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The American Jewish Archives

Journal

A Journal Devoted to the Preservation and Study of The American Jewish Experience

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On 15 September 1825, Mordecai Manuel Noah proclaimed himself “judge of Israel” in Ararat, a planned Hebrew city of refuge on the Niagara River in upstate New York. Originally hailed as an event in American constitutional and intellectual history, Noah’s scheme enjoyed a grandiose dedication—followed by abject failure. Ararat not only failed to capture the support of European Jews; its very foundation—a Hebrew-biblical state headed by Noah as “judge and governor”—was deemed subversive within the political and legal culture of the young United States. In this article, Shalev shows how, in light of the potent political Hebraism of its time, Ararat delineates the broad yet strict limits of the early American republic’s biblical imagination.

The Excommunication of Mordecai Kaplan

Zachary Silver
pp. 21–48

In June of 1945, a group of rabbis gathered in New York to burn the prayer book of Rabbi Mordecai Kaplan. This extreme measure was part of the formal excommunication ceremony for Kaplan, who would go on to become the founder of Reconstructionist Judaism. Just one month after the Allies declared victory over the Nazis, in a country wrestling with definitions of its freedom, Agudat HaRabbanim burned a religious book to express its disgust with how an individual expressed his philosophy. Silver explores the particulars of the excommunication, responses to it, and the cultural context of postwar American Judaism.
An old correspondence file in the New York Public Library, dated from 1 January 1940 to 28 July 1941, reveals an ambiguity of identity not uncommon among Diaspora Jews. The correspondence was between a young David Riesman, who went on to become one of America’s most famous sociologists, and the author’s uncle, then an impoverished and desperate refugee from Nazi Germany trying to fit into assumptions about refugees worth helping. But in this case, the author’s uncle, born in Mexico and educated in Germany in Roman law, found that in the United States the one was almost tantamount to salvation, the other totally irrelevant.

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New Essays in American Jewish History

Edited by
Pamela S. Nadell, Jonathan D. Sarna & Lance J. Sussman

Commemorating the sixtieth anniversaries of the American Jewish Archives and The American Jewish Archives Journal as well as the tenth anniversary of Gary P. Zola as the AJA’s executive director, New Essays in American Jewish History includes twenty-two new articles representing the best in modern American and Jewish scholarship. More than a celebration, New Essays serves as a scholarly benchmark in the growing field of American Jewish studies.

In addition to co-editors Pamela S. Nadell, Jonathan D. Sarna and Lance J. Sussman, contributors include:

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Published by KTAV and the American Jewish Archives, copies of this volume (item number 801486) may be purchased online by going to KTAV:

www.ktav.com
For those looking for some lighthearted historical entertainment, a new publication titled *Napoleon’s Hemorrhoids: And Other Small Events That Changed History* may just fit the bill. This volume does not purport to be an interpretive or analytical history; it merely presents a string of disconnected and entertaining historical anecdotes. The author justifies his riant effort by making an observation that, despite the book’s jocular title, merits some sober reflection: “Tiny events [have] had big impacts. Some changed the world. Some changed individuals’ lives and their contribution to the world. Some would have changed the world if matters had turned out just a little differently.”¹

David Hackett Fischer, the distinguished historian, has taught this same lesson in his thoughtful observations on Emanuel Leutze’s iconic painting “Washington Crossing the Delaware.” The artist’s depiction of that historical event radiates with a dramatic aura of epic proportion. Yet the crossing itself was a relatively small matter, especially when compared to so many other dramatic military encounters that have shaped American history. Nevertheless, Fischer insisted that Leutze’s lofty rendering befits the crossing’s significance as a symbol. “The painting reminds us” Fischer aptly observed, “that size is not a measure of significance.”²

The articles in this issue of our journal illustrate this same important lesson. Each one of the essays focuses on a discrete historical occurrence that may initially seem small, especially in contrast to the many watershed events that have taken place during the course of the American Jewish experience. Thanks to our authors’ meticulous research and their interpretive analyses, we can see that each of these happenings teaches us a great deal about the larger contextual panorama in which each has been embedded. By situating these occurrences into their cultural and societal circumstance, the authors bring the historical significance of these events into bold relief.

It would be a challenge to find a more ephemeral event in all of American Jewish history than the establishment of Mordecai Manuel Noah’s “city of refuge” for the Jews—Ararat—which was to have been located on Grand Island, New York. Noah orchestrated an elaborate dedication ceremony for Ararat in September of 1825, and an engraved dedication stone was unveiled for the
occasion. Despite the extraordinary show of pomp and circumstance, Ararat was an entirely stillborn project. Some years later Lewis F. Allen (1800–1890), a prominent Buffalonian and a founder of the Buffalo Historical Society, published one of the first accounts of Ararat’s momentaneous existence. Allen acknowledged that Ararat came to nought:

Major Noah, a day or two afterwards, departed for his home in New York; the “corner-stone” was taken from the audience-chamber of the church, and deposited against its rear wall, outside; and the great prospective city of Ararat, with its splendid predictions and promises, vanished, “and, like an insubstantial pageant faded—left not a rack behind.”

Why was Ararat dead on arrival? According to Allen, the project’s founder had made “two grand mistakes.” First, Noah had “no power or authority” over the Jewish people and, second, the Jewish people had no interest in the endeavor. Allen’s points are valid but insufficient to explain why the effort came to an end with the conclusion of the dedication ceremony.

Professor Eran Shalev strives to explain this phenomenon. He argues that the very idea of a “city of refuge” for the Jews was fundamentally incompatible with America’s political and legal culture. Not only were Jews disinterested in Noah’s project but, as Shalev stresses, “an attempt to congregate a religious and ethnic minority on an island located within the jurisdiction of an existing state was perceived as a challenge that American federacy would not tolerate.” Viewed from this perspective, Ararat’s fleeting and seemingly inconsequential existence illustrates a much larger and genuinely significant issue confronting antebellum America: Could various ethnic groups that had recently immigrated to the United States establish competing sovereignties within a sovereign state in the Union? The delicate balance of power between federal and state sovereignty left no room to create levels of governmental polities. Although Ararat was essentially nothing more than an idea, it was structurally incompatible with America’s political and legal context. American Jews could not sustain interest in any project that was not infused with an American spirit. Jews were determined to support the Constitution and the American way of life.

In March of 1914, the litterateur Margaret Anderson (1886–1973) began publishing a literary journal titled *The Little Review*. Its contributors included future luminaries such as T.S. Eliot, Ezra Pound, and Gertrude Stein. Yet Anderson’s decision to serialize James Joyce’s then-unpublished novel, *Ulysses*, in 1918 provoked the U.S. Postal Service to burn the entire press run of four
of the journal’s issues in an effort to protect the reading public from exposure to obscenity. Book burnings have been traced back to antiquity and continue today. As one historian observed, “The public bibliocaust was a dramatic, fearful reminder to the citizenry of what happens to those who express impious, obscene, heretical, and seditious views.”

Over the course of Jewish history, Jews have burned books they feared, and they have had their own books burned by others. The Nazi regime took the public bibliocaust to new heights. The world watched silently as countless repositories of Jewish knowledge and Jewish religious life went up in smoke over the course of the Third Reich. Ironically, on 14 June 1945, only days after the Nazis surrendered to the Allies, a group of Orthodox rabbis—members of Agudat HaRabbanim—gathered in New York’s McAlpin Hotel to publicly excommunicate Mordecai Kaplan and ceremonially burn a copy of a new prayer book he had recently published.

According to Zachary Silver, the symbolic burning of this one prayer book “sent a jolt through American Jews’ collective conscience.” Silver argues that this singular incident assumed an even larger symbolic significance, particularly because it occurred in the shadows of the Nazi era. The rabbis representing Agudat HaRabbanim actually believed that a public excommunication and a book burning would vividly demonstrate to pious American Jews that Kaplan and his prayer book were a mortal threat to the future of Jewish life. Yet, as Silver points out, the event produced the opposite result. Most Jews—even many Orthodox partisans—were appalled by actions that seemed so eerily reminiscent of Nazi brutality.

American Jews were participants in the surge of universalism and pluralism that swept over the nation in the post-World-War-II era. Silver’s thoroughgoing reconstruction of this troubling event underscores, again, the irresistible influence of American cultural values on Jewish life. At a time when Jews were eagerly entering the American mainstream, the acts of excommunication and book burning marginalized those who promoted an “insular, centripetal model of Jewish religious life.” This relatively small incident taught many Jews an important lesson: To “make friends and win people over” in the American context, traditional Jewry needed to be guided by “moderate people with deep faith.”

Rudolf B. Schmerl’s interesting and touching essay on his uncle’s struggle to make a life for himself and his family in America provides yet another perspective on the importance of small and transitory events. Schmerl’s essay is
based on a file of correspondence between his uncle Erwin—a German Jewish
refugee who managed to immigrate to the United States in 1939—and Professor
David Riesman (1909–2002), a noted sociologist and highly regarded academic.
During World War II, Riesman was active in The American Committee for
the Guidance of Professional Personnel, an organization that assisted refugee
professionals in finding gainful employment. For a year and a half, the author’s
uncle corresponded with Riesman who tried to help him find permanent
employment. This correspondence, commonplace in so many ways, serves as a
compellingly and informative case study on the lives of thousands of refugees
who were painfully disrupted by what Schmerl properly calls “enormous events
… the war, the subsequent turmoil, the Nazis …”

On one hand, this brief exchange of correspondence, preserved in the New
York Public Library, constitutes the mostly prosaic and voluntary efforts of an
established American academic trying to assist a German Jewish refugee who is
struggling to find his way in a new and unfamiliar world. On the other hand,
the contents of these letters—so movingly supplemented by the author’s very
personal description of his relationship with a much-beloved and respected
uncle—drives home a powerfully immense lesson: “what matters is people’s
loyalty to one another, not to abstractions from history.”

The brilliant Scottish educator and writer, Thomas Carlyle (1795–1881),
famously asserted: “The history of the world … [is but] the biography of great
men.” Most historians would argue that, at best, Carlyle overstated. The his-
tory of the world is not merely the biography of great men. It is not even the
collective accounts of great men, great women, and great events. The history of
the world is the story of the lives and experiences of the everyday people who
struggle to sustain themselves as they confront life’s daily challenges.

As the articles in this particular issue of our journal demonstrate, when
capable researchers examine small events and set them into their proper context,
we enhance our understanding of the broad, unifying themes that give the
historical enterprise its coherence.

G.P.Z.
Cincinnati, Ohio
Notes


3 Lewis F. Allen, “The City of Ararat on Grand Island—By Mordecai M. Noah,” *Buffalo Historical Society Publications* 1: 305–328. For quotation, see 322–323. Allen also provided an enthralling history of Ararat’s “corner-stone.” Before it found a place of honor in the Buffalo Historical Society, the “corner-stone” had a rather inglorious existence. It was moved from farm to farm on Grand Island and, according to Allen, the venerable monument actually did a stint in an outhouse. Ibid., 326.

4 Ibid., 312.


Mordecai Manuel Noah
(Courtesy American Jewish Archives)
“Revive, Renew, and Reestablish”: Mordecai Noah’s Ararat and the Limits of Biblical Imagination in the Early American Republic

Eran Shalev

There were not enough boats to transport the crowds that came to watch the dedication of Ararat, a Hebrew city of refuge on the Niagara River on 15 September 1825. Consequently, Mordecai Manuel Noah (1785–1851), Ararat’s founder and self-proclaimed “judge of Israel,” decided to conduct the inauguration ceremonies that sunny day in Buffalo’s St. Paul’s Episcopal Church. Grand Island, a 17,381-acre isle in northern New York State where Ararat was to be erected, was just a few miles downstream the Niagara River from Buffalo. Noah, arguably early-nineteenth-century America’s most recognized Jew, there would “revive, re-new and reestablish the Government of the Jewish Nation” in America, “under the constitution of the United States.”

Noah’s city of refuge became a nationwide cause célèbre in the weeks and months that followed his “Proclamation for the Jews” at the dedication and the elaborate speech he gave the following day. Ararat, however, never took off; nothing happened after the grand dedication. Still, it occasionally catches the attention of modern historians. Jonathan Sarna, for example, describes in an illuminating biography of Noah the events leading to Ararat’s dedication and contextualizes the scheme and its planner in Jewish, Jewish-American, and proto-Zionist history. Noah’s failed venture also influenced several Jewish fiction writers, who perceived Ararat as an inspiring and visionary scheme. From Israel Zangwill’s Noah’s Ark in the late nineteenth century to the recent imaginative graphic novel by Ben Katchor, The Jew of New York, Noah and Ararat have proven a lively source for Jewish political imagination.

However, we have yet to recognize the extent to which Ararat was defined by a distinct American political culture and have thus not fully appreciated the ways in which the planned Hebrew city and the events surrounding its announcement were the intellectual and cultural products of their time and place. Most studies of Ararat tend to agree that Noah’s city of refuge failed because of European Jewry’s refusal to cooperate with the scheme. Hence, Ararat’s failure is commonly attributed to tens of thousands of Old World Jews not appearing on America’s shores, ruining Noah’s proto-Zionist dream. However, the European Jews’ practical vote of no confidence may not have been the only reason for Ararat’s failure to materialize; in fact, its failure may have been due, at least in part, to internal circumstances.
The plan to erect Ararat necessitated, and reflects, the powerful political Hebraism and biblical imagination saturating the early American republic’s public sphere. However, an autonomous Jewish entity within the United States entailed detrimental conflicts and tensions with the prevailing political and constitutional culture in America. As we shall see, Ararat, which manifested the distinct culture of early-nineteenth-century United States—a nation conceiving itself as God’s new Israel—was also doomed from the start, a stepchild venture in the democratizing early American republic.6

The Dedication

Ararat was not conjured up on the spur of the moment. Indeed, Mordecai Noah—“Tammany Hall Sachem,” newspaper publisher, playwright, sheriff, militia major, and American ambassador to Tunis, North Africa—contemplated and planned his colonization scheme for several years. In early 1820 Noah asked the New York legislature to sell him Grand Island in the Niagara River to serve as a colony for the Jews of the world. Noah’s petition sat idle for four years (for reasons that will be discussed later), but the legislature’s decision to survey and sell Grand Island finally came in April 1825. The subsequent sale of tracts of the eight-mile-long island to various purchasers, among them Noah, spurred the Jewish entrepreneur to action.7 By early September 1825, Noah was ready to announce to the world his utopian scheme. He orchestrated a solemn ceremony and arranged for a large cornerstone (still extant and showcased at the Buffalo Historical Society). The spectacular “Masonic and military ceremonies” that ensued on 15 September were advertised in advance and later reported in detail in many newspapers across the nation. The line of procession formed at 11:00 AM and marched through the streets of Buffalo. The pageant consisted of a band playing the grand march of Handel’s Judas Maccabeus (commemorating the Maccabean revolt against the Seleucid Empire), militia companies, civil and state officers in uniforms, and marchers representing various professions and churches. Then followed Noah, the self-proclaimed “judge of Israel,” in “robes of crimson silk, trimmed with ermine, wearing a medal of embossed gold.” The spectacular procession approached the church, wherein on top of the communion table lay the cornerstone. A portion of the inscription was in Hebrew and read: “Hear, O Israel, the Lord is our God, The Lord is one.” The remainder of the inscription was rendered in English and read: “Ararat, a City of Refuge for the Jews, founded by Mordecai Manuel Noah, in the month of Tishri, 5585, September 1825, and in the 50th year of American Independence.”

After reading the “Proclamation to the Jews” (of whom, as historian Richard Popkin points out, there could not have been many in the crowded audience), a grand salute of twenty-four cannons was fired and the band played “patriotic airs.” “A finer day,” reporters remarked, “has not been known on any similar occasion.”8
Biblicism in the Revolutionary Era and the Early Republic

We know the details of Noah’s scheme, which the ceremony in Albany announced and celebrated, through the “Proclamation to the Jews” that was read aloud in St. Paul’s on 15 September and through Noah’s subsequent speech that he delivered the following day, both of which were published in numerous newspapers across the nation. Scholars have delineated various aspects of the plan of the Hebrew city of refuge, from its grappling with tensions pertaining to Jewish identity to the influence on Noah of ideas circulating in post-revolutionary France. But we have yet to examine whether and how Ararat could have operated under America’s unique constitutional system and within its dynamic republican political culture. In other words, we need a better understanding of Ararat as an event in American political history.

The profound biblicism of the revolutionary era and the early republic was the intellectual backbone that enabled Noah to express, and for Americans to make sense of, a scheme of reestablishing the ancient Jewish government. Perry Miller pointed out long ago that “[t]he Old Testament is truly so omnipresent in the American culture of 1800 or 1820 that historians have as much difficulty taking cognizance of it as of the air the people breathed.” Contemporaries’ views certainly confirm such opinions of the pervasiveness of the Old Testament in the early nineteenth century. Harriet Beecher Stowe averred that early Americans “spoke of Zion and Jerusalem, of the God of Israel, the God of Jacob, as much as if my grandfather had been a veritable Jew; and except for the closing phrase, ‘for the sake of thy Son, our Saviour,’ might all have been uttered in Palestine by a well-trained Jew in the time of [king] David.” Similarly, Henry Adams wrote in the opening pages of The Education that to be born to an elite family in contemporary Boston was similar to being “born in Jerusalem under the shadow of the Temple and circumcised in the Synagogue by his uncle the
high priest, under the name of Israel Cohen.” Herman Melville concluded that America was “the Israel of our time.”

Within such an entrenched early American biblicism, the contemporary discourse of the Mosaic constitution was particularly significant for Noah’s venture. The political history of the ancient Israelites offered Americans a historical model for the federal republicanism that they had invented during the creation of the state constitutions in 1776 and had been elaborating ever since. The biblically inspired republicanism that provided a context for understanding American independence as an escape from “Egyptian bondage” and the “British Pharaoh” is perhaps the most recognized component of such thinking. It has thus helped republican Americans to reject the British monarch on biblical grounds. It has also encouraged Americans to view, then and thereafter, the young republic as a chosen nation of latter-day Israelites, of tyranny-fighting Americans. However, revolutionary Americans also attempted to make sense of the novel constitutional arrangements of the young United States through the hallowed political models introduced through the history of the biblical Jewish republic. The Mosaic constitution, “the oldest complete constitution in our possession,” according to one of its modern students, made available for Americans a divinely sanctioned, historic archetype of a federal republic. In their attempt to reconcile potentially contradicting commitments—namely the authority of the Bible with the public politics of the times—revolutionary-age Americans came to read the Hebrew nation as a mirror image of America, a federation of statelike tribes, led by a presidentlike judge. These intellectual undertakings demonstrate the extent to which the biblical Jewish state, a nation composed of separate tribes that had its roots in God, was perceived as a republican and federal polity and thus nourished the American constitutional tradition in its formative age. These ideas, themselves taking part in a wider culture of a contemporary American biblicism, are crucial for understanding Ararat as an addition to an ongoing Hebraic political discourse. Indeed, without such a context it is impossible to understand how such a scheme was conceived, imagined, and at least initially tolerated—even endorsed—by a gentile public. Ararat’s ultimate failure exemplifies in turn the limits of the potent biblical imagination of the early American republic.

Ararat, Its Critics, and the “Hebrew Republic”

Noah’s political plan for Ararat, although fragmentary and incomplete, was deeply historical and drew on contemporary interpretations of the ancient “Hebrew republic”: If the biblical Israelite state and its people were dispersed and disbanded two thousand years before, Noah intended to “revive, re-new and reestablish the government of the Jewish nation… as they existed… under the government of the judges.” That this restoration would take place in the land of a nation that conceived itself as “the second Israel” was deeply meaningful.
The mere name of the planned city, Ararat, was emblematic, associated with the name of the city’s founder: Mt. Ararat, the highest mountain in what is now Turkey, is the place where the book of Genesis situates Noah’s Ark coming to rest when the flood receded. Mordecai Noah’s choice of nomenclature, “Ararat,” and his self-appointment as “judge of Israel” may hint at megalomania; yet those titles also manifest the politico-biblical cosmology that shaped his call for action. Although he invoked God to fulfill “the promises made to the race of Jacob … his chosen people,” his call did not rely on God but rather on human agency and action, advocating pragmatic measures, not dependence on divine intervention. If delusional (and Christian) individuals made Noah their hero after his proclamation as they became “prophesying Hebrews,” he was never such. Although a utopian schemer, his advocacy and pursuit of an “expedient” attempt to “re-organize the [Jewish] nation under the direction of the judges” was a sensible, if visionary, attempt. Ararat was a practical program, but it was stillborn because, as we shall see, its thrust encountered the dynamic constitutional and political culture of the young United States.

