous stand for peace does far more good than even Mr. [Louis] Marshall or Mr. [Julius] Rosenwald, with all their sacrifice of time and money, can accomplish in spite of their noble motives."\[17\]

Neither was it out of character when he purposefully failed to appear at the convocation at which, on the occasion of his twenty-fifth anniversary at the College, the honorary degree of D.D. was to be conferred upon him. He did it, as he wrote to a relative in Vienna, "not out of antique modesty, but because I detest America's sham politeness and all that conventional nonsense." At least he admitted having given his wife Hermine "a bad moment, especially since all the children had come for the day," not to mention his friend Max Heller, who had journeyed from New Orleans to deliver a personal tribute. But his feelings of guilt hardly made up


for his satisfaction in having gotten “the noses of the Board of Governors out of joint” by denying them the éclat of a festive peroration. For “it makes the great gentlemen feel so good to be able to be charitable.”

In brief, Gotthard Deutsch was the kind of person who is best summed up in his own words:

I am not only a Jew, but an official Jew. Nevertheless, a strike on a railroad or in a coal mine touches me more deeply than the possibility of being rejected by a fashionable summer resort hotel or even a country club, should I ever have had the ambition of knocking at their doors.

II.

When, on August 1, 1914, World War I broke out in Europe, Gotthard Deutsch in Cincinnati was soon in the midst of things. An ardent pacifist, he immediately set out to organize a public meeting for peace. It was held on September 6, in the Music Hall, featuring as speakers such known public figures as Dean William P. Rogers, of the Law School, Bishop Joseph Crane Hartzell, of the Methodist Church, and Congressman Alfred G. Allen.

At the same time, and understandably so, Deutsch could not help being drawn into the vortex of pro-German agitation among the Cincinnati Germans. For one, there was his emotional attachment to German culture and indirectly to Germany herself. There was his growing irritation at the long delays in the mail which interrupted the lively academic dialogues with his friends and colleagues in Vienna and Berlin. His sense of justice and fair play was outraged by the one-sided pro-Allied coverage of the war, offered in most of the newspapers. And, finally, he could not resist the sense of excitement and the revitalizing effect which the war had upon Cincinnati’s slowly decaying and disintegrating German immigrant community. For instance, it was he who made the motion

18 Deutsch to C. Weiss, June 19, 1916.
19 Deutsch to Leon Kellner, May 24, 1920.
in the Literary Club to invite the German propagandist Professor Eugen Kühnemann for the club's foundation day celebration, and to "make a great affair of it." He also appeared prominently in one or another capacity at the various events organized under the auspices of the German, Austrian and Hungarian Aid Society for the relief of war widows and orphans, or the local chapter of the German American National Alliance.21

What Has a German Jew to Say?

The local press, being entirely dependent upon British-censored cables for its war news, occasionally asked Deutsch to represent the German point of view because, as he put it, the paper still had "to reckon with the German sympathies of its readers." He complied so well with the request that even "the German Consul congratulated him on the article." Unfortunately for him, he was also part of the small group of pro-German sympathizers which, on January 5, 1917, disrupted a meeting organized to protest against German war atrocities in Belgium. Catcalls such as "German pig" or "What has a German Jew to say?" were directed against Deutsch and his companions by the pro-Allied audience, among which quite conspicuously sat Judge Howard C. Hollister. To the Cincinnati Enquirer, however, the incident showed how wide "the breach between the supporters of the cause of the Allies and those of the Central Powers" had become in the city.22

Occasionally chided by his friends for his partiality, Deutsch vigorously defended his stand by saying: "I condemn war with all its cruelties but cannot make any distinctions between the policy of the British trying to starve out Germany and to strangle its commerce, and the actions of the Germans employing the terroristic means [i.e., submarine warfare] available to them." And although the shelling of the British coast by the German Navy depressed


22 Deutsch to Weiss, Jan. 13, 1916; Deutsch, Diary, Jan. 5, 1917; Cincinnati Volksblatt, Jan. 6, 1917; Cincinnati Enquirer, Jan. 6 and 7, 1917. According to the Volksblatt, Deutsch was addressed as "dirty German Jew."
Gotthard Deutsch

“I feel like Malachi”
him, he wrote, on the other hand, to his nephew in the Austrian army that he wished he “could do more...” But then, remembering his “weekly review of Jewish affairs abroad” in the *American Israelite*, he did admit that “actually I do more”; for in his column he really made “the Messrs. British thoroughly pay for it.” “While the British Board of [Jewish] Deputies would not do anything for alien enemies,” he wrote in the *American Israelite*, German Jews “have taken pains to provide Jewish [soldiers] living in the camps of detention with kosher food.” In German-occupied Russian territories, the German administration permitted “papers in Yiddish language” to reappear, while the Russians had prohibited them. “Would it not be natural,” he concluded, “for the Jews of these places to feel that they are happier under German administration, which does not know of any such restrictions,” as in the case, for example, of Prussia, which “has not known any restrictions of civil rights of Jews since 1812?”

Such views eventually impaired his formerly cordial relations with the Anglo-Jewish press, which he now judged to be “in the pay of the English High Finance.” He was particularly angry at the London *Jewish Chronicle*, the dean of England’s Jewish newspapers, for “laying the blame on Germany for the mistreatment of Russian Jews.” “This,” he wrote indignantly to Simonsen, “is not only consciously lying but treason to the Jewish cause.” And he added, “On account of my attitude in this question, I’ve gotten myself into open conflict with my chief, Mr. [Leo] Wise.”

In the meantime, Deutsch had to take on David Philipson, who had apparently been guilty, in Deutsch’s eyes, of attacking “Kaiser” and “Kultur” in a public address. Philipson, in turn, could not forego the opportunity of being righteous in showing off his loyal compliance with President Woodrow Wilson’s Neutrality Proclamation. And so he, too, took to the pages of the *American Israelite*, contending

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23 Deutsch to Simonsen, Nov. 14, 1915; to Stolz, Jan. 1, 1917; to E. Reiniger, Oct. 1, 1915; Deutsch, Diary, Dec. 16, 1914; *AI*, March 16, 1916; June 28, 1917. See also *AI*, Sept. 2, 1915, as to the German Army advancing Jews much faster in rank than the Allied armies.

24 Deutsch to Reiniger, Oct. 1, 1915; to Simonsen, Nov. 14, 1915. Leo Wise was then in charge of the *American Israelite*.
that he, "although . . . strong pro-Ally, still in [his] public utterances [had] preserved constantly an attitude of neutrality." At the same time, he also indirectly criticized the *American Israelite* for providing a forum for Deutsch, "your correspondent whose pro-German sympathies are well known."²⁵

After the United States had entered the war on April 6, 1917, Deutsch continued his column as though nothing had changed. "The anti-Jewish sentiment of England is on the increase," he wrote on June 28. In August he took issue with Israel Zangwill's contention that modern anti-Semitism was primarily of German origin. Pointing out that the anti-Semitism of Ernest Renan had preceded that of Heinrich von Treitschke, Deutsch argued that "the question of priority" was really immaterial, "were it not used for supporting the claim that national conceit and contempt for Semites are peculiarly German."²⁶

**Threats Will not Induce Me**

Deutsch thus indirectly — but relentlessly — used his column to question the wisdom and sincerity of the United States Government in having thrown in its lot with two such untrustworthy allies as England and Russia. That the *American Israelite* continued to feature Deutsch's column until October, 1917, and only seldom printed letters complaining about Deutsch's attempts to "prejudice" its "readers against England" seems to suggest that substantial elements in the Jewish community had considerable reservations about the war. In the memories of many a Jew from Russia, the pogroms of Kiev, Odessa, and Kishinev were still vivid. Undoubtedly, there were a large number who shared Deutsch's apprehensions about American support for a regime which had so cruelly persecuted them. At least the great relief with which the *American Israelite* greeted the Russian Revolution would seem to be a fair indication of the rather strong presence of such sentiments. When, however, the *Israelite* contended that the Revolution had "changed . . . the bitter hatred of Jewish Americans to something very much akin

²⁵ *AI*, Nov. 25, 1915.

to love," the paper in all likelihood was expressing more its editor’s wishful thinking than stating an actual fact.  

On the other hand, those in the community belonging to the school of thought that “America is our Palestine” began more and more, under the pressure of war hysteria, to close ranks with “100 percent Americans.” Deutsch, by his defiant refusal to let himself be categorized into any one branch of Judaism, must have always been something of a thorn in their side. Now it seemed as though they were biding their time, counting on his impulsive personality to get him into sufficient hot water to discredit him once and for all in the eyes of American Jewry. That opportunity presented itself when Deutsch became involved with the Reverend Herbert Bigelow, of the People’s Church, a well-known progressive and pacifist, in founding a local chapter of the People’s Council of America for Peace and Democracy.

The Council was “a loose organization” working for “peace by negotiation now.” It opposed the draft and the sending of American troops abroad. Because of its pronounced pacifist platform, it attracted people from the most variegated political and religious backgrounds. They ranged from progressives on the right to single taxers in the center and socialists on the left. In Cincinnati, the Council’s public image was not improved by the prominent role played in its councils by Colon Schott, who had strongly advocated the German cause before America’s entry into the war; Schott was already notorious for having had to be escorted by the police from the meeting organized by pro-Allied sympathizers in January, 1917, to protest against German war atrocities in Belgium.