The biblical judges, the magistracy that Noah co-opted for leading Ararat (and for himself to act out), ruled the Israelites after Joshua’s death until Samuel’s ascendancy, which ended with the institution of hereditary kingship. Their purview embraced, as Noah recognized, “to all religious, military and civil concerns.” However, while the judges “were absolute and independent like the Kings of Israel and Judah,” they lacked “the ensigns of Sovereignty.” The biblical judgeship thus accorded with Noah’s plans: An ancient, powerful, and revered office, it would not threaten, Noah believed, the sovereignty of American state and federal magistrates. However, as Noah recognized, reestablishing the government of the Jewish nation created practical problems. Such, for example, was the difficulty to decide in nineteenth-century America “with certainty on the manner and forms adopted in choosing the judges of Israel,” since “[m]ost of the distinguished men who had filled that station were ‘raised up’ by divine influence.” The problem of creating a secular government based on models that time and again benefited from a revelatory divinity was troublesome. One option, of course, was to select a judge by democratic (hence human) election, as opposed to divine selection. But since the Jewish nation was presently dispersed, there was “no possibility of concentrating the general voice” for choosing a judge by ballot. Noah came up with an extrajudicial solution: Paying lip-service to the “general consent and approbation,” as well as—why not—to “divine permission,” Noah proclaimed himself “judge of Israel,” declaring that he “will always be sustained by public opinion.” If Ararat’s first judge was to be appointed, not elected, he would still be judged by public opinion.

Noah rightly expected that his innovative plan would draw harsh criticism. Even sympathetic contemporaries who had “no doubt of the genuineness of Maj. Noah’s Proclamation to the Jews” still thought that some would surely suspect
his motives and that Noah should anticipate “a little badinage.” Consequently, Noah attempted to preempt such censure by elaborating on the extent to which Ararat was compatible with the contemporary American political and constitutional modus operandi. Noah’s biographer Jonathan Sarna has argued that his greatest obstacle in founding Ararat was to reconcile “the seemingly opposite goals of maintaining a separate Jewish identity and integrating the Jews into American society as a whole.”

Such identity-related tensions undoubtedly existed. Nevertheless, the problem of Jewish identity might not have been the only acute tension in the plan. Indeed, a deep political and constitutional dilemma lay at the heart of the Ararat venture: What did Noah’s call for a Hebrew city of refuge on the Niagara “under the constitution of the United States” mean? To be sure, Noah stated that the Jewish government he was reviving was “under the protection of the United States” or, as he put it elsewhere, “under the auspices and protection of the constitution and the United States.” He also made clear that Ararat and the U.S. Constitution and laws “conformed” with each other. However, it remained unclear exactly how his proposed plan of Jewish colonization would work within the intricacies of the American federal system and in relation to the dynamics of a vigorous democratizing culture.

Noah did not have the opportunity to develop the ingenious blend of biblical imagination and pragmatic measures that pervaded his political scheme into a comprehensive plan. Ararat never took off after its spectacular commencement ceremonies and was destined to remain a vague, rudimentary sketch. However, even from the basic outlines of its political structure, the constitutional and political tensions between Ararat and its surrounding American world were evident.

Noah, a veteran of New York’s Democratic machine, conflated his neo-biblical plan with the available political idioms of the day: He spoke well in the republican and democratic language through his immersion in and identification with that idiom. He dubbed his proclamation and constructed it as “a declaration of Independence.” As in the case of Thomas Jefferson, who in his revered manifesto addressed “a candid world,” Noah proclaimed that “the world [had] a right to know what inducements have led to this declaration of independence” in Ararat. Noah was well aware of the strength of the patriotic chords such representation could strike in American hearts, a mere year after the jubilee of independence and the passing of Jefferson. Beyond positioning his proclamation within a contemporary discourse of “rights and privileges” and fashioning it as a “declaration of Independence,” Noah further described the Ararat judgeship in terms of a republican magistracy. Like its biblical counterpart, judgeship in Ararat would stem “immediately from the people” and would not be hereditary. Indeed, according to its founder, latter-day judgeship would resemble the position of “that of Chief Magistrate” to the American
presidency. If Noah were appointed Israel’s first judge, it would only be out of necessity: Ararat’s institutions and its governing body were not yet in place, and the Jews had not yet convened in America. His successors, however, would be elected in good republican fashion: Like the American president, “A Judge of Israel shall be chosen once in every four years.” The judge would be elected “by the [Jewish] Consistory at Paris,” which again, like the electoral college, would receive at the time of the election “Proxies from every congregation.” Noah thus readily believed that the Jewish judges of Ararat would not offend American sensibilities since they were in essence republican institutions: They were not hereditary but “immediately from the people, mingling in their deliberations, directing their energies, commanding their armies, & executing their Laws.” The republican, if not democratic, nature of judgeship in Ararat, reminiscent of the American presidency, would, hopefully, be “in accordance with the genius and disposition of the people of this [American] country.”

One of the most obvious manifestations of the American political system was its federal nature. Consequently, a most fundamental problem that Noah’s plan faced was how Ararat and judgeship would operate in such a political environment. Accordingly, Noah emphasized that Ararat and the Mosaic constitution he advocated conformed to the U.S. Constitution and the laws of the land. If the biblical judgeschip lacked “the ensigns of Sovereignty,” its resurrection in America would not endanger civil authority with imperium in imperia. That neobiblical magistracy could also function well in a federal system based on, and admired for, its genius for dividing authority among distinct levels of government. At least potentially, Ararat could fit well in a union of semiautonomous states, which by 1825 was experienced with handling different spheres of sovereign power. That Noah presented himself as “governor and judge of Israel” is crucial to understanding how he imagined Ararat’s operating within the American state-system. Regardless of the symbols of sovereignty in Ararat, such as a flagstaff “erected for the Grand Standard of Israel,” the Jewish nation in its emerging Araratic period would not be a sovereign nation but would reside under the auspices of the government of the United States. The era of biblical Jewish independence would not be repeated (the proclamation being a Jewish “declaration of independence” nonetheless), and Israel, according to Noah’s plan, would thus experience in America a postheroic existence: As a subservient national entity under the government of the United States, Israel would likely not “have again such generals as Joshua, David and Maccabees.” However, “in blending our people with the great American family,” Noah wished to see the children of Israel sustaining their “honor with their lives and fortunes.” Here was a conscious, if moderate, Jewish reformulation of the sacred American trinity of life, liberty, and the pursuit of happiness.

In the weeks following 15 September, information about Ararat abounded. Channels of information distribution had become increasingly efficient in early
nineteenth-century America—including scores of local newspapers that were proficient in republishing select articles from neighboring prints—and dozens of accounts reported on the announcement of the erection of Ararat, the plans of Jewish colonization, the details of the grand ceremony, and the texts of the proclamation and the speech. While some consisted of brief reports, others provided lengthy descriptions that included the full texts of the proclamation and speech, many thousands of words long. Even those who merely reported the event without elaborating on the perceived merits—or faults—of Noah’s plans and conduct admitted that the proclamation was “most extraordinary.” Some reporters tellingly reassured their readers that the news of the Hebrew city of refuge was “no hoax, as was at first supposed, but the proclamation was actually issued at the time and place.” Not everyone was convinced, though. The Portsmouth Journal of Literature and Politics, calling the proclamation of Ararat and the revival of the Jewish institutions “a most singular production,” pointed out that while some Americans saw the episode as “a jeu d’esprit on the part of the Major [Noah]; some look upon it as a serious production, designed to be what it purports and others consider it as a hoax put upon him, by some spirit of mischief.” The Journal concluded that “the character of the production gives some countenance of the last supposition.”

Others, such as the reporter for the Ithaca Journal, preferred to remain on the fence and held a self-consciously neutral position. Because the Jews were “a populous and wealthy people, maintaining, wherever placed, a distinct nationality of character, and a strict adherence to their ancient usages and religion,” the fact that Noah’s Ararat was apparently a “Quixotic attempt” did not mean it might not prove successful. Some contemporaries did not commit to a stance on the issue merely because they did not know “how extensive and important may be its final result.” Others pointed out, even almost a full year after the proclamation—and by then Ararat obviously a failed venture—that they had “no disposition… to speak lightly of Mr. Noah’s project” since “time alone,” they believed, could decide whether “a splendid speculation was concealed under a plan to ameliorate the condition of the Jews.”

Favorable reactions to Noah’s attempt were forthcoming as well, as in the Essex Register, which published that it was “gratified to perceive… a declaration of Independence, and the revival of the Jewish government under the protection of the United States.” The Salem Gazette asserted that “[t]here can be no doubt of the genuineness of Maj. Noah’s Proclamation to the Jews” and that “[w]ith an unsullied conscience and a firm reliance on Almighty God, he offers himself as a humble instrument of the divine will, and solicits the confidence and protection of his beloved brethren throughout the world.” The Gazette was further impressed that Noah was willing to “cheerfully surrender” his judgeship “if there be any person possessing greater faculties and a more ardent zeal in attempting to restore the Jews to their rights” than he. Such self-effacement
and the willingness to serve the public good were still perceived as the essence of virtuous republicanism. Others, who were aware that Ararat might fail before it even lifted off the ground, thought that “the project is a benevolent one, and its author should have the best of motives attribute [sic] to him.” They added with some concern, however, that the judge of Israel’s “judgment might be questioned.”

Most reactions to Ararat, however, were neither positive nor neutral. The majority of accounts deemed the plan a hoax, suggesting that a “strange and silly” scheme such as the consecration of the Hebrew city of Ararat “must have been written in burlesque and [thus] intended to be so understood.” Others presented Ararat under headings such as “Strange doings in Buffalo,” deeming it “ludicrous” or a “grand farce,” naming Noah a “pseudo-restorer.” There were various reasons for such negative reactions. One was Noah’s perceived motives, allegedly originating in self-ambition and aggrandizement; the “many mutations” he had undergone, from editor and sheriff to playwright, consul, and now judge of Israel, made him further suspect and hard to categorize. But on a more basic level, Ararat simply seemed to have rubbed most Americans the wrong way. Citizens in the early republic perceived the plan of Jewish colonization and partial autonomy as going against the cultural direction toward which the young United States was heading—namely federalism, democracy, and constitutionalism.

Widespread skepticism emerged in the weeks after the news of Ararat’s dedication spread. In fact, the same issue of the Essex Register that recounted the events in Buffalo concerning the Hebrew city also published a scathing item about Ararat under the heading, “Another Potentate.” This piece criticized Noah, “a high and mighty prince who has sprung up within our own borders.” Criticism quickly became mockery of the “Prince of Israel,” who but “ten days since… walked like other men, even the humblest of his subjects, upon the plain flag pavements of Wall-street, and cracked his jokes most merrily.” Noah’s conscious effort to defend his choice of biblical judgeschip as a republican institution obviously did not convince all Americans. The Register not only ridiculed the notion of a “prince” in America; it particularly pointed to Noah’s unRepublican conduct during the ceremony, “clothed in judicial robes of crimson silk, trimmed with ermine, wearing a medal of embossed gold; issuing his proclamation for the revival of an empire, and dispensing laws to his scattered subjects over the whole globe!” Deriding Noah for what seemed the delusional pretentiousness of a would-be prince and for his monarchical ambition to rule over “subjects” in a newly founded “empire,” the Register sarcastically “dare[d] say” that Noah “will make a mild and benevolent judge and governor, and… will sway the destinies of his empire with a wisdom and virtue that will put the Holy Alliance to the blush.” The Farmer’s Cabinet found Ararat objectionable not only because “the plan of such a city was chimerical enough in all conscience,” but even more so
because “an individual in a republican country [has] style[d] himself Judge in Israel.” The mere notion of a princely judge in America seemed a monstrosity, the importation of a corrupt European institution into a republican land. But there was an additional element that the Cabinet found objectionable: Noah proclaimed himself judge “without condescending to tell us from whom his authority came.” Such conduct struck democratic American sensibilities as “insane” and “impious” as the delusional, and unidentified, “wretched being who a few years since sent his proclamation from the western country as Jesus Christ.” Criticism of Noah was thus not restricted to the “princeliness” of his assumed position but also to his insultingly undemocratic self-appointment. Even a mild report such as that in the Eastern Argus wondered by what authority Noah was assigned, while others emphasized that Noah “styles himself” judge of Israel, pointing out the “absurdity” of his assuming the authority to appoint himself judge.

The absurdity and danger seemed to lie not only in the fact that Noah “announced himself to the world as a judge and leader in Israel” but also that he had “assumed accordingly the absolute authority of a Sovereign.” After assuming power, according to the Rhode Island Republican, Noah continued to forbid polygamy, ordered a census of all the Jews “in the universe,” called for the colonization of Ararat, decreed Jewish neutrality in European entanglements (particularly in Greece’s struggle for independence from the Ottoman Empire), and planned to levy a tax of “three silver shekels per head.” All these seemed an obvious exercise of political sovereignty. Some even believed that his next step would be to “establish a bank at Ararat,” a still-contested and potentially threatening concept in Jacksonian America, as the Bank War of 1832 would make evident. What seemed fantastic to contemporaries was that Noah proposed “to reconcile these unaccountable proceedings with the genius and spirit of the American government and people!” Americans found Noah’s Jewish city of refuge on Grand Island loudly dissonant with the political and constitutional culture of the young United States. An unelected, semisovereign magistrate seemed European, monarchical, corrupt, and antirepublican. In other words, it was profoundly un-American.

That it was Jews who were to settle in Ararat was also the subject of discussion. Commentators acknowledged the suffering of “the children of Israel”; even some of Noah’s critics wished success to his enterprise, if it will ameliorate the condition and promote the happiness and prosperity of his afflicted countrymen in Europe. The ark of judge Noah, governor of Israel, has long been tossing upon the uncertain sea of politics, and we must give him joy at the prospect that it will finally rest in Ararat.
Yet some of the critique of Ararat stemmed from the possibility that such an enterprise would actually harm the Jewish nation. Noah may have been recognized as “one of the most gifted and conspicuous of his brethren,” a people considered “ancient and extraordinary.” Yet “by the nature of the proceedings with which he has accompanied the founding of Ararat”—that is, his appearance as a self-proclaimed “prince”—“he has done more than any other individual to discredit every rational scheme for colonizing his countrymen by incurring to the utmost their aversion and contempt, and bringing upon himself the unspiring ridicule.” An article in the Salem Gazette, appearing a year and a half after Ararat’s inauguration, deemed the whole affair “silliness,” an “absurdity” that “has not been surpassed or equaled since the Ark of our friend’s great namesake [Noah] ‘was lifted up by the waters.’” The commentator mistrusted Noah, “a silly fellow” who “took it into his head that he would get up a town on an extensive plan,” of “being, or pretending to be, of the Stock of the children of Abraham.” Noah’s “Israelitish corporation… whose Hebrew immaculateness no Samaritan, or Gentile, or Porker, or thing unclean, should ever sully,” could not have but failed. Criticism included the decision to name the city “Ararat,” as “Ararat ‘is scarcely known’ to have been the name of a city, but is generally supposed by the Gentiles to have been the name of a mountain.” Noah, who “disgorged himself of a grand speech on this grand occasion,” depicted “grand things which were to happen to the scattered tribes of Israel.” Those grand things, however, depended on the Jews following Noah’s call and migrating “with their flocks and their herds, their wives and their little ones and their ‘shekels of silver’ (an important and not forgotten item) to this grand city which he, the self-elected governor and Judge of Israel, was then founding on Grand Isle.” The Gazette’s ad-hominem attack on Noah may have been contaminated with antisemitism. Nevertheless, one need not be prejudiced in the early republic to oppose Ararat.

Noah’s City of Refuge and the Failure of Early American Colonization Schemes

Although contemporaries described Noah’s plans as “singular in character,” in many ways they were a product of their time. When examined in context, the “curious” affair of “establishing the old Jewish government” on Grand Island was not so odd. Upstate New York of the early republic was known as the “Burned-Over District,” a region that experienced repeated evangelizations during the early decades of the nineteenth century, harboring and giving birth to radical movements on the fringes of reformed Christianity, from the Millerites and the Oneida Society to the Mormons. Historian Daniel Howe has noted that part of Ararat’s appeal stemmed from American Christians’ sympathy because “[b]oth pre- and postmillennial Christians have typically been interested in the restoration of the Jews… since that is one of the events prophesized as
heralding the Second Coming.” Consequently, contemporary Christians could interpret the prospects of the revival of the Jewish government eschatologically, believing that it signaled the immanent building of “a New Jerusalem and Temple of the Lord in ‘this American Land.’” Enthusiasts who were given to delusional visionary missions as “Hebrew prophets” took Noah for their hero. Ararat seems, then, less of an outlandish affair when understood within the religious and social ferment associated with the Second Great Awakening. As an attempt to better the conditions of a suffering people, Ararat may also be seen in light of the wide swath of social reforms in nineteenth-century America (which in turn was associated with the aroused evangelical sensibilities of the Great Awakening).

Noah was not alone in wishing to resettle a suffering population. Colonization was on the minds of many Americans during the 1820s and 1830s, as various groups searched for a measure that could cure the nation’s perceived ills. Colonization was actively encouraged, for example, as a measure of removing and resettling Native Americans and blacks who either blocked the advancement of American (i.e. white Protestant) civilization or threatened the nation’s racial purity. As historian Nicholas Guyatt points out, there was “a good deal of similarity in the proposals to remove free blacks to Africa and Indians to the American West: both were presented as voluntary schemes for ‘colonization.’” Those debates culminated in the resettlement (“colonization”) of thousands of Native Americans, who were driven out of their eastern lands to the trans-Mississippi West. On another front, the American Colonization Society was founded to promote a vast, and futile, colonization project to solve the “problem” of free blacks by settling them in Africa.

While colonization of non-whites was the most obvious manifestation of a nineteenth-century “colonial imagination,” attempts to colonize European immigrants in America were the schemes that most resembled Noah’s venture. Germans and the Irish, the largest groups of immigrants during the eighteenth and the early nineteenth centuries, hoped to maintain their social bonds and to ease relocation of their kin in the New World by settling together en masse. Their eyes were set on western lands that were still in the territorial phase and had not yet become states. Hence, legal and political questions regarding the future of the western territories became relevant during these years in light of repeated attempts to secure land grants from the United States to attract and settle immigrants. German Americans, for example, believed that if they could geographically concentrate German immigrants they would be able not only to attract many settlers but also to found a sustainable German cultural autonomy. Decades ago, historian Marcus Hansen pointed out “innumerable schemes” that German nationalists devised to create such social enclaves in America in which “speech and folkways involved a minimum of novelty” for newcomers from the German principalities. The more modest plans merely foresaw a new
town or city that would serve as a cultural center for German settlers, while more ambitious designs discussed “peopling one of the American states and, as was entirely possible under the Constitution, adopting German as the official language.” The German schemes failed to the very last. In explaining such failures, Hansen noted that in most cases either a colonization plan’s promoter proved incompetent, or, as usually was the case, “the members themselves were… at fault.” As in the case of Ararat, historians tend to give the reasons for failed colonization schemes as internal, not external, to the plans. There might be reason to believe otherwise.

Other colonizers who represented similar, if not identical, interests to Noah’s recognized that their plans required land. The Irish Emigrant Society of New York, Philadelphia, Baltimore, and Pittsburg petitioned for land grants in the Indiana Territory in 1818 (only two years before Noah’s petition to the legislature of New York in 1820). Burdened by many charitable cases, these societies wished for cheap (or even better, free) western lands on which they could settle their dependent brethren. Like the Jews, the Irish felt “the peculiar pressure” their people had borne, and like Noah, they emphasized their “unalterable attachment to the laws and constitution”; they, too, hoped to be “cherished and protected by the government of the U. States.” Congress established a special Committee on the Public Lands, which delivered an unfavorable report on the society’s petition. Since the House had dismissed other “analogous cases,” according to the report, the committee stated that the petitioner’s request for “a portion of the public land lying in the Illinois Territory, [that] may be set apart for the purpose of being settled by emigrants from Ireland… ought not to be granted.” After a debate that “continued for four hours… the question on this motion was finally taken.” Taking the committee’s recommendation seriously, Congress voted seventy-one for the amendment and eighty-three against it. Congress thus denied Irish immigrants the land grant, establishing a de facto precedent that it would be undesirable to concentrate alien peoples geographically, especially in the unruly West. Hansen evaluated this decision as the most significant in the history of American immigration policy, since designated groups would henceforth not enjoy special privileges to encourage their immigration.

No less important was the more general implication: that minorities would not enjoy governmental sanction or support to create cultural enclaves. Although the Constitution did not bar such settlement, the prevailing political culture, later to evolve into the “melting pot” ethos, resisted ethnic colonization in America.

Similarities between the schemes to settle Germans and Irish in the West and Noah’s Ararat are evident. There are also evident dissimilarities, however. The most striking difference is in the constitutional realm: While Ararat was conceived as a colony within an existing state and was eventually authorized by its legislature (in part because the island had been occupied by squatters), the
Irish and German schemes eyed Congress-controlled western lands and were denied. Hence, another context within which to appreciate Ararat is through the contested notions of autonomy and authority in America during the second and third decades of the nineteenth century. The rapid westward expansion of white settlement—at a pace even faster than in previous centuries, as thousands of Americans spilled over into trans-Appalachia—gave rise to questions about control and state-building in the western territories. Particularly, constitutional questions regarding the role of the federal legislature in authorizing and regulating the newly settled territories were quick to emerge. Was Congress sovereign in the territories, or was the federal legislature a mere trustee on behalf of the existing states? The Constitution did not answer this explosive question; it merely empowered Congress to make “rules and regulations” for federal territory and provided that “new states may be admitted by Congress into the Union” (Article IV, section 3). The Missouri Crisis of 1819–1820, when northern statesmen demanded that Missouri join the Union as a free state while southerners wished it to join as a slave state, witnessed the extent to which questions pertaining to Congress’s authority over, and relationship with, western territories became dangerously sectional. The procedure that regulated the Union’s future expansion was forged in the compromise that ended the crisis and remained intact for the next three decades. (Missouri would enter as a slave state; future states forged out of the Louisiana Purchase above the parallel of 36 degrees, 30 minutes north would be free; slave and free states would join the Union simultaneously.) But it did not solve important questions about the relationship between the center and the periphery, the federal government and the states—a bond that was to be contested repeatedly until dissolved, temporarily, in 1861.

When, in April 1824 (four long years after his initial petition), the New York legislature allowed surveying and selling lots on Grand Island, Noah was finally permitted to go ahead with his long-contemplated plan. However, when he first petitioned the legislature to purchase Grand Island in 1820 as a locus for Jewish settlement, unfriendly New York lawmakers, like their national counterparts in the case of the Irish societies, disliked the notion of offering “preferences to any sect.” They were concerned that the eventual outcome would be that “Dutch, Swiss, French &c. might wish similar assistance.” Since ethnic groups were frequently also religious minorities with their own churches, lawmakers feared that land grants on such a basis might easily be interpreted as, and lead to, an infringement of preference clauses and of the ethos of church and state separation. The U.S. Constitution’s First Amendment stipulated that Congress would not make any “law respecting an establishment of religion.” New York State’s revised constitution of 1821 similarly promised “[t]he free exercise and enjoyment of religious profession and worship,” which, while guaranteeing a secure haven for Jews as individuals, forbade “discrimination or preference” of specific religions and churches.
By the time the New York legislature decided to sell land on Grand Island in 1824, the concern over religious preference had been neutralized, as the sales were approved without providing preferred status to any potential buyers, including Mordecai Noah. When Noah first submitted his petition in 1820 the chairman of the select committee which handled the bill suggested that the state transfer the whole of Grand Island to Noah, after which he could do with the land whatever he found fit. When selling the island was finally authorized, Noah was competing with eleven other merchants and lawyers who, according to Sarna, “speculated either for themselves or on behalf of a proposed private high school.” After years of waiting, whatever the amount of land that Noah eventually bought (the exact area is not clear), he purchased it with no special status or privileges. In the early republic neither Jews nor any other minority would hold preferred status for colonization schemes. Ethnic colonies were incongruent with principles and values that in later years would meld into a most fundamental ethos of the United States.

Yet another telling context for Noah’s colonization attempt involves the repeated clashes of southern states with their Native American populations after the conclusion of the War of 1812, when western lands were opened for white settlement. In 1830, five years after Ararat’s dedication, President Andrew Jackson elaborated in his annual message on “a portion… of the Southern [Native American] tribes, [which] have lately attempted to erect an independent government within the limits of Georgia and Alabama.” The president’s speech explained the intentions of the Indian Removal Act, which had been passed seven months earlier, in May 1830, for the purpose of opening Native American-held lands east of the Mississippi for white settlement. The concept of independence had, of course, a formidable significance in the United States, reverberating also in Noah’s own Jewish “declaration of independence.” The question confronted by the president, and the Union over which he presided, after the states claimed to be the only sovereign within their territories, was “whether the General Government had a right to sustain those people [Native Americans] in their pretensions” for tribal independence. Jackson recognized that the Constitution forbade new states from being formed within the jurisdiction of any other state, “without the consent of its legislature.” Much less, Jackson added, could the federal government “allow a foreign and independent government [i.e. a Native American nation] to establish itself” within an existing state. Jackson asked rhetorically: “Would the people of New York permit each remnant of the Six Nations within her borders to declare itself an independent people under the protection of the United States? Could the Indians establish a separate republic on each of their reservations in Ohio?” Perpetuating Jackson’s reasoning, one might have asked if the people of New York would permit Jews within the state’s borders to declare themselves an independent people under the protection of the United States? Could Jews establish a separate republic, even

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only a semiautonomous polity, within the borders of an existing state? Jackson had no doubts as to what New Yorkers would feel about such questions and what they would do if confronted with such dilemmas.

The connection of the political and constitutional questions pertaining to Native Americans’ autonomy with the attempt to colonize Jews in Ararat is particularly telling once we realize that Noah was convinced that the lost Jewish tribes “were the ancestors of the Indians of the American Continent.” Noah evoked in his proclamation to the Jews and in his Ararat speech an intellectual tradition already three centuries old that connected the ten lost tribes of Israel to Native Americans. Later in his life he would publish a lengthy Discourse on the Evidences of the American Indians being the Descendants of the Lost Tribes of Israel (1837), but already in 1825 Noah speculated that the Hebrews who had suffered under “Egyptian bondage… bent their course in a northwest direction, which brought them within a few leagues of the American Continent and which they finally reached.” Noah said, then the Jews would be “the first of people in the old world, and the rightful inheritors of the new.” The presence of Native American Chief Red Jacket in Ararat’s dedication attests to Noah’s robust belief in this genealogical theory. At the time this connection might have seemed to make a strong case for historical rights of Jewish settlement in America, but in retrospect it seems unfortunate: Both Native Americans and Jews would suffer much agony in coming years before being offered national solutions that would, at least partially, enable them to turn their backs on their troubled pasts.

In attempting to situate Ararat within the context of Native American tribes’ struggle for autonomy and independence within a Union still oriented to states’ rights, we should pay heed to President Jackson’s view of ethnic groups who wished to declare themselves independent and establish separate republics within existing states. Jackson’s assertion on Congress’s inability to “restrict” or “dismember” states through constitutional power took for granted American states’ intolerance toward attempts to preserve, not to mention gain new and unprecedented, sovereignty and autonomy within their respective jurisdictions. The greatest innovation of the American Constitution—arguably of American political thought—was the separation and distribution of federal and state sovereign power. The opposition to further competing sovereignties within this already intricate federal system, similar to the potential threat that Ararat might pose were it to go beyond the drawing board, was entrenched on all levels of government in the United States and in American political philosophy. Once sovereignty was divided between the federal and state sphere of power, no room was left for further divisions.
On 26 October 1825, a month and a half after Ararat’s dedication, the construction of the Erie Canal, connecting the Great Lakes to the Hudson River, was completed. An unprecedented feat of engineering and entrepreneurial vision, the historic event was marked by a statewide “Grand Celebration,” culminating in a flotilla of boats sailing from Buffalo to New York City. At the end of the spectacular sail, New York’s Governor De Witt Clinton would ceremonially pour Lake Erie water into New York Harbor to mark the “Wedding of the Waters.” Mordecai Noah, presumably still optimistic about the prospects of his colonization venture, wished to sail in the convoy, navigating a sailboat he named, not surprisingly, “Noah’s Ark.” Like its biblical namesake, the hull would be “freighted with all manner of animals, and creeping things”; the craft would “enter the Canal from Lake Erie on the eighteenth” and arrive at New York City with the rest of the celebratory fleet. Once more, reporters found it necessary to reassure readers that the account “in relation to Noah’s Ark, was as serious as sober prose could make it.” Even three days after the flotilla sailed from Albany, the Boston Patriot reported that “the Ark is not only completed, but that several animals have already been gathered into it, that many more are in readiness to take refuge therein.” The biblical reenactment of the ark harboring representatives of various species of animals and birds (this time, however, leaving Ararat for its destination) was supposed to take place—was the reporter writing tongue in cheek?—“when the waters shall cover the dry land.” That, however, would never happen. The Essex Register confirmed on 10 November that “Noah’s Ark, from Ararat, having the bears and Indians, fell behind, and did not arrive in Albany in season to be taken in tow.” The New Hampshire Sentinel could inform its readers that the mishap occurred when the ark “met with an accident in coming through the locks, which prevented her joining the Canal procession.”

Noah’s failure to sail his ark on time for the grand procession was symbolic in light of Ararat’s meltdown. As a contemporary commented two years after the marvelous dedication of the Hebrew city, “the affair died away.” While Noah never lost hope of ingathering the people of Israel, his future plans called for settling Ottoman Palestine as a Jewish homeland. What seemed in the first half of the nineteenth century an unrealistic utopia was to become by the end of the nineteenth century the pragmatic political program of modern Zionism. A few decades later, that utopia would become a reality. Could Noah’s earlier plan to settle the Jews in America have reaped similar success?

Historians in the past attributed Ararat’s failure to Noah’s inability to convince the Jews of Europe to flock to his projected city of refuge in America. However, a fundamental problem of Noah’s scheme was that it opposed, or at least was perceived as opposing, central currents in American political culture. Despite Noah’s attempts to depict his project as a humane, rational,
enlightened, and republican Jewish declaration of independence, central attributes in his scheme simply could not pass public scrutiny. An attempt to congregate a religious and ethnic minority on an island located within the jurisdiction of an existing state was perceived as a challenge that American federacy would not tolerate. There were broad yet strict limits to what the potent biblical imagination of the early American republic could accomplish.

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Notes
1Noah’s speech at the cornerstone of Ararat is reprinted in the Publications of the American Jewish Historical Society (PAJHS) 21 (1913): 230–252.
4Similarly, Walter McDougall points out that Ararat could “not have been more American.” McDougall, 120.
5Jonathan Sarna persuasively argues that Noah had misread the world Jewish situation; Sarna, 74. Consequently, Howe points out that “European Jewish opinion was not prepared to entertain [Noah’s] plan,” Howe, 301. For a view of Ararat’s failure due to Noah’s charlatanism see James L. Erwin, Declarations of Independence: Encyclopedia of American Autonomous and Secessionist Movements (Westport, CT: Greenwood Publishing, 2007), 8.
6Popkin, who places Ararat within the context of European and Enlightenment ideas, seems to realize that one needs to understand Noah’s ideas, Ararat, and its ultimate failure within an American framework: “Mordecai Noah, The Abbé Grégoire, and the Paris Sanhedrin.”
7Although we know that Noah bought land on Grand Island, we do not know exactly how much. Sarna, 62, 65.
8The events of the day, including transcriptions of Noah’s speech and proclamation, were reprinted in many newspapers. For example, see the Essex Register (26 September 1825): 2. Popkin, op. cit., 134.
9Sarna, op. cit.; Popkin, op. cit.
For a recent analysis of colonial biblicism see *Hebraic Political Studies* 4, no.2 (2009), special volume on “Hebraic and Old Testament Politics in Colonial America.”


Herman Melville, *White-Jacket* (London: Richard Bentley, 1850), Ch. 27.


Demonstrating ironically how different the modern judge was from the biblical judge, Benjamin Seixas, the pro tem secretary of Ararat, signed as “judge.”


Sarna, op. cit., 70.


Ibid., 110.


“To your Tents, O Israel,” *Village Register* (29 September 1825): 3.


*Rhode Island Republican* (29 September 1825): 3; *Salem Gazette* (2 March 1827): 3.


43 Rhode Island Republican (29 September 1825): 3.
45 Rhode Island Republican (29 September 1825): 3.
46 Salem Gazette (2 March 1827): 3.
50 Howe, op. cit., 301.
52 Johnson and Wilentz, op. cit.
60 Quoted in Sarna, 62.
64 Noah’s speech, PAJHS 21 (1913): 249; this may be why Noah planned to have “young Indian hunters of the Seneca tribe, dressed in their costume,” with him at the celebration at New York City. New Hampshire Sentinel (18 November 1825): 4.
68 New Hampshire Sentinel (18 November 1825): 4. Even after Grand Island’s failure, Noah still retained Noah’s Ark on his newspaper masthead.
The Excommunication of Mordecai Kaplan

Zachary Silver

On 12 June 1945, a group of Orthodox rabbis known as Agudat HaRabbanim\(^1\) assembled in the Hotel McAlpin in New York and burned the \textit{siddur} of Rabbi Mordecai Menahem Kaplan of the Jewish Theological Seminary (JTS). This ceremonial book burning concluded the formal excommunication of the founder of Reconstructionism. Just one month after the Allies declared victory over Nazi Europe, a group of rabbis used religious principles and a symbolic act to attempt to stifle a dissenting voice within their midst, even going to the extreme act of burning a prayer book that contained the name of God to underscore their point.

Despite extensive scholarship about Kaplan, historians have yet to address this seminal event in the life of one of twentieth-century America’s foremost Jewish leaders and thinkers.\(^2\) Though hardly the first time that Kaplan’s work had angered traditional Jews, his \textit{Sabbath Prayer Book} proved to be the work that incited the Union of Orthodox Rabbis of the United States and Canada (or “Agudat HaRabbanim” in Hebrew) to issue a formal excommunication—the ancient rite of \textit{herem}—from the Jewish community against Kaplan.\(^3\)

Responses to both the \textit{herem} and the burning of the \textit{siddur} varied widely in the Jewish community. Reactions to the event diverged even among Kaplan’s own colleagues at JTS, where he served as a senior faculty member.\(^4\) But the news of the \textit{herem} stretched well beyond the Jewish community.\(^5\) While Agudat HaRabbanim intended the \textit{herem} as an internal edict within the religious Jewish community, its action affected the entire English-speaking Jewish public.

Despite the fact that the excommunication was both a rare and drastic Jewish religious rite, its subsequent impotence formed a watershed moment for a wider Jewish community, coming out of wartime and wrestling anew with the meaning of democracy and freedom in America. In many ways, the \textit{herem} indicated the failure of a particular worldview during this transitional moment in Jewish history; the sectarian nature of the Union of Orthodox Rabbis did not mesh with the multivalent culture of postwar America. The very notion of a \textit{herem} in 1945 New York was inimical to the sociological realities of Jewish culture in New York City, particularly when the rabbis enacted it upon somebody outside Agudat HaRabbanim’s “jurisdiction.”\(^6\)

Though conceptions of a heterogeneous Jewish community were present before the \textit{herem}, that event served as a marker in time, indicating an emerging consensus to allow for free expression of religious ideologies and practices. Non-Jews largely sympathized with Kaplan, specifically because they were deeply disturbed by the silencing of any voice in the midst of a modern democracy. As greater trends of religious universalism took hold in the 1950s, the ideologies of the extreme religious right became increasingly marginalized in America.
Four years before the herem, Kaplan had written his first liturgical document, *The New Haggadah.* That publication led the entire JTS faculty to issue a unanimous letter to Kaplan, condemning him for liturgical blasphemy. In 1945, Kaplan’s siddur, a book that took the same “heretical” liberties as the *haggadah*, sent tidal waves through the Seminary. JTS President Louis Finkelstein had attempted to foster dialogue in the wider community of world Judaism and religion. Agudat HaRabbanim, by contrast, rejected any attempt to reconcile religious and secular life, and it offered only a sectarian sociology, a movement of self-segregation in New York City.

Even though Kaplan had already been a pariah on the faculty for much of his career at the Seminary, and the letter of condemnation about the *haggadah* had served as a warning bell concerning his liturgical license while employed at the institution, Agudat HaRabbanim all but forced Finkelstein to defend Kaplan against outside attack. Finkelstein’s response to the herem tangibly marked the Seminary as an institution that would mandate the representation of a plurality of beliefs, a fundamental principle in the Conservative movement’s emerging place of leadership in American Jewish life during the 1950s.

Ancient Ritual in the Big Apple

Although the decision to issue a herem grew from Agudat HaRabbanim’s very traditional religious principles, the way in which it executed the herem was antithetical to the very fabric of the organization. While fighting to seclude itself from secular society during the first half of the twentieth century, Agudat HaRabbanim nevertheless used modern tools to shape the public scope of the event in 1945. Notably, rather than hold the ceremony at a synagogue, it was held in one of New York’s largest hotels, located at 34th Street and Broadway, in the center of downtown.

The Hotel McAlpin served a double purpose for Agudat HaRabbanim. On the one hand, the sheer size of the hotel and its prominent position compelled attention—when the hotel was built in 1912, it was the largest hotel in the world. But the location also held particular resonance for the Yiddish-speaking press and public, Agudat HaRabbanim’s principal constituents: From 1932 to 1938 the hotel hosted the Yiddish radio station, WEVD, before the station later moved up to 46th Street.