Right from the beginning, the People’s Council came under the surveillance of government agents. Deutsch’s participation was soon communicated to the Hebrew Union College authorities, and Alfred M. Cohen, vice president of the Board of Governors, in an effort to protect Deutsch against himself, took him to a meeting with the president of the Board, Edward L. Heinsheimer. The president pleaded with him to sever his connections with the People’s Council, particularly since Colon Schott was reputed to be in Germany’s


28 Deutsch, Diary, June 18, 1917; Peterson and Fite, pp. 74–80. See Note 22, *supra*.
Deutsch "refused any concession," except to assure them that "he would not do anything which may be construed as illegal." Within a few days, however, Deutsch, despite their "entreaties," not only presided at a meeting of the People's Council, but in his opening speech "denounced the U. S. government's method of conscription, [and] called attention to . . . misdemeanors and crimes committed by the soldiers . . . at Fort Thomas [in nearby northern Kentucky]." In their desperation, Cohen and Heinsheimer met with Mrs. Deutsch to impress upon her that "her husband might be arrested for inflaming public opinion." Deutsch, undaunted, continued to go to the meetings, except that now, as he noted in his diary, his wife tagged along, for "she is afraid of letting me go unsupervised." Further warnings on the part of his friends that he might lose his position only stiffened his resistance; "threats will not in the least induce me to do so. . . ." 29

**Angry and Humiliated**

On September 23, 1917, just before the Board of Governors was to adjourn its regular meeting, "several members opened a discussion concerning the conduct of Dr. Deutsch. . . ." The move, however, was squelched by Alfred M. Cohen, who, in the absence of President Heinsheimer, occupied the chair. He ruled that the subject ought to be taken up in Heinsheimer's presence at a special meeting "to be called by the President on his return." In the meantime, on October 5, local and federal law enforcement officials had raided a meeting of the People's Council. Deutsch by some fluke had left just before. On his way out, though, he was accosted by the reporter of the *Enquirer* and by another individual, who provoked him with "You Germans want Germany to win the war." "I do not wish anyone to win," Deutsch replied. "I wish the war to be settled." Considering that Judge Hollister later employed almost the identical phraseology in court when he formulated his question, this was an odd coincidence. 30

29 B. o. G. Minutes, June 25, 1918, p. 82; Deutsch, Diary, July 9, 20, 24, 27, and 29, 1917; Aug. 3, 1917; Cincinnati *Enquirer*, Oct. 6, 1917.

The sensational accounts in the newspapers caused such an uproar and brought such "a storm of protest" on the members of the Board that a special meeting was held on the same day. "The sentiment of the majority was to dismiss Dr. Deutsch at once." Then saner counsel prevailed, and it was decided to have another special meeting "to give Dr. Deutsch ample opportunity to explain his attitude." The press was informed accordingly. In the meantime, Deutsch was given to understand that "the members urgently desired to settle the matter in such a fashion as to clear themselves from all accusations of disloyalty." Deutsch, in turn, prepared a statement in which he promised to sever his connection with the People's Council, but when he read it to the Board, it was found "absolutely inadequate" to meet "the exigencies of the situation." A special committee had to be appointed to iron out the differences with Deutsch.31

Immediately after the meeting had adjourned, the Board haggled for an additional forty minutes because Deutsch refused to declare that the People's Council was disloyal. Only the compromise formula, "the government condemning this organization as disloyal," proved satisfactory to all the parties concerned. And so the matter was declared to be officially settled, with the appropriate excerpts of the Minutes of the Board being published in the American Israelite. But Deutsch, on receiving "many congratulations" from well-meaning friends and sympathizers on the outcome of the affair, felt "angry and humiliated."32

At the same time, his relations with Leo Wise, the publisher of the American Israelite, reached the breaking point. Wise was in a quandary. On the one hand, Deutsch's connections and intimate knowledge of Jewish affairs abroad were invaluable to the paper; on the other hand, his public activities were an embarrassment. So Wise lectured Deutsch "on the duties of Jews to be 'super-loyal'" and asked him to refrain from writing anything which the Jewish public would regard as detrimental to England and beneficial to

31 Ibid., Oct. 6 and 9, 1917; B. o. G. Minutes, June 25, 1918, p. 83.
Germany. Deutsch was also to drop his byline. After several days of wrangling back and forth, Deutsch finally told Wise, “If my name is a disgrace to the paper, the paper is no honor to me.” A few days later he severed his connection with the American Israelite.\textsuperscript{33}

Even before that, Deutsch had voluntarily withdrawn from all public activities, and had it not been for a previous commitment made several months before to David Sway to act on his behalf as a character witness, he probably would not even have appeared in Court.\textsuperscript{34}

III.

To withdraw at one stroke from all public activities could not have been easy for a man like Deutsch, whose lifelong pattern had been one of deep and passionate involvement in all kinds of affairs, whether Jewish, German-American, or civic. After a few weeks of self-imposed silence, he was literally bursting at the seams. By the time Judge Hollister asked him the slightly impertinent question as to which side of the war he wished to see win, Deutsch could no longer resist the overwhelming temptation to put the “learned Judge” in his place, and gave him to understand in no uncertain terms what kind of questions he, Deutsch, deemed fit to be asked and answered in a United States District Court.\textsuperscript{35}

Nor was Deutsch's situation much improved by the people he was associated with in the case. These, by the standards of the time, were anything but exemplars of red-blooded American patriotism. David Hyman Sway, the applicant for citizenship, was reputedly a labor agitator and the “editor or agent of a Yiddish Socialist weekly.” Nicholas Klein, the other character witness, was known for his connection with the pacifist Union Against Militarism. According to Heinsheimer, Klein had also written “threatening and

\textsuperscript{33} Deutsch, Diary, Oct. 8 and 25, 1917; Nov. 2, 1917.

\textsuperscript{34} Deutsch to Joseph Krauskopf, Dec. 5, 1917. The “Sway Case” is among the files of Gotthard Deutsch; undated, it was in all likelihood sent as an appendix to a letter to Max Heller on Nov. 29, 1917.

\textsuperscript{35} See Note 3, supra.
abusive letters to Julius Rosenwald... [a] friend of our institution.”

**Such People Shall Be Punished**

Considering the circumstances, the outlook for Deutsch was far from bright. Other institutions of higher learning had dismissed faculty members for far lesser causes. Columbia University, for instance, had fired two of its distinguished professors, one because of his connection with the People’s Council, the other for his public stand against conscription. Deutsch, nonetheless, set out to fight for his academic survival. For one, he felt “humiliated,” as he confided to his friend Max Heller, “that I should leave the institution under a cloud after 26 years of service, recognized even by the ‘Sensationspfaffe’ Madison Peters.” His major consideration, however, was his wife. It was his feeling of remorse and guilt at having brought it upon her, who “has, to this moment, not said in words or indicated in any manner that I ought to have had her in mind when the incident happened.”

After Deutsch’s attempts to set himself personally aright with Judge Hollister had failed — His Honor even refused to accept a letter of apology delivered in person by Vice President Cohen of the Board — a threefold strategy evolved to save Deutsch. One was to obtain through friends of high standing a personal audience with the President of the United States and the Attorney General. Before them Deutsch would make a personal declaration of loyalty. Appropriate releases would be made to the press, and his nationwide publicity would not only calm public opinion in Cincinnati, but perhaps even overawe his personal enemies. A second tactic was to mobilize his friends, both within and without the Jewish community in Cincinnati as well as elsewhere, to write letters on

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36 B. o. G. Minutes, June 25, 1918, p. 81; Cincinnati Enquirer, Oct. 6, 1917. [David Sway, who died at Cincinnati in 1954, was, in fact, editor of the Cincinnati edition of the Cleveland-based Yiddish weekly, Di Idische Velt; thirty-four years after Deutsch’s appearance on his behalf in court, the Cincinnati Times-Star, April 21, 1951, p. 22, saluted Sway as a “tiny man with a great spirit.” — Ed.]

37 Peterson and Fite, pp. 103–9; Deutsch to Max Heller, Nov. 29, 1917.
his behalf to the Board of Governors. At the same time he solicited letters from well-known contributors to the College, men like Jacob H. Schiff, Julius Rosenwald, and Harry Cutler, to offset those written to the Board of Governors by people threatening to withdraw their support of the College, should Deutsch be retained on its faculty. Deutsch urged his friends to do the same in those cases where he did not know the benefactors personally.  

The final strategy was, first, to delay the meeting of the Board of Governors which was to decide Deutsch's fate in order to gain time, then to get as many nonresident members and supporters of Deutsch as possible to attend so as to counterbalance the majority of resident members bent on Deutsch's dismissal.  

Both of the first two tacks were none too successful. Particularly the project of a personal audience in Washington fell flat on its face. Even Justice Louis D. Brandeis, to whom Deutsch had written, would not reply directly. Indirectly he did so through Judge Julian W. Mack, who had come to Cincinnati on business. When Deutsch went to see Mack, he was diplomatically given to understand that "the authorities as a matter of principle [would] not take up a case like his." "Such people shall be punished," Deutsch concluded grimly in his diary. As to the letters of support pouring in from all corners, Deutsch reported to his friend Joseph Stolz that they did "not seem to do any good."  

There was left the last alternative, which was to pack the meeting of the Board of Governors with Deutsch's out-of-town supporters. This proved successful. Locally it was masterminded by Murray Seasongood with the discreet assistance of Alfred M. Cohen. The out-of-town support was primarily organized by Max Heller, of New Orleans, and Joseph Stolz, of Chicago.

38 Deutsch to Hollister; Deutsch, Diary, Nov. 23, 1917; Deutsch to Murray Seasongood, Nov. 26, 1917; to Julius Rosenwald, Nov. 28, 1917; Dec. 3, 1917; to Jacob H. Schiff, Nov. 29, 1917; to Cutler, Nov. 29, 1917; Dec. 3, 1917; to A. Benesh, Nov. 29, Dec. 1 and 3, 1917; to P. Roettinger, Nov. 28, 1917; to Judge Loeders, Nov. 28, 1917; to A. Kroemer, Nov. 28, 1917; to Joseph Stolz, Dec. 2, 1917.