Using a dash of its own irony, the Reconstructionist Foundation also hosted its annual meeting in October 1945 at the Hotel McAlpin. While the topics for the conference—“Unity and Diversity in Jewish Life “ and “Necessary Changes in Jewish Religious Beliefs”—could have served the needs of any Jewish organization that sought to integrate Judaism and modernity, these choices for topics particularly resonated in the very location where a group of rabbis had burned a siddur only four months before.
Agudat HaRabbanim used the press as their primary vehicle to publicize the \textit{herem}. In pre-emancipated society, the rabbis advertised an excommunication by simply announcing it at a community function. But in twentieth-century America, where New York Jews were scattered both by geography and ideology, the only common medium was the press. Perhaps this was the ultimate irony in the situation—that the Union of Orthodox Rabbis expected the social norms of the past to yield the same results in New York City. For an excommunication to have any weight at all, the person being excommunicated needs to abide by the decree and to feel keenly the disgrace of being ousted from a small and closed community. Without this fundamental fact, the excommunication is empty rhetoric—or worse, seen as an unwarranted attack on individual freedom. 16

Though the excommunication featured a particularly extreme example of how the Union of Orthodox Rabbis used the media for its own political purposes, the press had no problem responding to the organization’s goals, as Kaplan lamented in his journal:

> If I were asked what I regard as the most disheartening aspect in Jewish life as reflected in the tragi-comedy of the herem, I would say that… we have rabbinical gangsters who resort to nazi methods in order to regain their authority and on the other hand our Jewish journalists are cynical about the whole business and treat the very attempt to articulate religious values in terms of a modern outlook in life as silly and superfluous. 17

Ultimately, condemnation of Kaplan’s \textit{siddur} was secondary in the \textit{herem} ceremony to a bigger foe of the era: Conservative Judaism. Agudat HaRabbanim used this opportunity to try to undermine the movement’s political influence in America. Representing Kaplan as the archetype of Seminary heresy, the formal excommunication document stated:

> We have gathered today to condemn with a tremendous protest against one of the Conservative rabbis, 18 who scatters a new siddur in Israel. [The Conservatives] are even more inferior than the Reformers, because every Jewish Haredi knows from a Reformer—that he needs to stray from them. But the Conservatives clothe themselves in a new Judaism, and after them stream Haredi Jews, because they think that it is the same as ours. 19

Of course the real irony concerning this declaration was that this \textit{siddur} was in no way institutionally a Conservative prayer book. 20 Though it can be debated whether Kaplan’s ideas fit the mold of Conservative Judaism, his ideologies—and certainly his liturgical documents—fell outside the bounds of what JTS was willing to endorse. 21 In fact, the Conservative movement would publish its \textit{own} prayer book just one year later. 22

Before an audience of more than two hundred rabbis, Agudat HaRabbanim’s Rabbi Israel Rosenberg reminded the crowd about \textit{The New Haggadah}, in which
Kaplan excised all references to God’s condemning enemies of the Jewish people.\textsuperscript{23} Of course, the most obvious argument against this excision was the Holocaust, still painful today and, at that moment, a newly revealed trauma; eliminating the Nazis was the only way to ensure the very survival of Judaism.\textsuperscript{24} Rosenberg spoke of the textual excision and ran with his own homiletical license, using this example from the liturgy as a proof of the extent of Kaplan’s heresy. After all, as Rosenberg stated, how could one already forget “the death in Majdanek, Auschwitz, Treblinka, Buchenwald, Dachau and more?”\textsuperscript{25}

With the speech complete, Rabbi Israel Doshowitz next read the formal decision aloud, and each member present repeated, word for word, the proceedings.\textsuperscript{26} Following the recitation of the first Psalm,\textsuperscript{27} Rabbi Meir Krieger established that the agreement was according to Jewish religious law, at which point one rabbi burned a copy of Kaplan’s \\textit{siddur}.\textsuperscript{28}

The Union of Orthodox Rabbis later disavowed responsibility for the book burning, claiming that the event was not a scheduled part of the ceremony but rather the act of one rabbi from the audience who acted on his own, after the service was completed.\textsuperscript{29} This version seems unlikely, however, since the article about the excommunication in \\textit{HaPardes}, the unofficial magazine of Agudat HaRabbanim, gives specific justification for the book burning as part of the ceremony, and does so in halakhic terms.\textsuperscript{30} The more likely scenario is that, after witnessing the heated public reaction, Agudat HaRabbanim chose to disavow responsibility for burning the \\textit{siddur} as a face-saving public relations move. Thus, by saying that the burning was not part of the planned activities, the Union of Orthodox Rabbis could attempt to refocus public attention on the greater issues of the heresy of Kaplan and the Conservative movement, rather than on a particularly unsettling segment of the ceremony, which itself evoked memories of Nazi ritual book burning. Of course, the uproar implies that Agudat HaRabbanim did not realize that most Americans would be troubled by a book burning in 1945—a lapse of judgment that would manifest the extent to which the Union of Orthodox Rabbis had lost touch with contemporary currents in American culture.\textsuperscript{31}

The written text of the \\textit{herem} echoed much of what Rosenberg issued in his speech, echoing the vociferous castigation of Kaplan: “Dr. Kaplan has published a new monster that was prepared in the name of a \textit{prayer book} [emphasis in the original]; its contents were shown to the eye of every heretic and heresy before the God of Israel and the fields of the faith of Israel’s Torah.”\textsuperscript{32} The document explained that because of this publication, Agudat HaRabbanim had decided to remove Kaplan from the nation of Israel until “he [returned] with full repentance according to the law and the faith.”\textsuperscript{33} While Kaplan would have a chance, albeit a small one, to return to the nation of Israel according to the Union of Orthodox Rabbi’s standards, the \\textit{siddur} was banned for all time; one
should not even deign to look at it nor touch it, and it would not be allowed anywhere in Jewish communal settings. Following the declaration, the text provides the scriptural precedents for issuing the *herem*, citing rabbinic prohibitions to tamper with prayer. Using proofs from tractates *Berakhot* and *Megillah* of the *Babylonian Talmud* as well as from Maimonides’s *Laws of Prayer*, the *herem* document expresses profound distress that a man two thousand years after the Court of Elders could simply “raise his hand” and “strike down a tradition” that had been passed down from generation to generation. In an ultimate statement of frustration, one that seems antithetical to such a legal document, the Hebrew text follows with what can only be interpreted as two internal screams, “Ahh! Ahh!” If the *herem* itself did not already indicate an act of ultimate despair, then its very language would make clear that this document and ritual formed a desperate attempt by Agudat HaRabbanim to retain its political power in Judaism.

**Agudat HaRabbanim: Attacking Kaplan and JTS Since Day One**

Agudat HaRabbanim was formed in 1902, one day following the death of Rabbi Jacob Joseph, the chief rabbi of New York. Its formation was in response to American secularism, which it saw as sabotaging the integrity of Judaism.

The rabbis defined their mission as a “divine obligation to unite and form a union of Orthodox rabbis.”

Agudat HaRabbanim began voicing its distaste for Kaplan virtually from the moment he set foot outside the gates of JTS after his rabbinical ordination in 1903. By 1904, the organization issued a circular throughout the Jewish press, specifically targeting Kaplan as well as other graduates of the Seminary. Some of the American Jewish press felt threatened immediately by the antagonistic Agudat HaRabbanim; the *Yidishe Gazetten*, a paper usually associated with moderate Orthodoxy, wrote: “We shudder to think of the depths to which these men would drag Judaism if they had the power—to what extremes their fanaticism would reach.” The *American Hebrew*, which mistook the circular for a *herem*, was particularly perturbed by the idea of an excommunication decree against Kaplan. Characterizing the decision as “*hillul Ha Shem*—a profanation of our Holy Faith,” the publication condemned the perceived *herem* as “a disgrace [which] tends to lower our fellow citizens of our faiths.”

Agudat HaRabbanim issued its most extreme pre-excommunication condemnation of Kaplan in a response to an article he wrote in the *Menorah Journal* in 1920, titled, “A Program for the Reconstruction of Judaism”:

The Agudat ha-Rabbanim demands from Prof. Kaplan and from the other workers in the society ‘Tehiyat Israel’ that they should at once stop their activities. If no reply is received from them in the course of one week, the Agudat ha-Rabbanim shall be prepared to begin open warfare against this movement and use all possible means in this warfare.
Of course, while extreme, this invocation of “war” was merely rhetorical; twenty-four years later, in the wake of a worldwide shooting war, the declaration evolved into action, manifested by the burning of Kaplan’s siddur.42

Because Agudat HaRabbanim declared itself as the only Orthodox rabbinate in America, it felt an obligation, perhaps even a divine imperative, to protect the American Jewish community from being steered from the proper “way.”43 Nowhere did the organization exemplify its theocratic reign over American Jewish life more vividly than in its attempt to control the kashrut industry. Control over what people eat, after all, has an everyday effect and guarantees an institution’s influence in routine activities. Friction over the supervision of kosher food has been a concern throughout Jewish history, in part because of the deep legal complexities involved in the process. As a result, the position of guardian of the kosher food industry has held great political and moral clout within the Orthodox community. From its inception in 1902 until 1923, Agudat HaRabbanim had been the sole institutional authority on kashrut. However, in 1923 the Orthodox Union (OU) officially entered the kashrut derby when it sanctioned Heinz Vegetarian Beans, giving Agudat HaRabbanim its first competition in the American kashrut industry. With that new competition, more than ever, Agudat HaRabbanim had to prove its status as the system of Torah-true Judaism and, hence, the only entity to which Jews should turn for religious authority. But the defense of its authority sparked both liberal and orthodox members to resist the organization’s attempted control of the market.44

In particular, other Orthodox organizations that dealt with halakhic minutiae read Agudat HaRabbanim’s arguments over kashrut in America as political skirmishes that did not deal with the ultimate issues ingrained in the religious law. An editorial in the 1941 edition of The Commentator, Yeshiva College’s newspaper, read:

That the driving force… is the leadership of the Agudat HaRabbanim is no surprise. The record of anarchy in Kashrut, and the dire danger of a barren future to Torah-true Judaism are eloquent testimony to the hegemony of the Agudat HaRabbanim in American Orthodox life.45

Following the excommunication, Kaplan noted in his journal just how desperate he believed the organization to be and commented on what he felt was its tyrannical hold on the kashrut industry:

From the standpoint of a struggle for power, we have to remember that those rabbis represent a vanishing order. Their sense of insecurity is great. To achieve some degree of security they have to depend on the Kashrut business. To make sure that people will demand Kashrut, they combat all tendencies that might weaken their authority…. Here is where the nazi pattern of struggle for power begins to emerge. The Nazis—the spokesmen of a people trying to overcome its sense of insecurity by a violent struggle for power—singled out
the democracies as the object of attack. In order to bring about inner division among these democracies the Nazis blamed the Jews, who were the most conspicuous beneficiaries of democracy.... In like manner the most conspicuous beneficiaries of the liberal policy of the Conservative movement is Kaplan whose atheistic philosophy is the dominant philosophy of the movement. It is therefore urgent that we must stop him. Now that he has come out with a prayer book in which he openly aims his heresies is the most opportune time to launch an attack against the entire Conservative movement.46

The 1930s marked a time when the Conservative movement also threatened Agudat HaRabbanim’s status as the sole expert in Jewish legal exegesis. In his 1932 address, Union of Orthodox Rabbis President Rabbi Eliezer Silver spoke to the members of Agudat HaRabbanim about the dangers that Conservatives would pose in American Jewish life, not only in disseminating critical approaches to Torah study but even in areas of halakhah:

We now must contend with the Conservatives who consider themselves Orthodox. They have begun to seize for themselves the duties of the authentic rabbinate.... We must oppose them and display to the masses exactly who are the genuine and learned rabbis.47

Agudat HaRabbanim felt that it had “let” JTS rabbis encroach on the national halakhic conscience by not fighting vociferously enough against their opinions. By 1930, with JTS graduate Louis Epstein’s proposal of a legal allowance for a woman who was refused a get (Jewish divorce) to remarry, the Union of Orthodox Rabbis could no longer see Conservative rabbis as irrelevant to matters of a national halakhic consciousness.48 Right-wing Orthodoxy went as far as to blame itself for allowing Conservative voices to influence the American consciousness, even in the realm of halakhah. As it says in Agudat HaRabbanim’s unofficial journal, HaPardes:

We must confess and say “we are guilty”! There are found among us rabbis who respect them, who come together with them to be mesader kiddushin [marriage officiate], or at other gatherings. There are those of us who enter their synagogues... there are those of us who educate our children in their seminary, and this is what brought about their chutzpah to establish themselves as rabbis, to rule in halakhot of gittin [divorce] and kiddushin [betrothal].49

In a defensive response to Epstein’s 1930 article and its companion teshuvah (responsum), written in 1935, the Union of Orthodox Rabbis issued an anonymous herem in 1935 against anyone who would dare to use the responsum.50 For Agudat HaRabbanim, this teshuvah meant that the OU, with its entrance into kashrut certification, was not the only organization taking halakhic power away from its previously impenetrable organization; now the tower of heretics at JTS was doing so as well.
The Siddur Burned in the Name of Religion

Kaplan articulated his vision for a prayer book as early as 1923, in the published dedication of the Society for the Advancement of Judaism, the synagogue he founded to sponsor a reconstructionist ideology. In describing his “Thirteen Wants” for Judaism at the dedication ceremony, Kaplan’s seventh “Want” discussed enabling Jews “to worship God in sincerity and in truth”—and Kaplan did not believe that the established liturgy filled the community’s needs. For Kaplan and his coeditors, Ira Eisenstein and Eugene Kohn, this document represented a way to return people to prayer. As they describe in the introduction: “The motions survive; the emotions have fled. The lips move, but the heart is unmoved.” Yet the editors understood that this particular siddur would be deemed a radical text. Thus they prefaced it with caution, adding a footnote as early as the title of the introduction, specifically indicating that no other institutions—namely JTS—contributed to producing the siddur. Kaplan predicted the potential fallout, because he had already experienced turmoil with the publication of his haggadah.

Although Kaplan’s philosophical texts were also considered heretical, applying his ideologies to a prayer book transferred heretical philosophy to heretical human behavior. Indeed, JTS would not want to be associated with the ideological message of the siddur, or for that matter, even to own a copy of it. Upon
publication, Kaplan asked Finkelstein if he should even bother giving copies as a courtesy to his colleagues, as was customary. He noted in his journal:

> When the new Prayer Book appeared, I told F. that I did not [know] whether to send copies of it to my colleagues on the faculty or not. On the one hand, I didn’t want to slight them by not sending them copies of the prayer book. On the other hand, I didn’t want to irritate them by sending them copies, knowing how bitterly opposed most of them were to the changes in the new prayer-book. I asked F. to sound my colleagues to find out how they felt. When I saw him last week he told me I needn’t bother sending them.

For the *siddur* to evoke religious meaning for twentieth-century Jews, Kaplan felt that the liturgy had to be intellectually honest about the goals of modernity, even if that meant changing the ideals of ancient doctrine. As he and his coeditors point out in the introduction:

> People expect a Jewish prayer book to express what a Jew should believe about God, Israel and the Torah, and about the meaning of human life and the destiny of mankind. We must not disappoint them in that expectation. But, unless we eliminate from the traditional text statements of belief that are untenable and of desires which we do not or should not cherish, we mislead the simple and alienate the sophisticated.

Thus, Kaplan and his coeditors notably eliminated references to several doctrines: Jews as the chosen people, the personal Messiah, a supernatural God who has a role in daily life, divine retribution, and the restoration of the Temple sacrificial cult. In some cases, the editors replaced the traditional texts with ones that responded to the moral tone the editors wished to set; in others, they simply excised the troublesome passage completely.

The JTS faculty considered these alterations particularly contentious because non-Jewish circles often misunderstood the concept of the selection of Israel and interpreted it as a certain Jewish arrogance. For a rabbi who understood the theoretical original intent of the texts to make such changes seemed to legitimize the views of the non-Jewish opponent, as the letter from the Seminary faculty about the *haggadah* suggests: “Such a change would indicate that the doctrine of the election of Israel implies a sense of superiority on the part of Israel. This accusation so frequently made by the enemies of Israel is, of course, groundless.”

Prayers flowed through Kaplan’s journal, some of which were modified and incorporated into the prayer book. As with the rest of Kaplan’s interpretation of Judaism, however, his personal prayers often were distinctly tailored. Eisenstein described how in the summer of 1942 at the New Jersey shore he saw Kaplan praying from texts other than a *siddur*. It was not unusual for Eisenstein to see Kaplan wrapped in *tefillin* (phylacteries) and a *tallit* (prayer shawl) yet also
to see Kaplan “davening from Dewey.” Prayer stood at the center of his life, so it was not surprising that it was key to his efforts to reconstruct Judaism in the modern era.

A gifted and committed teacher who felt that education was one of the essential components to the Jewish people’s survival, Kaplan also placed pedagogy at the center of his siddur. More than a vehicle to communicate with God, this text would serve as a mode of instruction, both in the nature of the text itself and in how Kaplan limited the traditional readings to make room for supplementary study. For example, he eliminated repetitions of the standing prayer and most of the additional service for the Sabbath, choosing instead to include supplementary study materials that could be accessed easily within the siddur. Not only did shortening the service make room for studying texts, but the prayer book itself functioned as a study guide, with 329 of the 565 pages appearing as supplemental readings. Kaplan also emphasized the American experience of prayer, including prayers and entire services for holidays such as Memorial Day, Independence Day, and Thanksgiving. He crafted a vision for living as “cultural hyphenates”—to be an American Jew was to live both as a citizen of the American civilization and the Jewish civilization.

Kaplan ultimately felt that Jews did not feel at peace in a traditional prayer setting and were alienated by the service. Therefore, by creating a siddur that catered to what he felt people needed—rather than prayers prescribed by a system of Jewish law, which he often felt to be antiquated—he created what he believed to be a means to bring people to the synagogue.

**Why Kaplan? Why Excommunication?**

While Agudat HaRabbanim clearly saw Kaplan as a threat to the fabric of traditional Judaism, the changes that he made to the service were relatively tame compared to those of the American Reformers. This begs the question: Why didn’t right-wing Orthodoxy excommunicate the creators of the Reform liturgy? The reality is that, politically, there was no real opportunity for Agudat HaRabbanim to make a similar statement regarding the Reform Jews of the nineteenth century. By the time Agudat HaRabbanim had decided to use its political clout for an excommunication, it felt that the Reformers had so far removed themselves from the Jewish norm of discourse that they no longer were a part of the Jewish mainstream. As the formal statement of the herem stated: “It is more comfortable for a Jew to enter into a Christian Church than to enter a Reform Temple.”

The question—why Kaplan instead of the Reformers?—seems to have been a common question at the time. Indeed, Agudat HaRabbanim spoke to this topic in the herem document, and Rabbi Israel Rosenberg also mentioned it in his interview with the New York Times. The answer showed a consistent paranoia: Agudat HaRabbanim legitimately feared that Orthodox Jews would
pick up Kaplan’s *siddur* because of its traditional physical appearance. They would then unwittingly begin using it, falling victim to its heresies!

Rabbi Joshua Trachtenberg’s comments in the 1945 *American Jewish Year Book* underscore the confusion that even educated Jews felt about the decision to excommunicate Kaplan and not the Reformers:

> The militant implication of this act is all the more strongly underscored by the fact that the Union had not seen fit to adopt such a stand against any other of the many ‘unorthodox’ prayer books previously issued during its forty-three year history.67

Ultimately Kaplan’s ideologies were new but no more “heretical” than those of many other Jews. But since Kaplan’s heresy looked similar to Orthodox texts and he offered a public, particularly boisterous, threat to the “traditional view,” Agudat HaRabbanim felt the need to respond forcefully. This excommunication marked the opportunity to reassert a claim on the American Jewish landscape by bringing down a zealous figure like Kaplan; and, even more important, it presented Agudat HaRabbanim a chance to contest the entire Conservative movement.

**Effects of the Herem**

Did the excommunication accomplish any tangible political gain for Agudat HaRabbanim? After all, for an excommunication to have an effect, the condemned—as well as the Jewish community—had to acknowledge and abide by the decree. In a pre-emancipated society, the *herem* affected every part of an individual’s life, since the central Jewish authorities controlled every aspect of community life—social, economic, and spiritual. The *herem* epitomized the ideals of the Old World, and Agudat HaRabbanim used it as an attempt to regain control of New York’s Jews and to illustrate that its system still worked quite well in America. But in America, there was no court of Jewish law to which all Jews turned, and there was no way even to enforce the decree. Thus, a *New York Times* headline outlined the basic problem—and the ultimate irony—of a modern excommunication in a single phrase: “Group of Orthodox rabbis ‘excommunicate’ author of prayer book though he is not a member.”68

For different reasons, both Kaplan and the Union of Orthodox Rabbis saw Judaism as slowly collapsing, and each sought solutions to the problem. However, the two views exemplified completely opposite approaches: one working to unify different streams of belief and practice, the other stoutly standing against such plurality. Thus, their battle became not how best to benefit the Jewish people by arguing against another ideology, but rather how to fight the individual who personified that ideology.
Everyone Has an Opinion:
America Responds to the Herem

The pain of the herem struck Kaplan immediately, particularly in light of the burning of the siddur just one month after the victory over Nazi Europe. He voiced this throughout the months of June and July in his journals and publicly to the Jewish Telegraphic Agency:

It is just too bad that men who call themselves rabbis should in this day and age resort to the barbarous procedure of outlawing a man without giving him a hearing, and to the Nazi practice of burning books that displease them. God save us from such leadership and from the disgrace it is likely to bring upon Jews.69

But the event also directly affected his family. Shortly after the herem, Kaplan’s youngest daughter Selma went to the local kosher bakery to buy hallah and cakes for the Sabbath. But because of Agudat HaRabbanim’s declaration, the clerk would not even serve her. “They said, sorry,” she explained. “They just didn’t want anything to do with that heretic Mordecai Kaplan.”70

News of the excommunication literally made its way around the world as well; Professor Max Arzt of the JTS described how a U.S. Marine came across the New York Times article while on a ship in the Pacific Ocean, and though he came from a yeshiva background, he was deeply dismayed by the herem and ultimately feared for the future of the Jewish people.71

Conservative Jewish leaders expressed concerns similar to Kaplan’s, fearing that outsiders to Judaism might believe that the excommunication and book burning represented the unanimous decision of American Jews. Thus, the final paragraph of the Rabbinical Assembly’s (RA) resolution about the herem stated:

We assure the public at large that the action of the Agudat Harabbanim is in violation of the feelings of the overwhelming majority of American Jewry, whose loyalty to Judaism expresses itself not only through ritual observance and ethical conduct but also through a genuine respect for the freedom of man’s conscience.72

Both for Kaplan and the Conservative movement, intellectual freedom stood as the central doctrine that had to remain open in America. Ultimately, the Conservative movement had nearly as much to lose from this herem as Kaplan himself; if Agudat HaRabbanim could excommunicate Kaplan, then
the institution that housed him also would be severely threatened. Above all, the Conservative movement, particularly its seminary, needed the ability to question all aspects of Judaism in a free, democratic environment, even if it vehemently disagreed with the contents of the siddur itself.

In July, Kaplan wrote a three-column defense of himself in the Hebrew newspaper HaDoar, responding not only to the herem but also to the entire worldview of the Union of Orthodox Rabbis. Kaplan was particularly frustrated that Agudat HaRabbanim could issue the herem for political reasons but couch it in religious terms. Just as this was an opportunity for Agudat HaRabbanim to attack Kaplan, Kaplan could fire back with that same gusto. While his personal anger and pain cannot be ignored, he legitimately feared how the outside world would view this event, at a time when Jews needed to rally international support for a Jewish state. What will “sweep the hearts of the nations to us that they will give us a nation and the permission to govern ourselves?” he questioned.

But ironically, by excommunicating Kaplan, Agudat HaRabbanim almost completely removed the issue of theology from the discussion. No longer could Conservative and Reform rabbis argue the merits of the document’s content, because they had to defend Kaplan against the Union of Orthodox Rabbis’ fundamentalism. Disagreeing with the prayer book actually was the norm in America at the time, but because Agudat HaRabbanim had resorted to such extreme measures, public condemnation of the siddur suddenly became a political faux pas. Kaplan, in seeking to educate about the excommunication, placed a notice in the New York Times to advertise his session at the Society for the Advancement of Judaism, titled “Excommunication vs. Freedom of Worship.”

The Reform rabbinical assembly, too, deeply disagreed with the merits of the siddur, but the Central Conference of American Rabbis (CCAR) thoroughly condemned the actions of Agudat HaRabbanim and did not address the contents of the siddur itself. “This shocking action violates the very spirit of freedom of thought and the tolerance which we cherish in our country,” reads a draft of the statement from the CCAR, continuing,

It is an expression of bigotry. Without taking sides in the theological issues involved, we nevertheless must condemn unreservedly the revival of medieval acts of excommunication and book burning. When some rabbis, who are out of touch with the modern spirit, indulge themselves in such outgrown practices, they make themselves ridiculous and impair the good name of the entire rabbinate.

Instead of overturning the new balance of power in American Judaism, the herem forced virtually every Jewish organization to react against Agudat HaRabbanim, ultimately demoting its authority over American Jewry.
JTS Faculty Members Break Silence

While most of the American Jewish community remained silent about the content of the siddur, preferring instead to tackle what seemed to be the tyrannical tactics of Agudat HaRabbanim, three rabbis from JTS did attack the prayer book’s theology—and the theology of Kaplan himself. Rabbis Louis Ginzberg, Saul Lieberman, and Alexander Marx lambasted not just the siddur but indeed Kaplan’s entire career as a rabbi. Though Kaplan felt the wrath of many Jewish leaders because of the prayer book, the condemnation of his colleagues proved to be particularly hurtful, in part because of the intimate contact he had with them.

The publication of the siddur and the ensuing herem marked the culmination of what the three rabbis felt were Kaplan’s heresies, and the events gave them an ideal occasion to condemn Kaplan publicly. While not in the same language as a religious edict, their letter to HaDoar served as a public outcry against Kaplan’s rabbinical career. They not only wished for Kaplan to leave the Seminary, but they also attempted to denigrate him to all other institutions by portraying him as a fraud. This response represented a small victory for the Union of Orthodox Rabbis: While it was not successful in destroying JTS, it managed to get the Seminary’s most renowned faculty members to respond to its decrees. Agudat HaRabbanim may have been weak in the mid-1940s, but it was not dead.

Ginzberg, Lieberman, and Marx saw it as their responsibility to delegitimize Kaplan, so that people would not heed him in the future. Yet the three rabbis took on a much more defined task than the Union of Orthodox Rabbis did. Rather than attack an entire movement, they chose to attack an individual—and one whom they knew personally. Their letter provided particularly compelling arguments, because they knew the intricacies of Jewish law much better than Kaplan—a fact that they were not afraid to state blatantly in the letter:

Dr. Kaplan, teacher of homiletics in our Rabbinical seminary, is a great expert in his department. But his is not representative in the Talmudic or in the Rabbinic literature and their wide range. He does not know nor can he recognize the truth, and he does not willfully intend to rebel against it.

The rabbis picked apart Kaplan’s arguments—found primarily in the letter he had written to HaDoar—that Kaplan had used to defend himself against Agudat HaRabbanim’s attacks. In that letter, Kaplan used textual proofs to attempt to demonstrate that the halakhic system itself allowed for a group to ostracize an individual. To emphasize the absurdity, he even asserted that Agudat HaRabbanim had the responsibility to burn his siddur according to the Talmudic law that “a Torah scroll that was written by a min would be burned.”

Though the rabbis did not agree with issuing the herem and certainly opposed burning the siddur, they felt nonetheless that the Union of Orthodox
Rabbis acted out of correct principles in initiating the ban—they simply executed it incorrectly. Ginzberg, Lieberman, and Marx even went so far as to defend the actions of Agudat HaRabbanim, accepting that the organization did not purposefully burn the *siddur*—though the event clearly happened as part of the formal ceremony. In their own letter, the three rabbis attempted to pick apart Kaplan’s halakhic argument and interpretation of the texts, correctly stating that the law of burning the Torah scroll even of a heretic only applied to the technical category of a *min*; therefore, Kaplan had misinterpreted the definition of a *min* to imply any heretic. However, it appears that the rabbis never read the official *herem* decree and thus gave the Union of Orthodox Rabbis credit that it did not deserve. Because Agudat HaRabbanim dubbed Kaplan with the technical term “*min*,” it legally could, or even had the *obligation* to, burn the *siddur*—a fact the Seminary rabbis would have realized if they had read Agudat HaRabbanim’s publications.

**The Herem in Its Context**

Kaplan’s “heresy” held particular weight for JTS because he wrote and taught these views to students at the institution. While the Seminary publicly refuted the claims that Kaplan made about Judaism and asserted that he represented a different worldview from its official stance, ultimately he was able to craft a vision for his entire movement without permission to do so. JTS professor Rabbi Neil Gillman reflected on how a donor once called JTS President Finkelstein during the 1950s and offered a substantial donation in exchange for firing Kaplan:

So I said, “Why didn’t you?”

So he said, “How could I?—he was my teacher.”

So I said, “Oh, come on.”

So he said, “No seriously. I spent my entire career trying to ensure the Seminary’s academic respectability in the American academic world. All I had to do was declare one teacher that I disagreed with and fire him, and I would have ruined the Seminary’s reputation forever.”

To Finkelstein, firing Kaplan would have represented much more than releasing a member of the faculty. It would have indicated the attempt to squelch a dissenting voice.

Gillman continued:

I suppose it’s a fascinating story because it gives a peek into Finkelstein’s values. He was prepared to tolerate what he I’m sure felt was a very subversive voice on the faculty in order to make sure that, academically, the Seminary’s reputation… at this point would remain intact.
In reflecting on the tumultuous 1940s, Finkelstein dubbed the decade “more miraculous” even than the Exodus from Egypt, with “the manifestation of the Deity readily… discerned in almost any aspect of the downfall of Hitler.”

Surely Finkelstein had good reason to frame his first ten years as leader of the Seminary with such an extreme characterization; he had used his position to thrust JTS onto the world scene. Seeking to neutralize totalitarian forces across an ocean and to unify a vital center both in America and abroad, Finkelstein strove his entire career to bring people together. He sought not only to unify American Jewry but also to transform JTS into the leading voice for American Judaism. Indeed, it was his hope for the Seminary to become a unifying force for all American religion. Finkelstein said to the RA in 1942,

I have little doubt that it can only be through the strengthening of religious work in all denominations, and the creation of better understanding and increased cooperation among them, that we can find our way out of the slough of despond of the twentieth century.

By strengthening the center, ultimately the Seminary helped to limit groups such as Agudat HaRabbanim from wielding power with extreme measures such as excommunications. According to Rabbi Morris Adler in an address at the Conference on the Role of Judaism in the Modern World:

The Jewish Theological Seminary represents the American Jewish Community’s coming of age. It is that movement which seeks to transform the population of Jews in America into a Jewish center, in line with all the great centers during the ages which have enriched and fructified Judaism. It seeks to convert a settlement of Jews into a Jewish society, into a Jewish community, and the common denominator upon which this Jewish population shall be united into a society will not be the pressure from without or the general humanitarian principles of mercy or of fear, but a self-identification with the culture of Israel.

The 1944 JTS conference, “Approaches to National Unity,” epitomized in both theme and content the wider message that Finkelstein sought to implement during his tenure. Only through breaking denominational boundaries that had previously separated them, joining in a democracy of thought, could people realize the ideal of pluralism. Moreover, the introduction to the conference volume suggests that the problem was not simply an academic issue. Conferences during this time elevated the democratic ideal and sought to activate it in practice. Fittingly, just months after the Allies declared victory, the 1945 conference addressed “Approaches to Group Understanding.” World War II had represented the ultimate breakdown in diplomatic relations, a phenomenon that many blamed on a lack of communication in the world community. This problem transcended religions and cultures.
“We cannot bomb ourselves into physical security or moral unity,” stated the introduction to the conference. “The release of atomic energy has not abolished our continuing moral problems; it has made them more urgent. Mankind is seeking the way to cooperation. Its intellectual leaders can help by overcoming temptations to set themselves against each other, by learning to labor and think together.”

This passage encapsulates exactly why the strategy of Agudat HaRabbanim failed in this new era—it “attempted to bomb [itself] into physical security.” In an age that cherished an ecumenical spirit, Agudat HaRabbanim resorted to burning a *siddur* as its ultimate cry against Kaplan’s heresy. While JTS never officially supported Kaplan, it certainly protected him. More important, it could only support him against outside attack, based on the democratic ideal that philosophies were meant to be debated on the intellectual battlefield, not attacked in an actual state of “war.” As soon as the Union of Orthodox Rabbis burned a book in 1945, it removed itself from democratic discourse, effectively isolating itself from the majority of the American Jewish community.

The Sociological Triumph of Conservative Judaism in the 1950s

While JTS sought to influence American Judaism and even global religion, the Conservative laity and synagogue rabbis operated largely on their own in response to the sociological phenomenon of suburbanization—perhaps the best explanation for the movement’s overwhelming success during the 1950s. While Finkelstein sponsored his ideology on the Upper West Side of New York, Conservative rabbis translated it to their constituent congregations. Explains sociologist Marshall Sklare:

> Suburbanization brought with it the problem of the maintenance of Jewish identity, and it was to the synagogue that the new Jewish suburbanite tended to look for identity-maintenance. And Conservatism exemplified the type of synagogue that was most appealing to the Conservative Jew.

More than ever, as urban sprawl broadened the geographical landscape of American Jews, it also marked the doom of Agudat HaRabbanim and its insular, centripetal model of Jewish religious life. From a practical point of view, controlling New York City’s Jews in the 1950s no longer held the same political clout as in the first half of the twentieth century, since many had already moved out of the city. With an ideology that did not adapt to the expanding, increasingly multifaceted Jewish society that incorporated the variety of beliefs in America, the Union of Orthodox Rabbis slowly dwindled. As Louis Bernstein described, “The largest and most important rabbinic group of the first half of this century, the Agudat Harabbonim, will live on only in the yellow pages of old Yiddish newspapers.”
Where Jews had previously lived in relatively homogenous, compact communities in cities, they now faced the reality of a truly diverse community. One sociologist of the time reported, “The environment is strange. The Jewish residents are no longer the majority or plurality which they were, or felt themselves to be, in the urban neighborhoods or blocks from which they came.”

Though Finkelstein was thinking in broad terms about the place of the Jew in America when he tried to expand the influence of the Seminary in the 1940s, his efforts would serve the altered needs of Jews just one decade later. Without planning for a specific sociological phenomenon in American history, Finkelstein managed to institute programs that catered to the novelties of the 1950s and fit a new model of Jewish life and culture. In large part due to his efforts, the center had seized control of discourse in the Jewish community at large. There was a new spirit of engagement with Jewish life, and a fringe organization no longer could seize control over the community, as Agudat HaRabbanim had attempted to do for much of the first half of the twentieth century. Indeed, its lack of engagement with the rest of the Jewish community led to its decline during the 1950s.

Conclusion

It is not surprising that, just one month after America declared victory over Nazi Germany, Agudat HaRabbanim’s declaration of the herem sent a jolt through American Jews’ collective conscience. Particularly when combined with the burning of a holy book, an excommunication marks a refusal to engage in democratic discourse; a herem launches a group attack upon an individual, attempting to render him incapacitated in every segment of his life. Such an act might have caused a similar reaction in any era. But in 1945, with the backdrop of World War II and a rising spirit of cultural pluralism in peacetime American religious life, the herem and, particularly, the burning of a prayer book—recalling Nazi tactics—marked a decisive clash in values between Agudat HaRabbanim and American norms of tolerance. After decades of attempting to assert its sovereignty over Jewish religious life in America, the Union of Orthodox Rabbis issued the most drastic proclamation possible according to its worldview, invoking conflict rather than religious debate and democratic participation. The herem proved more than ever that the absolutist views of Agudat HaRabbanim and other such extremist authorities were no longer compatible with American life. Indeed, the next fifteen years would represent a surge toward religious universalism and diversity, notions antithetical to Agudat HaRabbanim’s self-segregation. The discord provoked by their symbolic burning and the resistance to their authoritarian decree displayed clearly how their command over Jewish thought and behavior had dwindled within the American Jewish community.
Looking retrospectively at the event, Yeshiva University’s Rabbi Norman Lamm described the burning as disastrous for the cause of Orthodoxy in America:

If we want to win people over to Orthodoxy, we need to present ourselves as measured, mature, and moderate people with deep faith and the right practice, but we do not insult others and we do not damage or condemn them. Coming out with issurim [decrees that forbid particular actions] against everyone else is like another Fatwa. When I was younger there was a heretic by the name of Mordecai Kaplan, and the Agudas HaRabbonim had this whole big book burning party. I thought it was ridiculous to have a book burning in the twentieth century. It didn’t make anybody decide to become more religiously observant. Nobody who was reading his books said[,] “If important Orthodox rabbis burned them, we’re not going to read them.” If anything, it aroused interest in people who otherwise would not have wanted to read these books. But in addition, what it accomplished was that it got people to look at the Orthodox as fanatics. That’s no way to make friends and win people over to Orthodoxy.96

Though Kaplan was personally hurt by the attacks of Agudat HaRabbanim and the three rabbis from the JTS, ultimately his philosophies of crafting a pluralistic religion and fashioning the synagogue as the centerpiece of communal growth proved to be the guiding foundation for American Jewish life during the 1950s. Meanwhile, the views of Agudat HaRabbanim—and in fact the organization itself—faded during the decade following the herem.

At the center of this altered religious consciousness stood JTS and Louis Finkelstein. No longer would the institution be isolationist. Under Finkelstein, the Seminary thrust itself onto the world scene and attempted to shape a global consciousness of democratic values, ones defined in stark contrast to the values of the Nazis. Though the faculty could not accept Kaplan’s theology, particularly in the form of a liturgical text, finally the Seminary had to protect Kaplan, because Finkelstein felt it was essential for Kaplan to be able to voice his opinion in a democratic environment. Unlike Agudat HaRabbanim, JTS did not ceremoniously expel members. Kaplan would be able to speak his mind from within the Jewish community, despite the immense pressure that many—including his own distinguished senior colleagues—placed on Finkelstein to dismiss Kaplan from the faculty. In contrast to Agudat HaRabbanim, the cultural climate in America during the postwar years fostered ways to interact with varying notions of religion, fortifying the center and virtually ridding the American landscape of fundamentalism in the 1950s, during which time the Conservative movement would dominate.97

Agudat HaRabbanim’s herem attempted to ostracize Kaplan completely from the American Jewish community and to leave the Conservative movement crippled. Ironically, however, it strengthened JTS and its ideologies to
unimagined levels of influence in both Jewish culture and the wider American culture of the 1950s. In effect, Agudat HaRabbanim had excommunicated itself from American life by issuing its herem decree against Kaplan.

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Notes
1The Hebrew Agudat HaRabbanim literally means “the association of rabbis” and includes the article “the” as part of the name of the group. Therefore, for the purposes of this paper, I do not use another article when referring to the combined term Agudat HaRabbanim, as it would be redundant. However, all quoted passages remain as they were in the original. Translations from Hebrew to English are mine unless otherwise specified.

2Mel Scult’s biography of Kaplan mentions that the event occurred, but he does not believe that Agudat HaRabbanim burned the book as part of the formal ceremony. Rather, he says that the burning occurred incidentally at the back of the room. However, Agudat HaRabbanim’s documents illustrate that it was a previously scripted formula. Jeffrey Gurock and Jacob J. Schacter’s book, A Modern Heretic and a Traditional Community, addresses the excommunication and disputes Scult’s claim that there was no intentional book burning. See Scult, Judaism Faces the Twentieth Century: A Biography of Mordecai Kaplan (Detroit: Wayne State Press, 1993) and Gurock and Schacter, A Modern Heretic and a Traditional Community: Mordecai M. Kaplan, Orthodoxy and American Judaism (New York: Columbia University Press, 1997).

3In 1934, Kaplan published his manifesto, Judaism as a Civilization, which JTS Chancellor Arnold Eisen has dubbed “the single most influential book of its generation.” As I will discuss, Agudat HaRabbanim deliberately chose the siddur rather than a book of philosophy to pinpoint Kaplan’s heresy. See Kaplan, Judaism as a Civilization: Toward a Reconstruction of American-Jewish Life (New York: The Macmillan Company, 1934).

4Kaplan faced mixed reactions from the faculty. Most notably, Louis Ginzberg, Saul Lieberman, and Alexander Marx wrote a strong letter condemning the siddur, though they did not agree with the herem as a means of condemning Kaplan (see below).

5This occurred largely because of an article in the New York Times, which covered the event. See “Orthodox Rabbis ‘Excommunicate’ Author of Prayer Book Though He Is Not a Member,” New York Times (15 June 1945): A11.

6Kaplan felt that the practice of excommunication manifested the inherent problems of the entire halakhic system, because rabbis were able to wield it as a weapon against those who threatened their authority. See Kaplan, “Comments on Dr. Gordis’ Paper,” Proceedings of the Rabbinical Assembly (1942): 97. Kaplan also noted in Judaism as a Civilization the inherent anachronism of an excommunication in the modern age:

The social structure of Jewish life was hitherto of the ecclesiastical type, for though the rabbi exercised his authority with the consent of those to whom he ministered, the Torah, the supernatural revelation of God’s will, was the sanction of the laws he enunciated. It was by virtue of that sanction that the rabbi could apply the weapon of excommunication. With the rise of modern ideology and the denial of the validity of the supernatural sanction, the exercise of excommunication was eliminated from Jewish life (208).

Kaplan states that the excommunication was irrelevant in modern Jewish life because moderns no longer believed in the sovereignty of a supernatural God—an assumption that was far from universal. I argue that Kaplan’s thesis about excommunications does not rest on personal theology
but is reflective of the social structure of the modern Jewish community, which Kaplan also emphasizes throughout much of the rest of the manifesto.


8For a comprehensive article on the *haggadah* controversy, see Jack Wertheimer, “Kaplan vs. ‘The Great Do-Nothings’: The Inconclusive Battle over *The New Haggadah,*” *Conservative Judaism* 45, no. 3 (Summer 1993): 20–37. It should be noted that this was a “unanimous” faculty reproach of Kaplan because Robert Gordis felt coerced to sign this letter. As noted below, Gordis disagreed with Kaplan’s approach to Jewish ritual and halakhah but did not agree with the tone of this letter and the mode of rebuke. He would later apologize to Kaplan for being a part of what was a hurtful personal attack. See Ira Eisenstein, *Reconstructing Judaism: An Autobiography* (New York: The Reconstructionist Press, 1986), 165.

9On a basic level, a *siddur* differs from a *haggadah* because Sabbath *siddurim* are used weekly, whereas *haggadot* are used a maximum of twice yearly. Additionally, a *siddur* is a way for people to connect to the divine, whereas the *haggadah* facilitates Jews recalling a collective history. Both of these facts indicate that Kaplan’s choice to publish the *haggadah* before the *siddur* served as a test to see how the Jewish world would respond to his liturgical works. As it turned out, the response to the *haggadah* was a unanimous letter of castigation, whereas the response to the *siddur* went to another level.

10Finkelstein was named chancellor of JTS in 1949; subsequent leaders of the institution continue to bear this title.