A Search for Friends

On November 27, the Board of Governors convened in its regular monthly meeting under the chairmanship of President Heinsheimer. Deutsch was made the first order of business. Two communications of his were read and ordered spread on the minutes. One was an unequivocal declaration that he, notwithstanding his attitude in court, wished the “U. S. to win the war.” The other was to inform the Board of his unsuccessful attempts to make “personal amends for his errors” with Judge Hollister. Statements of unanimous support of Deutsch from the faculty and the student body were also read and entered into the minutes. “Other communications from men not directly interested in the College had been received, but,” as Deutsch had correctly estimated, “were not presented to the Board.”

Still, among the letters “read and ordered filed” from members unable to be present at the meeting was one by Joseph Stolz, who between the lines accused the resident members of foul play. He pointed out that it was only “by the purest accident” that he had learned from a visitor the rumor making the rounds in Cincinnati that the Board contemplated dealing with the Deutsch matter in the course of a routine meeting. Stolz sternly requested that “hereafter when matters of serious import are to be brought to the attention of the meeting...the out of town members be informed be-times of the subject matter so as to be able to send a written communication if not to be able to be present in person.” This letter and apparently one from Stolz’s fellow-Chicagoan, Emil G. Hirsch, as well must have given Deutsch’s local supporters sufficient leverage to pass by a close vote of 6 to 5 the resolution to adjourn the meeting to December 11, so as to “afford” the fifteen nonresident members the “opportunity to be present.”

40 B. o. G. Minutes, Nov. 27, 1917, pp. 294-95.
By the narrowest of margins, the supporters of Deutsch had won the first round. Under the encouragement and prodding of Murray Seasongood — “If you have friends among the non-resident members, be sure to use every effort to get them to be present Tuesday night” — Deutsch frantically wrote letters to round up his out-of-town supporters. This was asking a great deal. Many among them were important people in their own respective communities and congregations. They had their hands full with all kinds of obligations—not to mention activities connected with the war effort, which must have placed additional burdens on their time. Finally, it was no pleasure to travel at that season of the year, especially since the winter was exceptionally severe, with the Ohio freezing “from its headwaters to the Mississippi.”

Nonetheless, on that Tuesday night, December 11, four out-of-town members managed to be present. President Heinsheimer, who so far had been strictly impartial, if not sympathetic to Deutsch, had for the occasion prepared a report which he intended to read to the members. It was to the effect that “Dr. Deutsch’s activities aside from his” scholarly avocations had “been a matter of consideration for the Board of Governors for many years.” Nothing was left out, not even the fact that Deutsch once upon a time had presided at a meeting where that “foe of established institutions,” the notorious anarchist Emma Goldman, had spoken. Nor did Heinsheimer fail to mention the embarrassment Deutsch had caused the Board of Governors by not turning up to receive his honorary D.D.

The situation was tense. After the meeting had been called to order and the proceedings had begun with the reading of letters from members of the Board unable to be present, President Heins-

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43 B. O. G. Minutes, Dec. 11, 1917, p. 310; March 26, 1918, p. 81.
heimer "leaned forward to take a glass of water," knocked over the glass, and "remained leaning on the table." Noticing it, Alfred M. Cohen went to determine the cause. He found that President Heinsheimer had "breathed his last, never regaining consciousness. The members dispersed without formal adjournment."44

Consternation reigned. "The tragedy of last night cast a gloom over the community which cannot but influence my fate," Deutsch wrote sullenly to Max Heller, who replied in the same vein: "H's death will tend to prejudice your case. It will embitter his powerful connections, who will argue with much force that worry over your case had hastened his end. He will appear as a martyr to an over-heavy load of uncalled-for cares. . . ." On second thought, however, Heller estimated that a postponement of two weeks until the next regular session of the Board would "tend to calm the public." A few days later, Deutsch believed that he detected public sentiment turning in his favor: "Heinsheimer's death is looked upon as an intervention of Providence on my behalf." Murray Seasongood, on the other hand, considered "the situation as serious."45

Whatever the outlook, Deutsch held fast to his resolve of fighting it out. Again appeals went out to nonresident members to be present at the next regular meeting scheduled for December 26. In addition, Deutsch, despite Heller's admonition "to be especially careful now as to your doings, sayings, comings and goings," announced to his friends that he would pen a pamphlet "reviewing my whole activity in connection with the war." In it he would stress the fact that in 1795, at a time which found Prussia at war with France, Immanuel Kant, then professor at the Prussian University of Königsberg, had been able to write and publish his treatise on Universal Peace without suffering reprisals of any kind from the University or from public officials.46

45 Deutsch to Heller, Dec. 12, 1917; Heller to Deutsch, undated; Deutsch, Diary, Dec. 17 and 18, 1917.
Apparently at this stage, his friends began to conspire to save Deutsch despite himself. He was strongly advised to stay away from Heinheimer's funeral, and immediately after the funeral, a friend reporting on the event subtly suggested that Deutsch might declare himself “officially ill.” “Ich soll offiziell krank sein” (I am supposed to be officially ill), he confided to his diary. To make sure, his personal physician, Dr. Heyn, called later at his home to give him “imperative orders” that he and his wife “should go away at once . . . for a period of rest.” “Seems to have been commissioned,” Deutsch suspiciously noted in his diary. In the meantime, Alfred M. Cohen, taking charge as vice president of the Board, had arranged with the faculty to take over Deutsch’s teaching load for the remainder of the term.47

**One Hundred Percent American — Or Else**

Deutsch was far from happy. Not only would his being away from his library hamper the writing of his contemplated pamphlet, but “the suspense of being 1,000 miles away from home would not be beneficial to our health,” he lamented. Also, under these conditions, he found “the proportionate expense doubly hard to bear,” particularly if his being sent away meant that he was “to receive [his] discharge in small doses.” When he communicated to Cohen his desire to await the result in Cincinnati, the vice president replied diplomatically “that Dr. Heyn presented [Deutsch’s] departure as a conditio sine qua non.” So, on Sunday, December 23, the Deutsches departed for a cold and miserable stay in Florida, while three days later in Cincinnati the Board met again to decide Deutsch’s fate.48

This time Cohen chaired the proceedings. Three major resolutions were offered. One was to suspend Deutsch immediately “from all further duties or connections with H. U. C.” His salary, though, was to be paid to the end of the scholastic year, and the action was not to preclude his receiving a pension upon reaching retirement


age. Stolz, next to Heller one of the strongest of Deutsch's out-of-town supporters, offered a rather lengthy resolution which accused Deutsch of having committed an "unfortunate error." He was to be given the opportunity to correct it, however, by appearing in a solemn assembly before the members of the Board of Governors, representatives of the Executive Board of the Union of American Hebrew Congregations, and the press, to make "his declaration of loyalty to the American Government." The debate was protracted and lasted well beyond midnight. Finally a vote was called for with the express understanding that it was solely on the spirit and not on the letter of Stolz's resolution. A tie resulted, which was broken in Deutsch's favor by Chairman Cohen. Thereupon a debate ensued on the wording of Stolz's resolution. Failing to make any headway, the members in their exhaustion fell back on a resolution previously offered and then withdrawn by Rabbi Charles S. Levi, of Milwaukee. Levi had called for censure because, in his appearance in Judge Hollister's court, Deutsch had failed to discharge the "paramount duty of leaders and teachers of American Israel to be one hundred percent American." In view of the fact that Levi's resolution considerably departed from that of Stolz, Cohen gave the members the option of changing their votes; but since no one desired to do so, the censure of Deutsch was carried. Again, appropriate excerpts of the minutes were printed in the *American Israelite*.49

Officially the case was closed, but during the winter and early spring of 1918 the nativist hysteria reached new heights. In Cincinnati, German was dropped from the public school curriculum. German street names were changed, and German books were removed from circulation in the Public Library. Apparently, some of the resident members felt the need to reopen the Deutsch case. They, undoubtedly, and not the out-of-town members, had to bear the brunt of nativist taunts that the College had not displayed the proper patriotic spirit in its handling of the Deutsch case.50 In any

49 B. o. G. Minutes, Feb. 26, 1918, pp. 16-19; AI, Jan. 3, 1918. The debate must have been so heated that the Stolz resolution on which the actual vote had been taken was at the time not entered into the Minutes. It was at the following meeting that Judge Harry M. Hoffheimer requested a correction, which was entered on Feb. 26, 1918.

50 Dobbert, pp. 391-94.
event, at the Board’s regular meeting in March, 1918, Ralph W. Mack made a formal request to reopen the matter. He argued that the close vote had rendered “the result unsatisfactory and inconclusive.” Moreover, if all the facts, particularly Heinsheimer’s report, had been presented to the Board, its “action . . . would have been different.” Therefore, he judged it to be no matter of a simple difference in opinion, but one which involved “the very honor and loyalty of the College itself.” And he concluded that, regardless of the parliamentary rules involved, his own “usefulness as a member of this Board [was] impaired while the matter remains in the present condition.”

Despite Seasongood’s threat that he might raise a point of order, and Heller’s actually calling for it in saying that the Board was engaging in business previously disposed of, the Deutsch case was reconsidered on June 25. As a concession to Deutsch’s friends for withdrawing their point of order, however, a motion was passed calling on President Cohen to read a number of communications on the subject of reopening the case. Among them Cohen included not only letters from people directly connected with the College, but also some from important people who had no direct connection, a policy which the Board seems not to have customarily followed. Among these communications was one from the enormously influential Louis Marshall, who condemned the contemplated action “as cruel and unwarranted . . . an unqualified misfortune and productive of incalculable injury to your institution and to American Jewry. . . .” Joseph Krauskopf, a member of the Board, argued that “even people who were formerly inclined to condemn will be turned to sympathizing with the persecuted.”

As a matter of fact, the storm of protest seemed to have been so great that now the shoe appeared to be on the other foot. The petitioners who had requested reconsideration now asked for the ap-

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51 B. o. G. Minutes, March 26, 1918, pp. 31, 34.
52 Ibid., June 25, 1918, pp. 73–85; Marshall to Cohen, June 24, 1918; Krauskopf to Cohen, June 21, 1918.
pointment of a committee whose task it would be to answer the various communications received in such a manner as to "make it unmistakably clear" that their authors had been "laboring under a complete misapprehension as to the motives of such members of the Board."53

Despite its successful outcome, the ordeal had left its mark on Deutsch. And even though shades of his scrappy old self returned, age was rapidly catching up: "I get easily fatigued," he wrote; "my state of health, impaired by nervous depression, does not allow me to do much." His outlook on national and world affairs became increasingly pessimistic: "Our republic has scented the airs of Tsarism. . . . In the history of modern democracies we have come to the chapter of Julius Caesar." Considering the fast pace of historic change caused by modern technology, "the age of Caligula ought not to be far away." Concerning Jewish affairs, Deutsch wrote:

I do feel like Malachi (1.10) that the doors of the temple might just as well be shut and the coal and electricity saved if the last prop of liberal religion, the prophecy of turning swords into sichles [sic], becomes an empty phrase.54

As in so many other instances, in Deutsch's case, too, the war had accentuated the tragedy inherent in the man himself: Deutsch was a German Jew when Jewish immigration from that country had, for the most part, long since ceased; he was an internationalist when nationalism was the order of the day; and, finally, he lived the ideal of a universal cosmopolitan Judaism when his coreligionists had already begun taking the nationalistic road of political Zionism.

Though venerated and loved by students and colleagues alike and almost worshipped by most of America's Reform Jews, he had, by the time of his death on October 21, 1921, become a relic of the past.

53 B. o. G. Minutes, p. 85.
54 Deutsch to Simonsen, Jan. 27, 1918; April 11, 1918; July 26, 1918; to I. J. Aschheim, Nov. 5, 1919.
Washington's Thanksgiving Proclamations

ROSE S. KLEIN

To what extent did the small American Jewish community figure in President George Washington's Thanksgiving Proclamations of 1789 and 1795? At least one of Washington's contemporaries, David Tappan, D.D., Hollisian Professor of Divinity in Harvard College, was of the opinion that Jews as well as Deists were taken into consideration by the President when he worded his proclamations, especially the one he issued in 1795.

The earliest known Thanksgiving proclamation by a Town Council in colonial America appeared at Charlestown, Massachusetts, on June 20, 1676. As would be expected of a Puritan community of that period, the proclamation contained a reference to Jesus Christ. A similar reference to Jesus Christ is found in the first national Thanksgiving proclamation published by the United States Congress on November 1, 1777, and setting aside Thursday, the 18th of December, as a National Thanksgiving Day.¹

President Washington issued his first proclamation of a National Thanksgiving Day in 1789, but that document is notable for its lack of any reference to Jesus or Christianity. Washington contented himself with an acknowledgment of "the providence of Almighty God... that great and glorious being who is the beneficent author of all the good that was, that is, or will be." Indeed, his only concession to Christology was the fact that he dated the proclamation "the 3rd day of October, A.D. 1789."² Washington's only other proclamation for a National Thanksgiving Day—he composed it in 1795—omitted even the conventional use of "A.D." in the date. The omission may have been deliberate, as the 1795 proclamation

Mrs. Klein is the wife of Dr. Joseph Klein, Rabbi of Temple Emanuel in Worcester, Massachusetts.

¹ Howard S. J. Sickel, History of Thanksgiving and Proclamations (Philadelphia, 1940).

² Ibid.
Scalplare by Moses Ezekiel

George Washington
was addressed to "all Religious Societies and Denominations, and to all Persons whomsoever within the United States":

When we review the calamities which afflict so many other Nations, the present condition of the United States affords much matter of consolation and satisfaction. Our exemption hitherto from foreign war — an increasing prospect of the continuance of that exemption — the great degree of internal tranquility, by the suppression of an insurrection which so wantonly threatened it — the happy course of our public affairs in general — the unexampled prosperity of all classes of our Citizens, are circumstances which peculiarly mark our situation with indications of the Divine Beneficence towards us. In such a stage of things it is, in an especial manner, our duty as a People, with devout reverence and affectionate gratitude, to acknowledge our many and great obligations to Almighty God, and to implore Him to continue and confirm the blessings we experience.

Deeply penetrated with this sentiment, I, George Washington, President of the United States, do recommend to all Religious Societies and Denominations, and to all Persons whomsoever within the United States, to set apart and observe Thursday the Nineteenth day of February next, as a Day of PUBLIC THANKSGIVING and PRAYER; and on that Day to meet together, and render their sincere and hearty thanks to the Great Ruler of Nations, for the manifold and signal mercies which distinguish our lot as a nation; particularly for the possession of Constitutions of Government, which unite and by their union establish liberty with order — for the preservation of our Peace foreign and domestic — for the seasonable control which has been given to a spirit of disorder, in the suppression of the late insurrection — and generally, for the prosperous course of our affairs public and private; and at the same time, humbly and fervently to beseech the Kind Author of these blessings, graciously to prolong them to us — to imprint on our hearts a deep and solemn sense of our obligations to Him for them — to teach us rightly to estimate their immense value — to preserve us from the arrogance of prosperity, and from hazarding the advantages we enjoy by delusive pursuits — to dispose us to merit the continuance of His favors, by not abusing them, by our gratitude for them, and by a correspondent conduct as Citizens and as Men — to render this country more and more a safe and propitious Asylum for the unfortunate of other Countries — to extend among us true and useful knowledge — to diffuse and establish habits of sobriety, order, morality and piety; and finally, to impart all the blessings we possess, or ask for ourselves, to the whole Family of Mankind.

In testimony whereof, I have caused the Seal of the United States of America to be affixed to these Presents, and signed the same with my Hand. Done at the city of Philadelphia, the first day of January, one thou-
sand seven hundred and ninety-five, and of the Independence of the United States of America the nineteenth. 

Without doubt, the 1795 proclamation found favor among those who believed in the separation of church and state and in complete religious neutrality on the part of the government. But there were some who regarded so nonsectarian a declaration as an affront to Christianity. Such, indeed, was the opinion of the Rev. Ebenezer Bradford, A.M., pastor of the First Church in Rowley, Mass. Preaching in Charlestown on the morning of the day the President had set aside as a National Day of Thanksgiving, Bradford expressed strong displeasure over the proclamation’s failure to salute Jesus Christ and Christianity.

We ought to be thankful for the glorious Gospel of our Lord and Savior, Jesus Christ. How this came to be neglected in the Proclamation is a circumstance not only wonderful but truly mortifying to the friends of Christianity: For it is, without exception, the greatest favour ever bestowed on the children of men; and therefore, on occasions like the present, should not be passed over in silence.

To leave Christ, therefore, out of the account, in so important a matter as a National Thanksgiving, must be an unpardonable neglect; for he is our creator, preserver, benefactor and redeemer, and therefore we are bound to do all in his name.

Bradford concluded his sermon with a passionate outburst of religious fervor:

Forget not to cry for a world that lies in sin and wickedness; — Oh! plead with the great Disposer of all events, that all Civil and Ecclesiastical Tyranny may be destroyed from the earth — that Satan’s kingdom may be ruined, and Christ’s kingdom built up on its ruins — that God’s ancient people, the Jews, might be brought to the knowledge of God — that the heathen might be given to his Son, and the uttermost parts of the earth for his possession — that every heart might glow with love, and every tongue speak forth the praise of the Most High, from the rising to the setting Sun; — Which may God grant, for his dear Son’s sake. Amen

3 Ibid.

4 Ebenezer Bradford, Mr. Bradford’s Thanksgiving Sermon. The Nature and Manner of Giving Thanks To God (Boston, 1795).
Dr. Tappan, of Harvard College, heard Bradford’s sermon and decided to enter the controversy. Delivering a sermon to the same congregation on the afternoon of the same day, Dr. Tappan defended the proclamation and took issue with Bradford’s criticism of the President:

Mr. B. severely censures the omission of the Christian religion and the name of Christ in the appointment of a National Thanksgiving. The attachment of our beloved President to the Christian religion has long been fully evinced by his steady profession of it and attendance on its sacred institutions; by his earnest recommendation of its principles to his fellow-citizens in his circular letter at the close of the late war; by the bright exemplification of its virtues in his public and private life, especially that conspicuous Christian humility and piety, which have distinguished even his political addresses. The omission in question may, therefore, be accounted for, and perhaps fully justified by the following causes: — by the special occasion of the Proclamation, which appears to have been our recent confirmed exemption from foreign and domestic war, joined with our superior national prosperity; — by a modest wish in our Chief Magistrate to appear merely as the political Head of the Union, and not in any sense the Dictator of its religious opinions and worship, and thus to keep at the greatest distance from that spiritual domination, which the monarchs of Christian, as well as other nations have exercised; and finally, by a desire to unite in one general thanksgiving all the inhabitants of our favored land, whether Christians, Jews, or Deists; that those who were joint partakers of the national prosperity might all conspire in celebrating its glorious Author.⁵

Bradford did not let Tappan’s defense of the President pass without comment:

The Doctor’s next and last argument is the President’s “desire to unite in one general Thanksgiving all the inhabitants of our favoured land, whether Christians, Jews, or Deists.”