11This was part of a continued trend of pressure to dismiss Kaplan from JTS, which originated in the Cyrus Adler era of leadership. Kaplan felt such unease at the Seminary that he resigned in 1927 to go to Stephen Wise’s Jewish Institute of Religion (JIR), only to change his mind and return to JTS within the week. The pressure to dismiss Kaplan was particularly acute in the case of the *siddur*, because the faculty had already explicitly reprimanded Kaplan for his *haggadah*. An example of chastisement can be seen in a satirical letter from Jason Cohen:

> I was very happy to read in that great book by the head of the Seminary, Prof. Kaplan, that at last you were sensible enough to abolish the outwork Dietary Laws…. May I suggest that to publish this great epoch making step on yor [sic] part you arrange an outing to take place next Saturday afternoon. I shall be only too glad to furnish the buses and pay for the dinner at some prominent seashore resort. There you could enjoy the finest CLAM BAKE or PIG ROAST [emphasis his] ever served by a Gentile to Jewish Rabbis. You will all of you have a very fine time and at the same time let the world know that the old superstition about the Sabbath and food have no place in modern Jewish life.

See Letter from Jason Cohen to anonymous “Rabbi”, 30 June 1934, Faculty Files, RG 3, Box 2, Folder 1, The Ratner Center Archives of The Library of JTS, New York. For more information on Kaplan’s displeasure at the seminary, see Scult, 203–240.

12For information about the hotel when it was built, see “Flock to Inspect the Biggest Hotel,” *New York Times* (30 December 1912): 18.


14Ibid.

15Jewish Reconstructionist Foundation, Inc., Invitation to 1945 convention, Jewish Reconstructionist Foundation Records, I–71, Box 8, Folder 5, the American Jewish Historical Society (AJHS), New York.

16The exclusion of Baruch Spinoza from the seventeenth-century Amsterdam Sephardic community has often been taken as a symbolic opening salvo of the emerging Enlightenment emancipation from closed religious sectarianism. See Steven Nadler, *Spinoza: A Life* (Cambridge: Cambridge University Press, 2001), 116–54.
It is significant that Agudat HaRabbanim uses the term “rabbi”—transliterated as such in the Hebrew—for JTS graduates, instead of the Hebrew word for rabbis, “rabbanim.”


For an extensive comparison between Kaplan’s text and the 1946 Conservative Sabbath and Festival Prayer Book, see Eric Caplan, *From Ideology to Liturgy: Reconstructionist Worship and American Liberal Judaism* (Cincinnati: Hebrew Union College Press, 2002), 112–120. Caplan suggests that the Conservative RA editors shared many of the same theological concerns that Kaplan did, but they responded to them by changing the English translations rather than the Hebrew prayers themselves. Kaplan and his students certainly knew the contents of the Conservative *siddur*, because both Milton Steinberg and Ira Eisenstein were on the original committee for the *siddur*, and the main editor of the text, Morris Silverman, conferred with Kaplan during the editing process. See Caplan, 112.


In defending Kaplan, the RA mentioned explicitly that while the actions of Agudat HaRabbanim were abhorrent, the Conservative movement did not endorse the *siddur*. See “On Burning of a Prayer Book.” The RA published *The Sabbath and Festival Prayer Book* in 1946.

Rosenberg specifically pointed to Kaplan’s excision of *shefokh hamatkha*, a paragraph in the *haggadah* that asks God to “Pour out [God’s] wrath on the enemy nations that do not know [God].”

Kaplan also confronted this theologically and philosophically troubling issue while writing the *haggadah*, particularly in relation to responding to the challenges of the Holocaust. See Jack Cohen, *Major Philosophers of Jewish Prayer in the Twentieth Century* (New York: Fordham University Press, 2000), 163–164. Eisenstein reflected on this in his autobiography:

If the *haggadah* was to be edifying, and if our purpose was to engage the attention of young people, we should omit all texts which smacked of cruelty and vengeance. I can truly testify that he never reckoned with possible gentile reactions. Knuckling under was a stance he resolutely eschewed.


“Asefat HaHerem,” 2.


The first psalm speaks about not following “in the counsel of the wicked,” a fitting liturgical piece for an excommunication.

It is unclear who actually burned the *siddur*, as the report in *HaPardes* uses the passive voice. See “Asefat HaHerem,” 2.

Noveck, 183.

“Asefat HaHerem,” 2.

The July 1945 issue of *HaPardes* illustrates this very irony. On the same page as part of the *herem* document, there is another article titled “Et Hasereifa Asher Saraf HaShem: Ba’me Enahem?” (“The burning that God burned: How shall we gain mercy?”), which laments the passing of Rabbi Aharon Pechenik’s father, murdered by the Nazis. The parallelism of burning—one committed against the Jewish people and one by the Jewish people—is eerie.

“Nosah Hahlatat HaHerem,” *HaPardes* 19, no. 4 (July 1945): 3.

Following the statement, “This man raises his hand to scatter against the Members of the Great Assembly,” the text inexplicably spells out the following word twice in Hebrew: “ינדית”


Kaplan was the first rabbi to introduce English sermons to the affluent Upper East Side synagogue, Kehilath Jeshurun. While Agudat HaRabbanim did not prevent his hiring, Kaplan believed that the organization ensured that his title would be “minister” instead of “rabbi,” because he did not receive Orthodox ordination. For more information about Kaplan at Kehilath Jeshurun, see Scult, 69. For more on the conflict at the Upper West Side’s Jewish Center, where Kaplan subsequently served, see Schacter and Gurock, chapter 5.

Scult, 69.

Ibid.

Retrospectively, it seems that Kaplan’s article lays the groundwork for his philosophy in *Judaism as a Civilization*. This statement from Agudat HaRabbanim appeared in multiple newspapers on 21 January 1921, including *Hebrew Standard*, *HaToren*, *The Jewish Gazette*, and *HaIbri*. Reproduction of articles found in letter from Kaplan to Cyrus Adler, 27 January 1921, RG 3, Box 2, Folder 1, The Ratner Center Archives of The Library of JTS, New York.

The editorial also classified Kaplan’s ideas as “nothing less than heresy” and his acts as “treason to the cause he affects to serve.” See Gurock and Schacter, 110.

Louis Bernstein, *The Emergence of the English Speaking Orthodox Rabbinate* (Ann Arbor, MI: University Microfilms, 1977), 262.

In 1933, in response to Agudat HaRabbanim’s petition of the Reform rabbinate to keep kosher, Reform Rabbi Max Raisin of Congregation B’nai Jeshurun of New Jersey responded that indeed the slugfest for the top of the *kashrut* empire was alienating Jews everywhere:

Unfortunately the cause of real *kashrut* is hurt by its supposed friends. The Orthodox Rabbis of the community, in Patterson, New York and it would seem everywhere fight among themselves on this very question. What one Rabbi declares to be kosher the other Rabbi will declare to be trefa.


Ibid. Though Yeshiva College had an active relationship with the Orthodox Union, the main competitor of Agudat HaRabbanim for *kashrut* supremacy, even when taken cynically, the editorial expresses broad views about Agudat HaRabbanim’s struggle to maintain a firm grasp on American Jewry during the 1930s.

Kaplan Diary, 23 June 1945.

Rakeffet-Rothkoff, 114.

The *teshuvah* was officially approved in 1935 by the Conservative movement’s Committee on Jewish Law. It was later published more completely in a volume devoted to the legal concept of the *agunah*. See Epstein, *Lishelat HaAgunah* (New York: Ginsberg Linotype Company, 1940).


According to religious law, only a man has the right to initiate the steps for a divorce. Therefore, women can be left “chained” (*agunah*) to their husbands and unable to remarry. Epstein suggested that the couple could sign a statement at the wedding that would legally authorize the rabbinic courts to issue the documentation necessary for the divorce pre-facto according to agreed-upon conditions. Epstein first published “A Solution to the *Agunah* Problem” and the translated Hebrew version, “Hazaah Lemaan Takanat Hagunot,” in 1930 in the form of an

51Designed to diverge from Maimonides’s Thirteen Articles of Faith, the Wants sought to “make a demand upon Jewish unity,” as Kaplan found it impossible to agree on abstract principles, such as Maimonides’s original creed. See Kaplan, Communings of the Spirit, ed. Mel Scult (Detroit: Wayne State University Press, 2001), 218.


54Kaplan Diary, 16 May 1945.

55Caplan, 53.

56Eisenstein, Kaplan, and Kohn, xxiii.

57My teacher, Rabbi Eliezer Diamond, noted that as part of the Musaf service—the additional service on Shabbat that accounts for the extra sacrifices of the day—Kaplan wrote a liturgical introduction that praises individuals during Temple times for tangibly giving of themselves to God. While Kaplan is often portrayed as one who excised texts indiscriminately because the liturgy lacked application to modern life, he had the utmost respect for the Temple cult and was jealous that moderns could not experience this tangible connection with the Divine:

Our worship is one of prayer and praise. But when we think of the piety of our fathers, who from their meager store of cattle and grain, the yield of the shepherd’s care and the farmer’s toil, offered their best in the service of God, can we be content with a gift of mere words that costs us neither labor nor privation? Shall we not feel impelled to devote our substance to the service of God? Shall we not give of our store to the relief of suffering, the healing of sickness, the dispelling of ignorance and error, the righting of wrongs and the strengthening of faith?


58For example, Kaplan conceived that God could be explained according to the laws of nature. Therefore, he excised parts of the siddur that petitioned God to change the weather, such as the second paragraph of the Shema. Instead of the traditional recitation of Deuteronomy 11:13–21, he began with Deuteronomy 11:21 and continued with a Deuteronomy 1–6, which states that if one heeds God one will be blessed in all places. In this case, he eliminated the idea that God would reward people with rain, a theology that could not be logically deduced through reason.

Kaplan also eliminated references to the selection of Israel, seen most clearly through how he changed the blessings over the Torah from “Blessed are you Lord our God that chose us from the nations and gave us the Torah” to “Blessed are you… that brought us closer to your work and gave us your Torah.” Such changes in the liturgy would later become a staple in Reconstructionist texts. For a complete catalogue of changes that Kaplan made to the liturgy, see Caplan, 46–125.

59Letter from JTS faculty to Kaplan, 30 April 1941, as cited in Wertheimer, “Kaplan vs. ‘The Great Do-Nothings,’” 25.


Kaplan would also co-edit a prayer book devoted to American holidays. While contemporary readers might not view this book as a *siddur*, per se, Kaplan and his coeditors situate the book as such, as the introduction illustrates:

Each program in this book has the form of a religious service. It begins with an invocation or a message conveying the importance of the day. This is followed by varied selections in prose and poetry, some of them designed for reading by the leader, some for responsive reading by leader and assembly, some for silent reading…. It is recommended that an address by a person qualified to relate the message of the day to current social and moral problems be inserted at some appropriate point in the service.


"Nosah Hahlatat HaHerem," 3. This paragraph reads in full:

Those who ask why Agudat HaRabbanim did not enact a *herem* against the Reformers, who also printed a prayer book, and added and removed from the liturgy whatever to their hearts’ content, and also are inciters and instigators, the answer: These same Reformers have already separated from the community of Israel, for every man of Israel knows that he does not have any connection with them (the Reformers). And the *geonim* [leading Jewish authorities] of Israel already declared in their time, such as the Gaon Rabbi Akiva Igger, the Gaon Rabbi Moshe Sofer, and the Gaon Rabbi Jacob of Lissa, and the Gaon Rabbi Mordechai Banet, who were alive during that same era, the beginnings of the creation of Reform Temples, and there they fought with them with all of their might and strength. For there were greats of Israel in that day who said, “It is more comfortable for a Jew to enter a Church and not to enter a Reform Temple.” But this same man, Dr. Kaplan, he is *within* [emphasis added] the children of Israel, speaking and behaving as a Jew, and he has a synagogue where Jews make mistakes by following him and come there to pray. And he serves as an educator of the children Israel, and it is said about him “*vayaavek ish imo*” [and a man struggled with him] (Genesis 32:25). And as our sages said (Babylonian Talmud Hullin 91), “Like a sage he appeared, and took honor from Jacob;” see the interpretation of Rashi on this passage. So too is the man Dr. Kaplan dressing himself as a sage (*talmid hakham*), bringing Jews to follow after him, and he is leading them astray from belief in God and His Torah, which is far worse than the Reformers. And therefore they did as they did, according to the law of the Torah, lawfully and justly.

The text asserts that the Reformers already separated themselves so much from traditional doctrine that they were no longer a threat to the core, which was not the case with Kaplan, who “clothed himself” as a traditional Jew and sage. Additionally, the great sages of the nineteenth century had already fought the battles that needed to be fought with the Reform movement, and thus Agudat HaRabbanim, which formed in 1901, did not feel the need to continue this battle. The biblical citation in the passage comes from the narrative of Jacob wrestling with his adversary, suggesting that Kaplan will both physically and spiritually injure the Jewish people, Israel. The Talmudic citation, as interpreted by Rashi, comes as part of a discussion of how the man appeared to Jacob in Genesis. Rav Shmuel bar Aha states that the angel appeared to Jacob “clothed” as a Torah scholar, and therefore Jacob positioned himself on the left side of the man, as Rav Yehudah said, “One who walks to the right of his teacher does not possess proper manners.” For that reason, he was able to attack Jacob’s right side. In the same way, this text suggests that Kaplan appears to Israel as a Torah scholar but really is an adversary out to fool and injure the Jewish people.

In the months following the excommunication, Sidney Morgenbesser suggested that excommunicating Kaplan was the epitome of hypocrisy:
If Judaism consists in accepting all of the mitzvot of the Torah as binding, why should Bialik and Brandeis be recognized as Jews? Why are even the Orthodox so proud of Einstein and Herzl? Seriously, why not excommunicate all Jews who “keep their places of business open” on Saturday? Why not excommunicate all who accept money from such sources? Why not excommunicate all who suspect that the Greeks may have had something to contribute to human values? Why not excommunicate all who may believe that the world is at least 100,000 years old or those who proclaim in public that America is their home and not a temporary purgatory? The truth is that the Orthodox cannot. There would be no one of any consequence left.


66“Orthodox Rabbis ‘Excommunicate’ Author Of Prayer Book Though He Is Not a Member,” A11.


68“Orthodox Rabbis ‘Excommunicate’ Author Of Prayer Book Though He Is Not a Member,” A11.

69“Prof. Mordecai M. Kaplan ‘Excommunicated’ by Orthodox Rabbis,” The Jewish Exponent (22 June 1945): 1.

70Interview with Selma Goldman, conducted by Marilyn Price, Reconstructionist Rabbinical College Oral History Project. There is no halakhic justification not to sell food to an excommunicated individual, and certainly not his children. In addition to this anecdote, one of the secretaries at Kaplan’s Society for the Advancement of Judaism quit her job specifically because of the decree.

71Letter from Max Arzt to Kaplan, 13 August 1945, Milton Steinberg Collection (P–369), Box 17, Folder 7 (“Reconstructionist Prayer Books”), AJHS, New York.


73“Mikhtav u’Teshuva B’Inyan HaHerem Al Sidduro Shel Kaplan,” HaDoar 25, no. 33 (13 July 1945): 739.

74Kaplan Diary, 16 June 1945.

75Professor Chaim Tchernowitz of the Jewish Institute of Religion, who wrote under the pen name of Rav Tzair, criticized Kaplan in the press, as he had also done after the publication of the haggadah. Overall, Tchernowitz was confused about the siddur, for example, suggesting that Kaplan’s reinterpretation of sacrifice was a Christian idea stemming from non-Jewish sources. He also said that the Hebrew was “difficult even for those well-versed in Hebrew.” Meanwhile, the Orthodox Union (OU) wrote its review of the siddur before the excommunication edict and thus did not refer to Agudat HaRabbanim in its review. Like Kaplan, the OU also felt that this was a time when Judaism needed a saving grace. It just happened that the OU viewed Kaplan’s document as a destructive force rather than a medium of salvation. For the OU, the prayer book manifested the very problem facing Jews in America: “The United States of America in a new sad aspect has become the country of undreamt-of possibilities.” See Rav Tzair, “A Misguided and Misleading Siddur,” Jewish Criterion (2 November 1945), Milton Steinberg Collection (P–369), Box 17, Folder 7, AJHS, New York; “Liturgic Blasphemy,” The Orthodox Union 12, no. 5 (June 1945): 2. The Hebrew version of Rav Tzair’s lengthy critique of the siddur appears as “Siddur Tefillah shel Toim u’Mat’im,” published in 1946. See “Siddur shel Toim u’Mat’im,” Karhon 7, no. 13 (Tishrei 5706): 1–24.


78“Gilui Daat,” HaDoar 25, no. 39 (1945): 904–905. This letter was later translated in “A Declaration about Dr. Kaplan’s Siddur,” The Jewish Forum (January 1946): 7.
Lieberman in particular showed discontent for Kaplan throughout their careers at the Seminary, especially after the publication of the *siddur*. Kaplan describes in his diary how the Talmud scholar hurriedly walked away from Kaplan one day when they passed in the hallway. Kaplan could only question Lieberman, “Why are you mad at me?” See Kaplan Diary, 1 June 1945.

Eli Ginzberg explains that his father “believed in academic freedom, but had little sympathy for those who sought to alter tradition…. More important, he had reached the conclusion that any effort at reconciling historic Judaism with American life was doomed to failure.” Therefore, Ginzberg felt that Kaplan’s *siddur* was inevitable heresy, one that damaged the Jewish community at large. As Eli Ginzberg describes, “In one of his more sarcastic formulations, my father would ask, ‘What point is there to revise Jewish theology for pants-makers?’” Eli Ginzberg, *Keeper of the Law* (Philadelphia: Jewish Publication Society of America, 1966), 143–144.

“A Declaration about Dr. Kaplan’s Siddur,” 7.

For example, the three rabbis indicated that Kaplan completely misread the fact that a *herem* condemns the assassination of the person banned, when in fact the *Shulkhan Arukh* states that the banned individual may actually open a store to maintain a livelihood and the community has the obligation to support the life of the excommunicated; killing the individual would therefore be considered homicide. Ibid., 8.

Eleventh-century French commentator, Rabbi Shlomo ben Yitzhak (Rashi), defines the word *min* as someone who is an intense idolater, such as a priest.

“Mikhtav u’Teshuvah b’Inyan HaHerem Al Sidduro Shel Kaplan.” The law stems from Rav Nachman’s opinion in the Babylonian Talmud, Tractate *Gittin*, 45b. The text differentiates between a Torah scroll written by a *min* and a *goy*, a non-Jew (Christian sensors would later change the text to *oved kokhavim*, idolaters). Rashi understands a *min* to be someone who is a fervent Jewish idolater, such as a priest (aduk b’avodat kochavim, k’gon komer). Rashi suggests that the Torah scroll must be burned because it clearly was written for the purpose of idolatry. Accordingly, a Torah scroll written by a *goy* cannot be used for ritual purposes and therefore must be hidden [buried].

Both Maimonides’s *Mishneh Torah* and Josef Karo’s *Shulkhan Aruch* codify this principle in the legal codes. The printed edition of the *Shulkhan Arukh* reads, “A Sefer Torah written by an *apikorus* must be burned.” The original reads “*min*” instead of “*apikorus*.” This is apparent from the commentary on the *Shulkhan Arukh* of Rabbi Shabbatai ben Meir ha-Kohen, commonly known as the “Shakh,” who defines *apikorus* as Rashi did in his commentary on the Talmud—“a *min* who is fervent in idolatrous acts and wrote the Sefer Torah for the sake of idolatry.” See Rambam, *Mishneh Torah*, Hilkhot Tefillin, Mezuzah v’Sefer Torah, 1:13; *Shulkhan Aruch*, Yoreh Deah, 281:1. None of the halakhic literature speaks explicitly of burning a *siddur*, but through an *a fortiori* argument (*kal v’chomer*), one can assume that if the law applies to a Torah scroll, it would apply to a *siddur*, as well.

“A Declaration about Dr. Kaplan’s Siddur,” 8.


Personal interview with Gillman, 14 February 2005.