If the Thanksgiving be considered as a political festival only, just to testify to one another and to the world our joy for our prosperous circumstances — then bonfires, sky-rockets and illuminations, with eating, drinking, singing and dancing (which is the most common mode of the world, showing their joy at their prosperity) might answer the purpose. But if the Thanksgiving be considered as a religious festival, the right celebration of which implies such views, exercises and actions as the Doctor urged on his

⁵ David Tappan, *Christian Thankfulness* (Boston, 1795).
audience in his Thanksgiving Sermon, I can see no propriety in the omission of the Gospel and the Name of Christ in its appointment.

It is my opinion, as well as the opinion of Dr. [Joseph] Priestly, a gentleman well acquainted with the state of religion in France, that infidelity and atheism is decreasing in that nation; but we have incontestible evidence that both do rapidly increase in America. Therefore, I must take my turn in expressing my surprise that Dr. Tappan should speak of Jews, Deists, and Infidels celebrating a Thanksgiving with such raptures, without dropping a single word of his disapprobation of their pernicious and damnable sentiments, as he does in p. 36.6

Bradford’s intolerance doubtless reflects the view of a goodly percentage of the Christian fundamentalists of his time, but it was the liberal attitude of George Washington as expressed in his Thanksgiving proclamations and the championing of that attitude by men like David Tappan that would become normative in the Republic.

6 Ebenezer Bradford, The Nature of Humiliation (Boston, 1795).
Henry Frank: Pioneer American Hebrew Publisher

MADELEINE B. STERN

The sudden death of the pioneer American Hebrew publisher, Henry Frank, at Saratoga Springs, N. Y., on July 31, 1868, went unnoticed by the non-Jewish press of New York. Indeed, it was apparently only in the Hebrew Leader that his productive life was summarized, the editor remarking that, “during his long career in this country, which brought him in contact with persons of all creeds and nationalities, he quickly convinced them of his many noble qualities both as a man and a scholar.” Then — nearly a year after Frank’s death — his biography and his portrait were blazoned forth in one of New York’s most unlikely media, the American Phrenological Journal. There, under the hyperbolic caption HENRY FRANK, THE FIRST HEBREW PUBLISHER IN THE UNITED STATES, three columns were devoted to his life and work, and a large portrait was accompanied by a phrenological analysis of his faculties and temperament.1

The publisher of the American Phrenological Journal, Samuel R. Wells, was, of course, a student of phrenology or the science of the mind, the nineteenth century’s equivalent of psychoanalysis. As such, he was deeply interested in so-called “national types,” among whom the Jew, standing “at the head of the Semitic sub-races,” always found a place in his ethnological analyses. As an example of a race characterized by a “lofty coronal arch, . . . breadth above the ears, and . . . broad, arched, and prominent nasal bone,” Henry Frank may have engaged the attention of the phrenologist-editor Wells. At all events, the American Phrenological Journal was apparently the only periodical that carried Frank’s portrait and gave his career the space it deserved. As a German-Jewish-American publisher, Henry Frank had indeed supplied the needs of a growing,

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Miss Stern is a partner in the New York firm of Leona Rostenberg Rare Books. Her most recent book is The Fantarch: A Biography of Stephen Pearl Andrews (University of Texas Press). She is currently at work on Fowler and Wells, phrenologist-publishers.

1 Hebrew Leader, August 7, 1868, p. [5]; American Phrenological Journal, XLIX, No. 4 (April, 1869), 161. A simple death notice was carried by the Jewish Messenger, August 7, 1868, p. [6].
changing country, and though he was not, as Wells believed, "the first Hebrew publisher in the United States," he was a pioneer who merits a niche in American publishing history.⁸

Born at Walsdorf, Bavaria, in 1804, young Frank became an apprentice printer at the age of thirteen in the neighboring city of Bamberg. Having, as the *American Phrenological Journal* was to put it, "gained a reputation highly flattering and deserving for one so young, which soon won him... fame as a practical printer," the twenty-year-old Frank was invited to superintend the Hebrew publishing firm of Arnstein & Sons in Sulzbach. There he continued for fifteen years until the concern retired from business. Only then, when he was in his thirties, did Frank strike out for himself. As Wells commented,

ambitious to establish himself, he succeeded in obtaining a license from the Bavarian Government, which, at that time, was a very difficult thing for an Israelite to obtain. His first publication was the Pentateuch, or five books of Moses, in Hebrew and German, of which we have a copy before us. This book was, through his energetic endeavors, introduced in all the theological schools and colleges of the kingdom, and thus laid the foundation of his fame. He carried on the publication of Hebrew books with great success until the year 1848, when the revolution, which spread all over Germany, gave a rather gloomy aspect to business. Expecting a brighter state of affairs in America, he emigrated to this country in that year with his family, and founded the pioneer Hebrew publishing house of America in the city of New York.

Obviously, with the migration of the "48'ers," a large market for German-Jewish books and Hebrew prayer books was created, and the need in New York City especially for a German-Jewish printer was apparent. Where there had been 5,000 Jews in this country in 1820, by 1848 there were 20,000. Henry Frank was one of them, who brought with him not only his hopes and his ambitions, but also a more tangible stake in the future — his ability as a practical printer, his experience as a publisher, a stock of Hebrew books, and his fonts of type.⁹

⁻ Samuel R. Wells, *New Physiognomy, or, Signs of Character, as manifested through Temperament and External Forms* (New York, 1875), pp. 444-45.

Establishing his press at 205 Houston Street, he appeared in the New York City directories for 1849/50 as a "printer." By 1850 he had published at least five books which set the pattern for his future list. Of these perhaps the most important was a Passover Haggadah, which he entitled Service for the First Two Nights of the Passover, "printed and published by H. Frank" in Hebrew and English and in Hebrew and German under the title Die Pessach-Hagada. The Haggadah would remain a staple publication of the House of Frank through the years. In addition, his imprint appeared upon the Gebete und Gesänge zur Seelenfeier, published in German and Hebrew for New York's Temple Emanu-El, as well as upon Salomon Herxheimer's Catechism of the Faith and Maurice Mayer's Volksbuch über Moral und Sittenlehre.

Frank's principal publications, the Daily Prayers and Festival Prayers, would, in their various editions, continue to fill the needs of Jews who swelled the westward migration after 1848. Despite the competition offered by Isaac Leeser, of Philadelphia, or "N. Ottinger," of New York, Frank prospered, supplying the demands of the increasing number of German Jews who had settled in America and required books for the festivals in Hebrew, German, and English. As the American Phrenological Journal explained,

In the outset he labored under many difficulties to procure journeymen printers, but finally succeeded... after five years' steady and unflinching labor he finished the publication of the "Prayers for the Festivals," or Machsor, in five volumes, in Hebrew, with an English translation. This work proved his greatest success. After the foregoing, he published numerous minor books, calculated for the Jewish faith, but which found sale among many learned and intelligent Christians... A good proof of his industry may be drawn from the fact that there is scarcely a Jewish family on this continent who is not in possession of some Hebrew book published by Mr. Frank.

Among those books were scholarly or devotional works by the learned Rabbis Samuel Adler and Moses Mielziner, along with

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4 A. S. W. Rosenbach, "An American Jewish Bibliography ... until 1850," Publications of the American Jewish Historical Society, XXX (1926), Nos. 665, 672, 687; Jacob R. Marcus, ed., Jewish Americana... A Supplement to... An American Jewish Bibliography (Cincinnati, 1954), Nos. 224, 226.

5 "N. Ottinger" may be one with the sofer Nathan Oettinger.
Wolf Schlessinger's *Religiose Betrachtungen & Gebete* and Fanny Schmiedl Neuda's *Stunden der Andacht*. This last was published also in an English translation as *Hours of Devotion*. Besides issuing the liturgy in the German and Polish rite, the firm saw through the press several works in English including Pyke's *Scripture History* and Bernhard Felsenthal’s *Practical Grammar of the Hebrew Language.* 6

Frank’s patrons included the members of New York’s Congregations Emanu-El, B’nai Jeshurun (for whom he published the Pyke’s *Scripture History*), and subsequently Anshe Chesed (for whom his firm would issue the *Ordnung der Gebete beim Gottesdienst*). They numbered not only his fellow “48’ers,” but also those who followed, bringing the Jewish population in America to some 250,000 by 1870. For them, “Frank’s Hebrew Book Store” not only published books, but also imported Hebrew books published elsewhere. Moving about as the years passed, from Houston Street to Broome, from Cedar to Pearl and Division Streets, operating sometimes from his home, Frank supplied his patrons not only with books, but also with synagogue and society stationery, *etrogim*, and silk and woolen prayer shawls “selected by our agents in Europe.” In addition, he annually distributed a Hebrew Calendar throughout the United States. 7

The calendar marked for Henry Frank the passage of years kindly and prolific. The publisher was rich not only in his imprints, but also in his sons. One of them, Leopold H. Frank, had studied under his father’s tutelage until he was able to superintend the firm on his own. Two other sons, inheriting perhaps their father’s pioneer blood, struck out for the West Coast and by 1864 had established a branch of the business in San Francisco. There, Frank & Co., wholesale stationers on Sacramento Street, was managed by Jacob J. and Joseph H. Frank. 8 Doubtless through their West Coast con-

6 Allan E. Levine, *An American Jewish Bibliography...* 1851 to 1875 (Cincinnati, 1959), lists seventy Frank imprints. The Jewish Division of the New York Public Library owns various Frank publications which the writer has examined.

7 See the advertisement in the Jewish Messenger, August 17, 1860, and the listings in New York City directories 1849/50–1878/79.

8 See the listings in San Francisco directories 1864–1878/79.
nections, the New York firm was able to publish *A Class Book for Jewish Youth of Both Sexes* by Henry Abraham Henry, rabbi preacher of San Francisco's Congregation Sherith Israel, in an edition which, it was hoped, would "be found useful not only to Israelites but also to all enlightened Gentiles who may desire to inform themselves of those subjects." The growing Jewish, and possibly "enlightened Gentile" population in the golden West created the market that Frank's sons were swift to supply.

Sacramento Street was a far cry from Walsdorf, Bavaria, and by the mid-1860's, Henry Frank, having, as the *American Phrenological Journal* mused, "achieved his aim, . . . to establish a well-organized Hebrew publishing house on this continent," retired from business and left the firm in charge of his son Leopold. The firm name Henry Frank was altered to L. H. Frank & Co., although the firm's original purposes remained unchanged. In 1868, during a visit to Saratoga Springs, Henry Frank was stricken with apoplexy and, "after lingering in a state of unconsciousness for four days, he died, at the age of sixty-four years, surrounded by his children."

The business he had founded continued to prosper. L. H. Frank & Co. expanded the list begun by Henry Frank with a new illustrated edition of the Haggadah and by 1872 reached the thirteenth edition of the *Prayers of Israel* with English translation. For the Hebrew Free Schools of New York, the publishers issued *Daily Prayers, with English instructions*, while additions to the list included Bible Selections, Samuel Cahen's *Catechism . . . for children of the Hebrew Faith* translated from the French, and Hymen Polano's *Hebrew Speller . . . according to the German and Portuguese Mode of Pronunciation*. One of the most interesting of the later Frank publications, reflecting the changes in Judaism, was *The American-Jewish Ritual*, the Reform liturgy issued in 1870 for Temple Israel in Brooklyn. It was followed two years later by the Reform liturgy for New York's Congregation Ahavath Chesed.

Shortly after Henry Frank's death, in September, 1868, when Isaac Leeser's executives held a final sale of the Philadelphia leader's publications at Bangs, Merwin & Co. in New York, the "Messrs. Frank" had been "among the larger purchasers." Advertising themselves as "Publishers and Importers of Hebrew Books," L. H. Frank & Co. persisted in the sale and publication of works for
German- and English-speaking Jews. Their books were "also for sale" at the San Francisco branch of Frank & Co. Both in the East and in the West the business weathered the Panic of 1873, surviving in the San Francisco and New York City directories until 1878/1879. For thirty years the Frank family of publishers had supplied the intellectual and religious needs of German Jews who had migrated to this country, adding to the rich store of what has come to be called Jewish Americana. Yet, when the founder of that family died, his achievements were celebrated principally by the American Phrenological Journal. That Journal's analysis of Henry Frank's character has an abiding interest:

... The brain was large and the body well formed. The face indicates the character he was. There was length, breadth, and fullness in nearly every part. Observe how large the perceptive faculties! How broad the forehead between the eyes! No little mechanical talent is indicated by that amplitude. There was also much energy here. See how broad the head is between the ears! The top-head is also high, and the whole contour speaks the language of respect, kindness, affability, and executiveness. Such qualities, with integrity, ingenuity, and perseverance, would work their way up, as this man did. There is care as well as work in this countenance, but it is not the face of groundless fear or discontent. Nothing of timidity or irresolution is evinced. He evidently was at once self-relying and self-helpful. . .

Surely this was as thoughtful and as laudatory an obituary as Henry Frank might have desired. He needed no other, for he is best remembered in the many books that bear his imprint and the imprint of his son Leopold. By these he takes his place as a pioneer in the long stream of American Hebrew publishing, and by these he gains his immortality.

9 Jewish Messenger, September 16, 1868, p. [4]; August 28, 1868, p. [3]; Hebrew Leader, February 26, 1869, p. [6].
Book Review


In 1880, there were probably around 250,000 Jews in the United States. By 1914, more than seven times this number, almost 1,800,000 more, had migrated to this country. The massive waves of immigration which reached their peak in the years before World War I brought with them the inevitable pains and problems of accommodation to a new society which was itself in the turmoil of social and economic pressures and change. The ways in which the existing and the emerging Jewish philanthropic groups and institutions responded to these problems are the ingredients for the history of American Jewish social welfare.

Social welfare institutions in one form or another had been brought to America by each of the successive Jewish, as other, immigrant groups. But it was at the turn of the century that the directions for the current development of Jewish social welfare were set and the beginnings established for the professions in Jewish communal service which play such a key role today in the organized life of the Jewish community.

A group of philanthropic leaders from the major communities met at Cincinnati in 1899 to consider how best to cope with the multiplicity of social welfare problems faced by American Jewry. They formed the National Conference of Jewish Charities, from which eventually emerged today's National Conference of Jewish Communal Service. The proceedings and reports of this Conference reflect the problems, struggles, and achievements of Jewish communal services and institutions over a period spanning almost seven decades. They constitute a most interesting and valuable documentation of a significant aspect of American Jewish history.

Trends and Issues in Jewish Social Welfare presents selections from the proceedings and reports of the Conference from 1899 to 1958. Some seventy-five articles are organized in sections and subsections, each reflecting various stages of development in Jewish social welfare and within the several areas of communal service. A large proportion of the authors represent well-known figures in Jewish communal life. Essentially, the articles delineate three major periods. The first period covers approximately the first fifteen years of our century. In those years, the National Conference of Jewish Charities was primarily an organization of lay leadership and the only national forum at that time for consideration of
problems in Jewish social welfare. The participants were the ones who hammered out new directions and new programs for coping with problems of Americanization, family breakdowns, relief, resettlement, tuberculosis, and other social ills which had become the lot of an overwhelming segment of the Jewish masses.

The second period, which covered the years between the two World Wars, was that of the maturation of the organized Jewish communities and the emergence of the various professions in Jewish communal services. These developments paralleled and were shaped by what was taking place in society at large, especially the depression years and the major thrust of government into social-welfare policies and programs. This period also witnessed the growth of other major national Jewish organizations, and the Conference had become essentially a national forum which brought together professional practitioners from the various fields of social welfare and Jewish education.

The third period — that of post-World War II — saw the vast programs of refugee resettlement and rehabilitation and the galvanizing of the American Jewish community in support of Israel; also, the expansion of national social programs; the sharpening of questions of the relationship of sectarian to nonsectarian services; the concern with human relations; and the role of Jewish communal services as instruments of the Jewish community in assuring Jewish cultural survival.

The job of culling out seventy-five representative papers from more than a thousand which filled the proceedings over a period of fifty years is indeed formidable, but the editors were well equipped for this task. The late Michael Freund, for several years Research Director of the Council of Jewish Federations and Welfare Funds, and former secretary of the Conference, had himself been very much a part of the Jewish social-welfare scene and among those who had helped shape its direction. Robert Morris, professor at the Florence Heller School for Advanced Studies in Social Welfare at Brandeis University, a nationally eminent scholar, has been identified with Jewish communal services for more than two decades.

It must be recognized that no selection can be definitive, and that all selections are very much subject to the judgment of particular editors. Thus it seems to this reviewer that the earlier sections of the book reflect more effectively than the others the changing problems and achievements in Jewish social welfare. The articles in these sections in their sum present a clear picture of the problems facing American Jewish communities and of the efforts to find new ways and cooperative approaches to resolve them. The latter sections tend to be weighted with papers dealing pri-
marily with descriptions of the status quo rather than with critical analyses of current programs or reflections of the creative unrest within the field which was characteristic of the post-World War II decades.

Thus it would have strengthened this important book if it had included more papers dealing with the philosophical underpinnings of Jewish communal services, i.e., the concept of cultural pluralism and its impact on communal services, the stirrings of radical, left-wing thought in the thirties, or the growing calls from rank and file practitioners for richer Jewish cultural content in agency programs and professional practice.

The editors, however, have more than compensated for these gaps by their incisive introductory essays and comments which precede, respectively, each of the book's sections and subsections. These statements create a sense of continuity and add up to a lucid and comprehensive presentation of the history of Jewish social welfare in America. They by themselves are "worth the price of admission." The book is highly recommended as a valuable addition to the library of the student of American Jewish history, the professional practitioner, or the layman interested in Jewish communal service.

Boston, Mass.

Benjamin B. Rosenberg

Dr. Benjamin B. Rosenberg is the Executive Director of the Combined Jewish Philanthropies of Greater Boston.

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ECKMAN DATA REQUESTED

Information is being sought on Rabbi Julius Eckman, who served congregations for brief periods of time between 1846 and 1872 in Richmond, Va., Charleston, S. C., Mobile, Ala., New Orleans, La., San Francisco, Calif., and Portland, Ore. Rabbi Eckman was born in Rawicz, Posen, in 1805. He studied in Berlin and London, founded schools in Richmond and San Francisco, and was editor of The Weekly Gleaner and The Hebrew Observer in the latter city. He died in San Francisco in 1874.

Eckman was the first rabbi of Congregation Ahavai Sholom of Portland, now Congregation Neveh Shalom. A biography of his life and career is being written for the centennial celebration of the congregation in 1969 by its rabbi, Joshua Stampfer, and Dr. Robert E. Levinson, Instructor of History at San Jose State College. People who have any information on Eckman, such as materials by or about him, copies of The Weekly Gleaner or The Hebrew Observer, or names of descendants, are asked to write Dr. Levinson, Department of History, San Jose State College, San Jose, Calif. 95114.
Brief Notices


Executive vice-president of the B'nai B'rith for a generation, Dr. Bisgyer, as the subtitle to these memoirs suggests, had a great deal to do with what went on “behind the scenes in the struggle for Jewish survival.” Readers will be particularly interested in his account of the relationship between Harry S. Truman, Chaim Weizmann, and Eddie Jacobson. The volume includes a foreword by Philip M. Klutznick.