92Ibid., xiii.
95Jonathan Sarna, American Judaism (New Haven, CT: Yale University Press, 2004), 283.
97For a comprehensive look at America’s attempts to fortify the center during this era, see Arthur Schlesinger, Jr., The Vital Center: The Politics of Freedom (Boston: Houghton Mifflin Company, 1949).
Identity is customarily associated with, among other critical variables, your place of birth. The assumption is that that is where you learned to walk and talk, learned who in the family was who, acquired a sense of familiar foods, smells, sounds, sights, and space—in short, where you began to become a person. If your place of birth was not the setting where you learned and acquired those things, the question is where you did grow up. That place—i.e., that society in its physical setting—is usually regarded as a formative influence on the development of character, talent, and opportunities. 

As I was growing up in various American cities in the 1930s and 1940s, the two most important men in my life, my father, Ernst Schmerl, and his best friend and brother-in-law, my uncle Erwin Schepses, seemed to me to exemplify the stability I lacked because, when they had been my age, they had had a single city to call home: Berlin. But their fates as refugees from Hitler’s Germany were very different from one another, distinct not only because of differences in their professions and linguistic abilities, but also because of their places of birth. Identity turned out to be not only who they were but also who they were declared to be.

Personal History: Who We Were

Erwin Schepses was born on 14 June 1896, in Orizaba, Mexico. His father was Benno (“Benno”) Schepses, originally from Vilna, part of the tsarist Russian Empire when he was born there in 1865, the second son of Boris and Anna Abramowitz Schepses. Erwin’s mother was Elma Ernestine (“Tina”) Salinger, the third child and oldest daughter of Solomon and Lina Lichtenstein Salinger, born in Lyck, then in East Prussia, in 1871. Ashkenazi Jews have of course been peripatetic for most of the centuries of their existence, but Orizaba must have seemed a particularly exotic place to have been born, if and when Erwin ever thought about it later. He could not have remembered it. He left it when he was three, with his mother and little sister, Irma, after his father’s death on 29 November 1899. The family story was that Benno fell off a train, but his death certificate states that he died of tetanus “on the permanent way of the Mexican Railway.” Perhaps both were true, but the tetanus may have been regarded as embarrassing. At any rate, Erwin’s place of birth proved to be...
of signal importance to him and his wife and daughter, just as Benno’s status as a Russian at his birth in Lithuania later defined my mother, Erwin’s sister Irma, at least in Germany.

Benno and Tina had met when Solomon—or Lina, more likely—had employed him as a tutor for the younger children in Lyck. Tina had been eighteen, Benno, twenty-four. Eventually Benno left to make his fortune in the New World and went to work for a coffee import/export firm based in Orizaba. Benno’s fluency in several languages undoubtedly stood him in good stead. The young couple was married in 1895 in Cleveland, Ohio, at the home of one of Tina’s cousins on her mother’s side, a Maschke, who had emigrated some years earlier and was well on his way to becoming influential in local Republican politics—in particular, in the circle of Mark Hanna, who would become a U.S. senator. That connection did not become as significant as it was perhaps hoped, but it may indeed have been valuable. Some forty-five years later, on 22 March 1938, an affidavit was signed by Maschke’s son, Dr. Alfred S. Maschke of Cleveland, ensuring the American Consul in Berlin of his willingness to provide for his “cousin” (Ernst Schmerl, Irma’s husband, who was actually unrelated to Maschke) until Ernst could become self-supporting. A copy of the affidavit became part of the family archives—a testament to the age-old importance of networking in the Diaspora. Tina’s wedding was the last interaction she had with the Maschkes, however, and Dr. Maschke’s generosity was never tested.

Tina returned to Germany after her husband’s death with the two small children, Erwin and Irma, and the money from Benno’s life insurance. By that time most of her relatives had moved to Berlin. She entrusted the money to her two older brothers, Hugo and Eugen, who managed to invest it badly and run through it rapidly. Tina did the best she could, taking in boarders and no doubt accepting help from her parents. By the time Erwin was thirteen, he was contributing to his family’s income by tutoring other boys. He was an excellent student himself, consistently ranking first in his classes.

It was a middle-class family that probably considered itself veering toward upper middle class, given its income, education, tastes, acquaintances, and social circle.2 The latter was predominantly Jewish, although Erwin’s friends included gentiles and at least one half-Jew, Richard Holländer, the son of Felix Holländer, who was director Max Reinhardt’s associate and successor. (The connection resulted in a number of free tickets to performances at Reinhardt’s theater over the years and strengthened the family’s self-identification with Berlin’s cultural milieu.) Adherence to formal Judaism was perfunctory at best, maintained largely for Lina’s sake whose title, die Mama—no doubt Solomon’s reference to his wife—resonated down the generations to great- and great-great-grandchildren, who knew her only in treasured anecdotes. But despite her grown children’s pretenses of keeping kashrut when she visited, despite her Yiddish expressions echoing especially in kitchen conversations, despite the
patina of respect for old traditions, Erwin never became bar mitzvah and had little interest in the religion. His wife, Ruth Edelstein, was descended from a family prominent in the early Zionist movement—her grandfather had been a friend of Theodor Herzl’s—and a portrait of Herzl hung in Erwin’s and Ruth’s New York living room. And of course Erwin knew the Bible. But that knowledge was part of his German education, not, as was true of Ernst, the result of Hebrew school.

How comfortable were Erwin and Erwin’s circle in Berlin with their Jewishness? More, surely, than historian Fritz Stern’s family in Breslau (now Wrocław in Poland), which had begun to convert to Christianity and to intermarry with gentiles two or even three generations before Stern’s birth in 1926. The comparison is of course arbitrary. But as remarkable as the Sterns’ achievements were, and as deserved as their prominence was, the fact is that no Salingers, Lichtensteins, Schepseses, or Schmerls are known to have converted or intermarried with gentiles until Erwin’s generation, when two of his cousins did so. Later, when the refugees in the United States referred to the phrases formerly used by their semiassimilated coreligionists in pre-Hitler Germany to identify themselves—for instance, Deutsche bürger Mosaischen Glaubens, “German citizens of Mosaic faith”—they always used a certain tone, fraught simultaneously with irony about the pretense and sadness about the naiveté. The reference to Moses was itself a euphemism for Jewish. The Nazis’ rule was that one Jewish grandparent, no matter how identified, was sufficient to establish racial contamination.
Erwin was conscious of his ambivalence—by no means unusual among German Jews of his generation—about the topic. In one of his last letters to me, written when he was eighty, in July 1976, he wrote that “we, of course enjoyed the Israeli raid on Entebbe very much though I was not surprised to see that the Arab-African states would accuse Israel of aggression.” But he also reported that he had begun to read [Jehuda Reinharz’s] *The Dilemma of the German Jew* [I had sent it to him for his birthday]. It is undoubtedly a carefully researched book as far as the history of Jewish organizations in Germany is concerned. Still, I don’t think that it is a very profound book. I had hoped to find an analysis of Jewish prominence in the fields of German literature, theater, journalism among others. One has spoken of a fruitful German-Jewish symbiosis but this only states a fact and does not explain anything. So, I guess I shall have to live for a while with my pro-German prejudices.

Despite my awareness of his love of the German language and German literature, of his allegiance to the personal and civic virtues of the Germany of his youth, to the vibrancy and creativity of German culture before and after World War I, I could not repress my irritation with his “pro-German prejudices”—and told him so. As far as I was concerned, the Nazis had obliterated that Germany forever, and if we refugees needed to think of Germany at all, we should think of Auschwitz. He chastised me properly, the only time he ever did so:

I am unhappy to see that a somewhat pointless discussion seems to evolve from my remarks about the book you gave me for my birthday. First of all, you did not have to remind me of Nazi atrocities. I am not that insensitive. After all, some of my best friends and close relatives of mine have been killed. I was in jail myself. I have been deprived of a job which I loved, and I had to come to this country as a beggar. On the other hand, I lived in Germany for over 30 years before the Nazis came to power, and I have different memories which I prefer to cultivate. To me, Germany remains the country of Lessing, Goethe and Schiller, and in more recent times of Thomas and Heinrich Mann and Ernst Wiechert. I refuse to see a Nazi in every German though I admit that the majority of Germans, including those that were presumed to be anti-Nazis, did not cover themselves with glory. So, if you will do me a favor, let’s discontinue this argument which does not get us anywhere. If you wish, you can look at our difference of opinion as a manifestation of the generation gap, with your senile old uncle representing the older generation, and you, young, bright, and personable as spokesman for the avant garde. It is probably more accurate to say that we are products of different cultures. I think I am right [in] assuming that the names mentioned by me above do not mean a blessed thing to you while they, at least the older ones, have been of decisive importance in my education.

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In 1914, when Erwin was eighteen, World War I broke out, and he joined the Kaiser’s army as a volunteer. (Ernst was drafted.) Erwin became a telegraph operator and served on both fronts throughout the four years of the war. When he got out, he went to the University of Göttingen and studied jurisprudence. The legal system of western continental Europe was largely derived from the Napoleonic code and Roman law, unlike English common law, the system that evolved into the criminal, civil, and administrative laws of this country. Erwin’s training at Göttingen and experience as a judge in the Weimar Republic thus proved of little use to him when he arrived in New York as a refugee in 1939. However, he was reasonably fluent in English, in contrast, for instance, to his brother-in-law, Ernst, an ophthalmologist, whose professional opportunities were minimal until he learned English.

The Struggle for Self

Ernst, a third-generation Berliner, was qualified for entry to the United States only under the quota set for Germans. There was none for Jews. The U.S. Department of Labor’s Immigration and Naturalization Service’s Form 560 identified his “Nationality (Country of which citizen or subject)” as “Germany” in Column 9 but his “Race or people” (Column 10) as “Hebrew.” Germany had declared Jews to be stateless, but Form 560 did not acknowledge that condition. By contrast, Erwin’s birth in Mexico meant that he could enter this country under the much more generous provisions that U.S. law extended to “natives” of the Western Hemisphere. His sex conferred another benefit: He could bring his immediate family with him. His sister Irma, as Mexican as he, had no such privilege. She would have been allowed similar entry but only if she had abandoned her mother, Tina, and her two children, who were as German as her husband in the eyes of the Immigration and Naturalization Service. But her marriage to a “German” (in 1923, Ernst was still a German) did not obviate her status as a “Russian” (or as a stateless Jew) as defined by the Third Reich’s Foreign Office, which complicated her passport even more.

Their status in Germany had entailed jail for both men as Jews and, in Erwin’s case, as a former official of the previous German government (reflected in the disparity of the time spent in jail: a night for Ernst, six weeks for Erwin). As veterans of the war, however, both were treated with comparative leniency. But that did not extend to their immediate families. Erwin, as stated, could and did take his wife and daughter when they were finally cleared for emigration in the spring of 1939. Ernst came to the United States by himself in October 1937, looking not only for suitable work but also for understanding of his circumstances. He found the first in an offer from The Johns Hopkins University but not the second—the offer had to be accepted at once or not at all, and he was no more ready to abandon his family than his wife was to abandon hers. Eventually the adults—Erwin and his wife Ruth, Irma and Ernst—found a
place to live in Manhattan, entrusting their children and Tina to the care of a cousin (Elisabeth Salinger, the elder daughter of Hugo) who had married a real German and converted to his version of Christianity, which he taught at Princeton Theological Seminary. (He was Otto Piper, a minister and theologian who achieved considerable fame in his profession.) Ruth went to work in a garment factory, Irma became a housekeeper/maid for various American Jewish families, Ernst got a job as a medical assistant at Union Hospital in the Bowery, and Erwin looked for some sort of suitable employment.

In the meantime he had to subsist. Somehow he found his way or was referred to the Emergency Committee in Aid of Displaced Foreign Scholars in Manhattan, one of the numerous organizations newly set up for the provision of assistance to the refugees arriving from Europe or adding such assistance to their previous responsibilities. And that is how he eventually met David Riesman, then a professor of law at the University of Buffalo and secretary of the American Committee for the Guidance of Professional Personnel. Riesman was almost thirty; Erwin was forty-three.

I do not recall that my uncle ever told me that he had known Riesman, and, considering how famous Riesman became, and how early (The Lonely Crowd was first published in 1950), I find that strange. I do, however, know what Riesman thought of Erwin. His initial impression may have been influenced by notes from an interview between Erwin and Betty Drury, executive secretary of the Emergency Committee, on 27 December 1939. Perhaps reflecting her own ethnicity, Drury had written that Erwin was “a tall unhumorous man; looks like a dominie. Has tried everything and fears final failure.” Erwin was tall, but “unhumorous” he was not; on the contrary, his quick wit and capacity for irony had produced a large share of the family’s favorite anecdotes. That he was not in a mood to crack jokes when he appeared in Drury’s office is not surprising. Riesman’s notes from his initial interview (15 January 1940) stated that:

Dr. Schepses has the tall thin head and erect bearing associated with the Prussian officer, but none of the latter’s aggressiveness. He is, instead, a quiet, scholarly, intellectually esthetic person, very humble, very attractive, or rather very appealing, since he is not a person of outgoing charm.

He spent his life in Germany as a Municipal Court Judge in small communities, and is a small town person, rather lost. He has obviously suffered a great deal. His wife works in a factory, but he is not of the complaining type. On the contrary, he is remarkably stoical. Like Rosenwald, he went to Italy after 1933, where he specialised in Roman law, writing several articles which the conservative judgment of Professor Levy thought showed ability and promise. He lacks the force and flexibility I think to make a success of practice, and indeed he does not wish to practice, but wants a position as law school librarian, where he can pursue his studies on the basis of an American background.
Riesman’s acquaintance with Prussian officers was surely insufficient to justify the first observation—one thinks of Hindenburg, whose head was hardly tall or thin—and the notion that Erwin, who had grown up in Berlin, had traveled to France, Italy, and other countries, and was fluent in several languages, was “a small town person” strikes me as bizarre. A lover of good restaurants, theater, and classical music, Erwin never owned a car and never had a driver’s license. But it is Riesman’s approval of what Erwin was not—“not of the complaining type”—that suggests what was at work, whether or not Riesman—an assimilated American Jew whose father, a physician, was on the faculty of the University of Pennsylvania—was aware of it. Erwin was neither an obnoxious Prussian nor an obnoxious Jew, neither aggressive nor whiny. The code would certainly be understood by whoever Riesman’s readers would be.

In time Riesman softened his description somewhat. In “a letter of introduction to university and college authorities for the purpose of [Erwin’s search for] employment as a teacher,” dated 13 June 1940, Riesman, after summarizing Erwin’s academic and professional background, wrote:

Dr. Schepses has the tall and erect bearing associated with the Prussian officer, but none of the latter’s aggressiveness. He is instead a quiet scholarly person, modest and attractive. Although he has suffered, he is remarkably stoical and not at all of the complaining type. He is the type of European scholar, whom it seems to me it is most desirable to help, and who would be an asset to any university or college.

Erwin was naturally reserved, a characteristic undoubtedly reinforced by his circumstances, and if these were hardly different from those of most of the other supplicants with whom Riesman dealt, Erwin’s discomfort in that fact was surely noticeable. And however often Riesman and his fellow committee members may have referred to Erwin and his cohort as applicants, they were supplicants, and the distinction is not minor. But there was a difference between Erwin and those whom Riesman was able to help: Erwin did not fit the committee’s definitions of eligibility, or, to put it somewhat differently, he did not fall within the scope of its self-assigned responsibilities.

The correspondence between Erwin and Riesman consisted, on Erwin’s side, largely of his inquiries and submission of forms, documents, and references to any possibilities Riesman was able to suggest; and on Riesman’s side, it consisted of those suggestions and expressions of sympathy when, inevitably, nothing resulted. It took a while to establish the sympathy. Riesman had evidently taken on Erwin as a “case” even before they met. They were originally introduced through an inquiry by a mutual acquaintance, Erich Hula of the Notgemeinschaft deutscher Wissenschaftler im Ausland, also located in New York and in the same business as the Emergency Committee and the American Committee. On 4 December 1939, Hula wrote to Riesman reporting that Erwin had been offered
a research assistantship at Columbia University for one year if he could find outside funding and asked if the American Committee could help. Riesman replied almost at once:

Thank you for your letter concerning Dr. Schepses. When I received it I was on the point of writing you to know whether the Notgemeinschaft deutscher Wissenschaftler had any resources or means of raising funds to help Dr. Ehrenzweig for whom I have been trying to arrange a program of retraining at Chicago. I see from your letter that on the contrary you have no funds but would like some.

Our committee, whose resources are very meager, was set up only to arrange for retraining in American law schools, and it cooperates with these law schools on the basis of their furnishing free tuition and raising some additional funds. Accordingly, Dr. Schepses's case would come outside our program. However, I am sending him an application blank on the chance that something may turn up which will enable me to help him.

If Dr. Schepses should not be able to take up the research assistantship but should decide to apply for retraining, he would run into the difficulty of his age of forty-three, which is somewhat beyond the limit set by our committee. This is an obstacle that might be surmounted in exceptional cases, as Dr. Schepses’ case apparently is, from his Curriculum Vitae....

Erwin filled out the application at once and, on Riesman’s advice, sent it to Professor C.J. Friedrich at Harvard’s Littauer Center in Cambridge, Massachusetts. Then, of course, he waited for a response, something no amount of practice makes easier. On 26 December, Erwin sent Riesman a handwritten note:

Dear Professor Riesman,

Please, excuse my troubling you.

As I am getting relief from the National Refugee Service, I am bound to keep this institution informed about all I do in order to get an occupation or a position. I, therefore, should be very grateful if you would kindly let me know when I may expect a decision to be made upon my application for a retraining fellowship.

Most sincerely yours,

Riesman, obviously annoyed, replied two weeks later, on 8 January 1940:

I cannot answer your question as to when you may expect a decision. The awards must be approved both by the selection committee and by the law school concerned. The selection committee will not meet until sometime
in the spring and even if approval is then secured there may be some delay before arrangements can be made with a school. The study would then begin in the fall of 1940.

Riesman was the secretary of the selection committee and was presumably in a position to expedite matters. But Erwin, no doubt understanding Riesman’s tone, waited until 9 June to write again to ask for news, if any, about his application and also to request Riesman’s advice about a possibility that had emerged separately: a grant Erwin might get from the Oberlaender Trust in Philadelphia if he could find a college or university that would employ him and, after some time, indicate willingness to make his position permanent. Could Riesman suggest institutions to which Erwin might apply? Would it be possible to provide letters of introduction? Once again Erwin hoped for “an early reply”: “in view of the imminent summer recess there is, in my opinion, no time to be lost in presenting myself to the presidents or deans of the institutes in question.”

Riesman wrote the letter of introduction (“To Whom It May Concern”) on 13 June. In it, he summarized Erwin’s professional qualifications and wove in compliments on Erwin’s publications that other professors serving as his references expressed. “On the basis of his application filed with me,” Riesman wrote, “of letters of recommendation received concerning him, and on the basis of an extensive interview, I am glad to recommend Dr. Schepses as unqualifiedly competent to undertake teaching or research work.” But his penultimate paragraph, describing Erwin’s “tall and erect bearing” and quoted earlier, echoed his initial impression more fully.

Riesman made at least one inquiry on Erwin’s behalf on his own, to W.H. Cowley, president of Hamilton College in Clinton, New York, whom he knew socially. The letter inaccurately identifies Erwin as a lawyer in its very first sentence but corrects that mistake in further description:

One of the refugee lawyers who has applied to our Committee, Dr. Erwin Schepses, has decided to seek a position as a teacher in a college or university rather than attempt to pursue the course of legal retraining which falls within our Committee’s programs. He has made this decision partly on the basis of my judgment, but owing both to his age of forty-three and his background and personality, he is better adapted to teaching than to retraining as a practicing lawyer. He has never been a practicing lawyer, but has served as a judge and student of law since the completion of his German studies and his quiet temperament, unsophisticated and stoical, seems to make him better fitted for an academic life, particularly in a small college.

However, [save] for several years in Berlin, he spent his judicial career in small towns, and he is a small town person. I do not know whether you have any possibility for such a man at Hamilton, but perhaps you will have some suggestions as to where he can be placed. The most tragic cases that come to
me are those of these men, slightly older, well qualified and brave, but lacking financial resources or the youth to enable them to undergo the hardships of a retraining programme. If some use is not made of their competence, they are utterly destroyed and the waste is evident.

Cowley replied a week later, on 19 June 1940:

I wish it were possible to consider adding to our staff next year Dr. Erwin Schepses, but unfortunately there isn’t any place in our budget which is terribly limited. At the moment I know of no sure place for him, and I suggest that you might write President Moody of Middlebury and President King of Amherst. Rumor has it that they may be interested in helping able men from abroad.

The archives hold no other such correspondence, but later Riesman did let Erwin know of his effort.