The Coopermans have selected and translated a rich variety of Yiddish poems — more than 500 — by some seventy poets, among them Morris Rosenfeld, Solomon Bloomgarden (Yehoash), Mani Leib, Moshe Leib Halpern, Leivick Halper (H. Leivick), Melech Ravitch, Eliezer Greenberg, Sholem Shtern, Israel Emiot, Haim Grade, and Jehuda Leib Teller. The poems all reflect the impact of American life on the East European immigrant Jew and possess as such a historical as well as a literary interest. An index to the poets is provided.


Historians and students of the modern Jewish experience cannot but be much indebted to Mrs. Dawidowicz for this book about East European Jews “in crisis, challenge, and creativity from the end of the eighteenth century until their cataclysmic destruction in the Second World War.” The Jewry whose life is reflected in this anthology produced a preponderant majority of North America’s present-day Jewish community. Mrs. Dawidowicz has enhanced *The Golden Tradition* with a well-documented eighty-five-page introduction, maps, and an index.


“One of the most infamous outbursts of anti-Semitic feeling in the United States,” the Frank lynching, which took place in Georgia in 1915, is reexamined by Dr. Dinnerstein, of Fairleigh Dickinson University, who sees it as highlighting the dilemmas and difficulties facing a fast-changing South during the Progressive Era. The book contains extensive documentation as well as illustrations and an index.

GOTTSCHALK, ALFRED. *Your Future as a Rabbi: A Calling that Counts*. New York: Richards Rosen Press. 1967. 127 pp. $4.00

“It is my feeling,” writes the author, Dean of the California School of the Hebrew Union College - Jewish Institute of Religion, “that there are many young men of idealism and worth who will ask themselves the question, ‘Should I be a rabbi?’” He sets out in this book to answer the question. “The rabbinate,” he believes, “can be one of the most useful, creative, and satisfying careers,” and he is at pains to show how and why this is so.
BRIEF NOTICES


A classic account of East European immigrant Jewish life in New York City, The Spirit of the Ghetto first appeared in 1902. Its author, the descendant of seventeenth-century New England settlers, saw in the Lower East Side, as Dr. Rischin observes, "a vital Jewish world working out its own destiny and oblivious of Christian categories or rhetoric." As a result, he produced "a profound commentary, still fresh and viable, on a critical era in the making of the modern American mind." This reissue is complete "with drawings from life" by Jacob Epstein. Dr. Rischin has added a most useful introduction and an index of names.

HECKT, ROGER. 27 Poems. Denver: Alan Swallow. 1966. 64 pp. $2.00

It is clear from this volume that New York-born Roger Hecht possesses poetic gifts of the first rank.


Wills, points out Dr. Isidore S. Meyer in his foreword to this handsome volume, are "the signs of the times." That is very clear from the forty-one eighteenth-century wills presented by Dr. Herschkowitz, of Queens College. In addition to offering well-annotated texts, Dr. Herschkowitz provides in several instances facsimiles of the originals. Also included are indices and an extensive bibliography. The book is certainly "a guide and model for further research in this neglected area of American Jewish historical investigation."


The world-renowned metallurgical empire which had its beginnings in the late 1840's when Simon Guggenheim left Lengnau, Switzerland, for Philadelphia is the subject of this detailed, attractively written account. The family's multifaceted activities and contributions to American life, says the author, "proved to America that the American dream existed, was real, and was renewable." The book includes documentation and an index.

IBN-ZAHAV, ARI. Boneh Mikdash M'at. New York: Jewish Education Committee Press. 1966. 48 pp. [Hebrew]

Part of the Lador Junior Hebrew Library Series, this little volume deals with Judah Leon Magnes, "Builder of the Hebrew University" in Jerusalem.


Denise Levertov has spoken of David Ignatow's "sober truthfulness and the beautiful simplicity of his language and rhythms." The sixty or so poems appearing in this collection would confirm Miss Levertov's judgment.


The articles of particular Western Hemisphere Jewish interest in this publication are Aaron Zwergbaum's "Some Data on the Delegates from the Diaspora to the 26th Zionist Congress," Aryeh Tartakower's "Hitler's Heritage," Julio Adin's
“Nationalism and Neo-Nazism in Argentina,” and Dan Ronen’s “A Study of the Effect of a Summer in Israel on American Jewish Youth.”


Published for the Philip W. Lown Center for Contemporary Jewish Studies at Brandeis University, this book, writes its editor, “presents an inventory and evaluation of the most important single factor in Jewish education — the training of teachers.” The work is divided into sections dealing with the history of American Jewish teacher-training, accredited Hebrew teachers colleges, various aspects of teacher-training, the role of Israeli-trained teachers in American Jewish schools, and Jewish studies in American universities. The two dozen highly distinguished contributors include, inter alios, Dr. Janowsky himself, Arnold J. Band, Azriel Eisenberg, Seymour Fox, Judah Goldin, Hyman Grinstein, Leon A. Jick, Alvin I. Schiff, and Eisig Silberschlag. Dr. Abram L. Sachar has supplied a foreword. There is also an index.


In addition to contributions by Samuel Joseph Agnon, Judah Stampfer, Jacob Kabanoff, Maurice Samuel, Isaac Bashevis Singer, Cecil Roth, Bernard Postal, Sol Liptzin, Joseph Blau, and Harry M. Orlinsky, among other notables, this volume features “Jewish-American Imaginative Writings in the Last Twenty-Five Years” by Charles Angoff and “Recent Literature on Jewish Art: A Critical Appraisal” by Joseph Gutmann. Also included are the customary literary anniversaries and bibliographies of new books in English, Hebrew, and Yiddish.


Like its companion volume, the first Jewish Frontier Anthology: 1934-1944, this sizeable volume brings together significant articles from the celebrated Labor Zionist monthly Jewish Frontier. Included are articles by Daniel Bell on alienation, Ben Halpern on exile, Abram L. Sachar on Louis D. Brandeis, Milton Hindus on Ludwig Lewisohn, Robert Gordis on the Judeo-Christian tradition, Marie Syrkin on Hannah Arendt, Mordecai M. Kaplan on Labor Zionism, C. Bezalel Sherman on David Ben-Gurion, Leon Poliakov on Pius XII, and several other essays by other writers.


Dr. Manfred Jonas’ purpose in this impressively researched and well-written study is to describe “the nature and content of isolationist thought” and to subject “its basic assumptions” to careful examination. Isolationism, he contends, “was the considered response to foreign and domestic developments of a large, responsible, and respectable segment of the American people,” and “anti-Semitism was only a minor, if particularly unfortunate, ingredient of the isolationist position.”


The author, a leading journalist associated with the Saturday Evening Post, has undertaken a nonacademic — and most compelling — effort to say “what it means to be a Jew in America.” In a combination of history, sociology, and literary por-
Henry Frank
Publisher of American Hebrew Books
(see pp. 163 ff.)
traiture, Mr. Kahn seems to be saying that, above all else, it means to be middle-class. Though fancy is not absent, *The Passionate People* offers fact primarily — fact in all its ambiguity, irony, and earthiness. An epitome of the book appeared in the May 18, 1968, issue of the *Saturday Evening Post*.


Originally presented as a symposium in the December, 1966, issue of *Midstream*, this book deals with Negro anti-Semitism and the emotional backlash with which Jews have reacted to it. Mr. Katz tells us in his introduction that the horizon between Jews and Negroes “is becoming clouded with misunderstandings and resentments”; *Negro and Jew*, he hopes, will contribute to “a thorough examination of the situation.” Regrettably, however, of the twenty-seven symposiasts — all of them commentators of excellent credentials — most are Jews; only two, C. Eric Lincoln and Floyd B. McKissick, are Negroes.


The rabbi of New York's suburban Larchmont Temple sets down here his observations about “the social, religious, economic, political, and cultural behavior of the American Jew” in an effort “to see what his lifestyle can tell us about the impact of Jews and America on one another.” He is chiefly “interested in learning and in recording . . . the interaction of American culture and the Jewish value system.” Ranging from coast to coast, his study concludes that the American Jew of post-World War II is able to affirm his identity “in a natural, unaccented way” and able to say: “I like the sound of the word Jewish.”


“Jewishness,” observes Professor Sol Liptzin, “has become an important theme of American literature in the 1960's . . . . The present study supplies the background for an understanding of this upsurge of interest in Jews and Jewishness.” It does not confine itself strictly to the contemporary scene, but reaches back into the colonial period. The book, well-provided with both a bibliography and an index, should prove most useful to the historian of American Jewish life and letters.

**Longstreet, Stephen.** *Pedlock & Sons*. New York: Delacorte Press. 1966. 370 pp. $5.95

Not a sequel to *The Pedlocks* (1951), this novel creates a different branch of the same family. Jewish identity, wealth, power, the meaning of the Jewish heritage — these are the themes of Stephen Longstreet's fable.

**Mariano, Nicky.** *Forty Years with Berenson*. New York: Knopf. 1966. xvi, 352, xiv pp. $6.95

Sir Kenneth Clark tells us in an introductory statement that, for four decades, Miss Nicky Mariano was Bernard Berenson’s “helper, companion and guardian, organizing his work, saving his energies, reassuring his friends, mollifying his enemies and shielding him, as far as possible, from the rough usage of ordinary life.” The book includes photographs and an index.
MIRSKY, Mark. Thou Worm Jacob. New York: Macmillan. 1967. 213 pp. $4.95

In this first novel, Professor Mirsky, of Stanford University, has fashioned a highly comic and very sad tale of Boston's rapidly vanishing Dorchester-Mattapan "ghetto"—"the great thoroughfare of the Jews in America, Blue Hill Avenue."


This publication, a periodical in paperback format, seeks to renew and extend the tradition represented by the long defunct New World Writing—"a journal that belonged primarily to the writers." Its first three numbers fairly burgeon with literary treats, many of them produced by writers of Jewish background. Philip Roth's contributions alone—"The Jewish Blues" (in Number One) and "Civilization and Its Discontents" (in Number Three)—are surely worth the purchase price.


Twenty-nine-year-old Paul Oppenheimer tells us in a brief foreword that "the battle is to rescue life from abstraction." Two of the poems in this collection—"Children of the Ghetto" and "Poem for His Ancestors"—powerfully bespeak his Jewish background.


The editor of Commentary magazine explains how he went about "making it" from Brownsville into "The Family," the preponderantly Jewish New York literary establishment. He describes his memoir as "an autobiographical book about the problem of success in America." An element in that problem, as Podhoretz sees it, is that the aspirant to success must "learn to comport himself like a reasonable facsimile of an upper-class WASP."


This work, Volume II of the "Lakeville Studies" sponsored by the American Jewish Committee, "focuses on the local community ["Lakeville," a middle-class, historically Protestant Chicago suburb with a new and substantial Jewish minority] as the place in which to understand more fully the dynamic and complex nature of present-day relations between Jews and Gentiles." The author, chairman of Hunter College's Sociology Department, concludes that relations between Jews and Gentiles in "Lakeville" reflect "an air of fantasy and an undercurrent of unresolved tension." John Slawson has contributed a foreword, and the volume also contains an index.


His book, Dr. Morton Rosenstock says, "is neither a history of modern American anti-Semitism nor a full biography of Marshall's many-faceted career," but rather "an attempt to understand, through the focus of Louis Marshall, the nature of inter-group problems affecting the status of the Jew in early twentieth century America and of the response to these issues by their leaders." It is very well documented, and includes a bibliography and an index.

This is a "New, Revised Edition" of a work which first appeared in 1959. "Intended basically as a work of contemporary reference," this volume "throws special stress on . . . recent historic developments, although at the same time covering every phase of Jewish life, literature, and thought from their beginning." The book is handsomely illustrated.


The late Rabbi Rubenovitz, of Boston’s Mishkan Tefila Congregation, was the dean of the New England Conservative rabbinate and one of the leading rabbis in America. In this volume, he and his widow reconstruct the history of Conservative Judaism as it unfolded in New England, but there are also autobiographical recollections about Solomon Schechter, the Jewish Theological Seminary of America, the United Synagogue, and Zionism. The book includes a number of Rabbi Rubenovitz’ sermons and a selection of correspondence with notables like Judah L. Magnes, Cyrus Adler, Israel Friedlaender, Mordecai M. Kaplan, and Jacob Kohn. Mrs. Rubenovitz has added her own personal reminiscences, including her relationship with Henrietta Szold and Jessie E. Sampter. The Waking Heart contains, in addition, photographs and a foreword by Louis Finkelstein.


New Jersey-born Larry Rubin, of Atlanta’s Georgia Institute of Technology, won the Sidney Lanier Award for his earlier volume, The World’s Old Way. Here he offers forty-nine lyric poems, including the enigmatic "In Lower Case": "Once in a German cathedral/I genuflected/Just to see how a Jew would feel/Doing something worthy of the lightning."


Dr. Joseph B. Schechtman undertakes, in this impressive work, "to tell the story of the United States position and policies toward the movement aimed at the establishment of the Jewish State in Palestine," particularly during "the crucial decade: 1939–1949." The book includes several pages of documentation as well as a bibliography and an index.

Schiff, Alvin Irwin. The Jewish Day School in America. New York: Jewish Education Committee Press. 1966. xxvii, 294 pp. $5.00

"In less than two decades," writes Dr. Alvin I. Schiff, "the Jewish Day Schools have helped change the face and future of Jewish education in America, and have added a new dimension to the creative survival of American Jewry." What the author has achieved is the most definitive study yet to appear of the growth and role of Jewish day schools. Useful appendices, a bibliography, and an index contribute to the book’s value.


This exceptionally handsome volume recapitulates the memorable Lower East
Side exhibition which Mr. Schoener created at the Jewish Museum in New York City during the winter of 1966. It includes descriptions of Lower East Side life by writers like Abraham Cahan, Hutchins Hapgood, Edwin Markham, and Lillian Wald, excerpts from contemporary newspaper accounts, and a selection of "Bintel Briefs" from the *Jewish Daily Forward*. The book is richly illustrated with photographs by Jacob A. Riis, Lewis W. Hine, Alice Austen, and Jessie Tarbox Beals, among others.


*Summer Knowledge*, which first appeared in 1959, won its author the Bollingen Prize in Poetry. In later years, this wonderfully gifted poet suffered severe mental illness and, in 1966, died in his mid-fifties. Included in the present reissue are his dazzling biblical poems, "Abraham," "Sarah," and "Jacob."


Chicago-born Harvey Shapiro is a poet of great distinction. Readers of this volume will surely come away with that belief. He is both a Jewish and an American poet.


Jake Goldstein, who left the Lower East Side soon after World War I to take up farming in New Jersey, had four children. One of them was the author of this engaging memoir of the demands and rewards of Russian immigrant Jewish life on an American farm.


The author, a noted sociologist, believes it "necessary...to establish whether there are certain laws which govern the development of all groups in this country, and then to see how these laws affect each group separately and the Jewish group in particular."


In this, the first of a number of projected volumes on "the intellectual and spiritual legacy of Rabbi Abba Hillel Silver," Herbert Weiner, the editor, tells us that the focus is on "the basic needs and hungers of a human being for life, comfort, courage, and meaning." Rabbi Silver's words as collected here are "addressed to the individual as an individual." In addition to selections from Silver's own writings and speeches, the volume—which is beautifully printed—features a memoir by Rabbi Solomon B. Freehof and some sixteen photographs.

Simpson, Louis. *At the End of the Open Road: Poems*. Middletown, Conn.: Wesleyan University Press. 1964. 70 pp. $1.85

Louis Simpson won the 1964 Pulitzer Prize in Poetry. A poem like "A Story about Chicken Soup"—in which he broods over the Nazi holocaust—will be of special significance to the Jewish reader, but all these poems bear within themselves "seeds/As black as death, emitting a strange odor."
BRIEF NOTICES


Volume I of the American Jewish Committee's "Lakeville Studies," this book is a companion piece to Benjamin B. Ringer's The Edge of Friendliness. "Talking about Jewish identity," the authors feel, can be "an act of affirmation, and Jewishness remains alive as long as the individual is troubled by the problem of identity." There is plenty to trouble the individual in "Lakeville," but the authors report with some satisfaction that "by-and-large Lakeville Jews...identify the source of their ethic as a Jewish one" — which "in the modern history of the Jew...was not always so." Like Ringer's book, this one includes a foreword by John Slawson and an index. The two volumes together certainly deserve to be called "the most ambitious sociological study as yet undertaken of the conditions and prospects of American Jewry."


"Most seventh-graders," comments Rabbi Arthur J. Lelyveld in his preface, "have been around the holiday trail several times. The task is to deepen their knowledge not only with new facts but also with new dimensions." The Spiros, father and daughter, "have not added just another book but...have prepared a well-designed teaching tool that is both simple and stimulating." Subtitled "Jewish Holidays and Practices at Home and in the Synagogue," The Joy of Jewish Living adumbrates its theme in seventeen chapters plus an appendix devoted to "enrichment material." A useful bibliography is included.


Mrs. Fridel Stoetzner's novel, translated from German by Lili Krakowski, addresses itself to a much neglected subject — the Christian of Jewish ancestry who fled Hitler Germany and what he (in this instance, she) encountered in the United States.


Canon Stokes originally published his monumental three-volume study of Church-State relations in 1950. After Stokes's death in 1958, Leo Pfeffer, an authority in his own right on the subject, was commissioned to prepare a revised one-volume edition of the original work. Mr. Pfeffer took pains to retain the canon's basic viewpoint, structure, and style, but brought the work up to date, both textually and bibliographically. As a result, the present volume is quite without peer.


Saul Touster's exceptional manuscript won the Kansas City Devins Memorial Award, underwritten by Dr. and Mrs. Edward A. Devins, of the Kansas City Jewish Community Center. The Award is the major prize of the Kansas City Poetry Contests.


Meyer W. Weisgal, chairman of the Executive Council of the Weizmann Institute of Science in Rehovot, Israel, is among the most notable Zionist leaders in the world.
The present volume brings together messages and tributes from his close friends and associates on the occasion of his seventieth birthday in 1964. In addition to a foreword by President Zalman Shazar and a biographical sketch of Weisgal by Edward Victor, the book includes contributions from, inter alios, Louis Lipsky, Maurice Samuel, Isaiah Berlin, Nahum Goldmann, Isidor Rabi, David Ben-Gurion, and Moshe Sharett.


The author sees a "masochistic attitude toward success . . . at the root of the anomalous Jewish attitude toward American politics." Jews, by virtue of their social position, character, and capacity, ought to be conservatives, champions of established law and tradition; yet they typically support "the new liberalism" which works "to give special privileges to the least energetic, least intelligent and least productive elements in the population." Mr. Weyl, one suspects, will not convince many of his liberal readers, but even the unconvinced will welcome the book's documentation and be grateful for its index.


Mrs. Wigoder — née Jane Frances MacDwyer, of American Irish Catholic parentage — offers here a personal account of how she came to embrace Judaism and to settle in the Jewish State.
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