At about the same time, in late June of 1940, A.H. McCormick, executive director of the Osborne Association—“combing the National Association of Penal Information, Inc., and The Welfare League Association, Inc.”—wrote to Betty Drury at the Emergency Committee seeking funding for Erwin to conduct a study of New Jersey’s correctional system. “We believe,” McCormick had written to Wilbur Thomas at the Oberlaender Trust, “it would be very useful to have a person of Dr. Schepses’s background make a microscopic study of a state system of this type and write a report on it from the background of European practice.” But of course the Oberlaender Trust was “not in a position,” Thomas wrote to McCormick, “to make a large enough contribution toward what is considered a living salary.” Could the Emergency Committee help? “Dr. Schepses says that he could get along on $60 or $70 a month,” wrote McCormick. “I have made it clear to him that it will be impossible for us to contribute any money as the contributions to this Association have been very seriously affected by the European situation.” Betty Drury replied on 2 July, “The Emergency Committee … found itself unable to make the desired grant for Dr. Erwin Schepses… The difficulty… was this, that the European crisis had brought us many urgent applications for funds and the Committee was obliged to try to make its limited resources stretch as far as possible.” Then came the more bureaucratic reason: “Dr. Schepses, as a former Judge, does not come within that group of scholars whom this Committee is able to assist. For a number of years our grants have been quite strictly limited to the cases of professors and Privatdozenten.”

Riesman’s note to Erwin (10 October 1940) concerning his exchange with Cowley asked whether Erwin had found anything yet. Erwin replied at once:

Thank you very much for your kind letter of October 10. I was very glad to see that you are still thinking of helping me. Unfortunately, I am, indeed,
still in need of assistance. I seemed to have a good chance when the Osborne Association which is devoted to prison work, probation, juvenile delinquency, and similar topics wanted me to make a study on the correctional system of New Jersey, but until now, we did not succeed in financing this project. Applications made to the Oberlaender Trust, the Emergency Committee in Aid of Displaced Foreign Scholars, and the Rockefeller Foundation were rejected because the Osborne Association is not in a position of promising me a permanent employment. There is still a possibility of getting a fellowship from the Social Research Council in New York City, but the grants of this foundation are given as late as April 1st, 1941, and I am very much afraid that I cannot wait so long a time, so much the more as my wife on whose earnings we are now living will lose her job in December; the factory where she is employed only does season work. So, if you learn something about a job of any kind for which I might be fitted I should be very grateful if you informed me about such an opportunity. I thought of perhaps accepting some small intermediate job until I could start working with the Osborne Association, though, in New York City at least, it seems to be rather hard to find even this kind of situation. On the other hand, the Oberlaender Trust is still prepared to assist me if I find a position in a college or a university with some prospect of permanency. Thanking you again very much,

I am, most sincerely yours,

Riesman replied on 31 October:

I am sorry to hear of your difficulties in securing employment under the auspices of the Osborne Association. I should be very glad to inform you of any position which comes to my attention for which you are fitted, although my chief problem is usually locating positions for men, rather than finding men to fit particular positions. I hope that your efforts will be at last successful, and would like to hear what progress you make.

Sincerely yours,

Occasionally hope flickered. On 3 December 1940, Erwin wrote to Riesman again:

Dear Professor Riesman,

May I ask for your kind assistance in the following matter?

One Mr. Kenneth Morgan in Ann Arbor Mich., a person, I am told, of great influence, is negotiating with the University of Michigan about employing me as a research worker or an instructor. My employment very probably will be financed by the Oberlander Trust in Philadelphia Pa. and the National Refugee Service in New York City.
If you happen to know somebody in Ann Arbor whose intervention on my behalf might be helpful, will you kindly write him a letter recommending me? It will be advisable, in my opinion, to mention in this letter that Mr. Morgan is already working for me.

Thank you very much! And, please excuse my troubling you.

Most sincerely yours,

Only to be quenched:

December 13, 1940

Dear Dr. Schepses:

I am delighted that there is a chance of your placement at the University of Michigan. Unfortunately with no university you could pick do I have less [sic] contacts. I know no one there. My previous efforts to place one of our fellowship men there did not even receive the courtesy of a reply. Consequently I don’t see much point in writing. I am very sorry that I can’t help you there.

Do let me know what transpires.

Sincerely yours,

Not all appeals for help went unanswered, although the answers seem to have followed a far more circuitous route than had the appeals. On 9 December, a Mrs. Julia Neely of Southern Illinois University in Carbondale transmitted a check for one hundred dollars to Stephen Duggan, chairman of the Emergency Committee, from “the local committee in Aid of Intellectuals,” requesting that the money be turned over to Dr. Schepses, from whom they had received “several distressing appeals.” She left the final disposition to Duggan, however.8 The request was approved—handwritten notes on Neely’s letter read “OK” and “(to go to Mr. Stein eventually).” (Stein was apparently the Emergency Committee’s lawyer.) Drury then sent a typewritten office memorandum to a Miss Lisowski: “We have sent the check for $100 from Southern Illinois Normal University down to Mr. Stein’s office for deposit, accompanied by the attached correspondence. Ultimately the auditors will want to see the original letter. In the meantime, we are sending a copy to Mr. Stein.” Then she added, in pen: “Erwin Schepses’ curriculum is attached. He is a thoroughly nice man. (Anna Selig considered him at one time for research.) Professor Otto A. Piper of Princeton Theological Seminary speaks highly of him. But not a Privatdozent.” Next she wrote to Stein to ask whether the money could be paid “right over to” Erwin “on an Emergency Committee check” or whether the committee’s action was necessary. “I bring up this question because the Committee has in the past been unwilling to pay over money to individual scholars, as in the case of Arthur Rosenberg. This case seems somewhat different, however.” She added, perhaps in
lieu of or as an explanation of the difference, “Dr. Schepses is forty-four years of age, a judge and specialist in German and Roman law. The Committee declined an application from the Osborne Association, Incorporated, for his services at its 27 June meeting.” Stein seems not to have bothered to reply. Exactly one month later, on 14 January 1941, Drury sent him the same letter, even though, as Duggan informed Neely on 18 January, the executive committee had voted on 13 January to give the money to Erwin. Duggan continued:

We were very glad indeed to carry out your wishes. May I add our sincere thanks to those which you will undoubtedly receive from Dr. Schepses for this generous action you and your colleagues have taken on behalf of a displaced scholar. The members of our Committee were deeply touched by the fine spirit which animated this gift.

Duggan sent the check to Erwin (who by that time was in Cambridge, Massachusetts) on 3 February. He accompanied it with a note telling Erwin that he had informed Neely that the check had been sent, and concluding: “I am sure that she will be glad to hear from you that you have received it.” Erwin responded at once, thanking the Emergency Committee, stating that he had written to Neely, and returning the signed voucher as instructed.

The experience proved salutary for the committee as well as for Erwin: A subsequent contribution from the same source, this time for fifty-four dollars, took only three weeks to reach him.

Erwin’s hopes to be admitted to Harvard’s Graduate School of Public Administration were eventually disappointed, but he also applied to Columbia University’s New York School of Social Work, listing Riesman as a reference. On 21 February 1941 Elizabeth Speare, secretary for admissions at the school, sent Riesman a form letter, asking three questions:

1. How long and in what connection have you known the applicant?

2. Please evaluate his intellectual and personal capacities considering such factors as independence and clarity of thinking, habits of work, purposefulness, handling of social relationships, maturity, potentialities for growth.

3. What limitations has the applicant presented in your experience with him which might affect his qualifications for social work training and about which we should be aware?

About a month later, on 26 March, Drury wrote to Erwin in Cambridge: “I am wondering if you have a position at the present time? It would be pleasant to hear from you again and to learn how you are getting along.” Erwin replied immediately:

Thank you very much for your kind inquiry.
At the present time I am doing rather interesting work making excerpts from German and Italian books for a Cambridge writer and translating them into English. But it is not too well paid and, unfortunately, it is not a steady job either. Moreover, I applied for fellowships with the New York School of Social Work and with the Harvard Graduate School of Public Administration; of course, I do not know how these things will work out.

If you happen to know about an opening which might be interesting to me, in such fields as Criminology, Penology, Comparative Government, European History, Ancient History, Latin, Roman Law, or if you have any other suggestions, I should be very grateful if you let me know about it.

Most sincerely yours,

A week later Riesman wrote to Erwin, apologizing for but not explaining the delay in providing letters of reference to, among others, the New York School of Social Work: “I hope that something good will result for you,” Riesman concluded. The wish is evident in his letter to Speare, which was for once devoid of the sort of reservations he had expressed in previous such recommendations:

I should like to state in answer to your letter concerning Dr. Erwin Schepses that I met him about a year ago after some correspondence with him concerning the possibilities of his receiving a fellowship from our committee for the retraining of refugee lawyers in American law schools. Since you have a record of his academic work and legal experience, I need not tell you that his intellectual qualifications are unusually good. I think that his adaptability and resourcefulness are indicated by the fact that in 1933, after being forced to leave Germany, he took up the study of Roman law in Italy and wrote several articles there.

I found Dr. Schepses to be a quiet, scholarly person, very modest and charming, and apparently untouched by his sad experiences. I should think that he would be successful in the field of social work, for he is not only ambitious and resourceful, but also appealing and sympathetic; so that he could probably do any academic work without difficulty, and his personal attractiveness would be an asset in the social relationships entered into in this type of work. I hope very much that you will be able to assist Dr. Schepses for I think that he well deserves any help that it is possible to give him.

Riesman’s letter appears to have been effective, but Erwin’s problems were not over. On 20 July he wrote to Riesman once again:

You will remember that, some months ago, you had the great kindness to send a letter recommending me to the New York School of Social Work. I think you will be interested in hearing that my efforts had a partial success at least. The School is prepared to admit me for the Fall Quarter, and, moreover, it has provided part-time work for me with the New York City Department
of Correction through which my maintenance, room and board, would be secured. On the other hand, I have not been granted a fellowship so that the problem of financing the study still has to be solved.

I have made an application for a loan to the Capital Outlay Fund of the National Refugee Service in New York but I am, of course, not quite sure of the success, and since the amount I need is rather large—$1200 for tuition and additional expenses—I have to find out other sources, at any event. If you could advise me to whom else to apply in this matter I should appreciate that very much.

Thanking you again for your kindness and helpfulness,

I am, most sincerely yours,

Riesman replied on 28 July. It is his last letter in the file:

I am glad to learn that you have made some progress with your efforts at retraining, and I wish I knew some source of possible financial help for your study, but I am at a loss to know what to suggest. Loans and grants are, as you no doubt know, extremely elusive, and our committee has not had much experience in this direction. I regret that I can be of no help to you at this stage of your efforts.

If you do succeed somehow in getting around this obstacle, I would be interested to hear from you.

Adaptation: Replacing Oneself

Somehow—I do not know the specifics—Erwin found his way. He became a youth parole worker at the reformatory in Warwick, New York, in 1942. The following year he obtained his master’s of social work from Columbia University and eventually rose in New York State’s Department of Social Welfare to assistant youth parole director. He continued to publish articles and reviews even after his retirement in 1966. And Riesman was right: Erwin was “not of the complaining type.” Only once did I glimpse what he had lost.

To discover, as exiles do, that you are no longer who you thought you were must be very disconcerting. You may have to reconcile that recognition, first, with the new person you see reflected in your interlocutor’s eyes—shabby, nervous, ill at ease, unfamiliar with even the most common expressions, the most ordinary gestures—and, second, with the inextinguishable sense of your “real” identity, which now has to be hidden, even suppressed. Many, perhaps most, refugee professors, scientists, and physicians eventually seem to have built a new identity subsuming their previous selves, as did some artists (but by no means all: Some of the exceptions are well known). But others, like Erwin,
whose American profession in social work was never the fit for him that the law had been in Germany, never achieved that. And he knew it.

“Mark the Loss,” which I published in Judaism in 1967 as “Memoir of a German Jewish Father,” was drafted in 1966, some years after my father’s death. I sent the draft to my uncle, my father’s best friend since they had been six years old. The essay stimulated Erwin to reveal more of himself to me, at least in writing, than he had ever done before or did again. I had told him that I would send him the draft and that I wanted him to critique it, and he answered: “I am looking forward to reading your article about your father. I have no doubt that we are not going to agree about everything. As a rule, parents and children are too close to each other to have an undistorted picture of each other. On the other hand, one may argue that objectivity is not the highest goal.” But when, a week or so later, he received it and read it, he changed his mind:

I want to thank you as soon as possible for sending me the paper on your father. . . . It is very moving, and it agrees in all important aspects with my own ideas about your father. . . . The only quarrel I have with you is that you make your father a petit bourgeois. Bourgeois is all right but a professional who, in addition, in numerous publications had shown that he was an independent scientific thinker, is never petit. By American standards which probably use the size of income as the only yardstick he may have been lower middle class. But in this case you might have applied European definitions.

He extended the thought, obviously not limited to my father’s identity, in his next letter two weeks later, after I had written to tell him how much I admired him:

For your kind words about me many thanks. Though I am not particularly fond of talking about myself I may say briefly that I, too, have suffered a great deal from the break caused by Hitler and emigration and changes connected with that. I don’t want to go into any details but I have never been able to accept Social Work as an adequate professional substitute for Law. Social Work is still much too hybrid a discipline and, besides, it consists of gabbing to a degree which is uncomfortable to me. I began to be reasonably happy with social work when my responsibilities became mostly administrative. All in all, I probably have made an acceptable adjustment, to talk social workese.

Most Americans born in this country have a sense that your place of birth—the region if not the precise town—confers an identity that, however attenuated by time and events, lingers forever. They might dismiss Erwin’s birth in Orizaba, considering his departure some three years later, as a meaningless accident, of no significance in the formation of his mind and character, not nearly as important as Ernst’s in Berlin. But that was not the perspective of U.S. immigration law of the 1930s, which surely played an important role in Erwin’s return to the Western Hemisphere, if not as important as Benno’s
untimely death had played in his departure from it forty years earlier. Of course his birth in Orizaba had no influence on his development as a German Jew of his generation. But its indelible record on his German citizenship papers and, later, his passport and American naturalization certificate linked him forever with his ancestors from “Russia” (whether they were from Poland or Lithuania or still other places, even Russia itself)—linked him with those from the ghettos and the shtetls of eastern Europe, with the wanderers who, like him, had to flee not just from personal disasters but also from murderous mobs once mistaken for mildly tolerant neighbors. Orizaba turned out to be much less a Babylon than did Berlin.

Was that also Erwin’s perspective? Probably not. The enormous events in which he had been caught up—the war, the subsequent turmoil, the Nazis—had taught him that existence is generally precarious and unpredictable, that what matters is people’s loyalty to one another, not to abstractions from history. He said as much on the occasion of his nephew’s wedding in 1956, at which he was asked to make a few remarks between the dinner courses.

But jokes aside, this is basically an extraordinarily serious occasion, one of the most serious that occurs in life. During the course of my life I have sometimes gotten myself into this embarrassment of sending a young couple on their way with a few friendly words, and I remember especially how, almost thirty-three years ago, I addressed your parents, Rudi. Those were lousy times … : inflation had about reached its high point, nobody knew what the next day would bring, and nobody was talking about economic security, not even remotely. Nobody could claim that the union of that young couple had strong economic foundations. So if somebody should talk to you two of security and getting by financially, then you can reply that those don’t matter, that the main thing is to have the feeling that you belong together, that you will stay together for life, and that you want to go through thick and thin together. That worked in the case of your parents, Rudi, and I have no doubt that it will work for you.

The optimism may have been not only avuncular but also, under the circumstances, obligatory. But the sentiment was surely genuine. It came from his experiences.

Where Erwin had been born turned out to be more important to his new country—eventually the third to grant him citizenship—than where he grew up, in Berlin, in the Kaiser’s pre-war Germany; more important than his middle-class upbringing, his service in the German army, his education at Göttingen, his brief career as a judge; more important even than his “race or people.” Those were among the facts comprising his identity, along with his father’s premature death and its consequences. True, his birth in Orizaba was irrelevant to all of that, however it was regarded by U.S. law. But in a sense U.S. law turned out to be doubly significant for Erwin, not only in its facilitation of his entry but also in

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its structural and organizational impenetrability, blocking his every attempt to re-enter his chosen profession, or at least its American version. And that duality of relevance to the outside world of one’s “place of birth” and its irrelevance to one’s personal and professional identity was another link between Erwin and his ancestors, between him and Diaspora Jewry and its history. Surely that history is replete with similar stories of our wanderers among the nations.

Rudolf B. Schmerl is an associate professor emeritus at the University of Michigan, from which he holds a doctorate in English. He spent most of his career at that institution as a teacher, research administrator, and technical editor, but he also worked for seven years in the Office of the Vice President for Research at the University of Hawaii as director of research relations. He was planning director of Wayne County Community College in Detroit in its initial year, worked in the University of Michigan-Tuskegee Institute Exchange Program from 1966 to 1986, and has taught and lectured elsewhere, including the Chinese University of Hong Kong and the Hebrew University of Jerusalem.

Notes

1Unless otherwise specified, the letters cited in this article come from Erwin Schepses’s correspondence file, 1939–1942 (File 41, Box 111) of the Emergency Committee in Aid of Displaced Foreign Scholars Records, 1927–1949, 1B. Non-Grantees (Manuscript Collection 922), Records, Manuscripts and Archives Division, The New York Public Library, Astor, Lenox, and Tilden Foundations. I am grateful for permission to use these materials.

2In his “Fellowship Application for Refugee Lawyers,” submitted to the American Committee for the Guidance of Professional Personnel on 9 December 1939, Erwin answered Item 6, “Explain briefly your family background, education of your parents, and any distinctions or achievements attained by members of your family, either present or past” by writing, “Middle-class family. My mother’s father owned a factory and was very active in communal affairs. He was a councillor of the city of Lyck. My father was a well-to-do merchant, but died while he was very young.” The form’s inch of space for the answer did not allow an explanation of how Benno, a Jew from Vilna barred from Russian universities, managed to acquire an education. Nor would Erwin have provided it had he been free to append additional pages.

3See the introduction and the first two chapters (“Ancestral Germany” and “Weimar”) of Stern’s Five Germanys I Have Known (New York: Farrar, Straus and Giroux, 2006). Stern, the distinguished Columbia University historian, came from a very prominent family in Breslau, with impressive connections. His godfather was Fritz Haber, the Nobel Prize laureate in chemistry in 1918, and himself a converted Jew. Manfred Kirchheimer wrote an excellent sketch of his own family (from Saarbrücken) and neighbors in Washington Heights at the end of the 1930s, which portrays people and a lifestyle that my family would have found comfortably familiar. See his “German Jew or Jewish German?: Post-Immigration Questions” in German-Jewish Identities in America, ed. Christof Mauch and Joseph Salmons (University of Wisconsin, Studies of the Max Kade Institute for German-American Studies, 2003), 154–162.

4Erwin returned to Germany more than once, first as a major in the U.S. Army in 1946 to work as a “welfare specialist” in the occupation and some years later, with his wife Ruth, to visit Bonn, Ruth’s birthplace, and other cities. Ernst never went back and had no interest in doing so.

5Emergency Committee Chair Stephen Duggan and Executive Secretary Betty Drury published The Rescue of Science and Learning (New York: The MacMillan Company, 1948), a fascinating account of the committee and its work. Their comparison of the impact of the refugees from central Europe on the West to that of the scholars who fled Constantinople in 1453 for the West of that time, helping to foment the Renaissance, is echoed by Lewis Coser (although


Erwin was misled. Morgan was the director (1937–1942) of Michigan’s Student Religious Association, surely not a position from which to influence employment of either faculty or research staff. I have been unable to locate any pertinent correspondence in the Bentley Historical Library, University of Michigan, where the association’s archives are maintained (Office of Ethics and Religion, Records, 1860–1991).

The files of the Emergency Committee do not illuminate its relationship to the Southern Illinois University group, but it is clear that Neely’s letter did not come out of the blue: “We are very grateful to you for all the assistance you have given us in the past,” Neely told Duggan, “and we hope to do something for you in the future.”


Originally in German; the translation is mine.
The Jacob Rader Marcus Center of the American Jewish Archives is pleased to present the entire run (114 issues and counting) of its award-winning publication in a freely accessible searchable database.

While the external features of the AJAJ may have changed since its founding in 1948, the fundamentals that have secured its longevity remain—to present the rich details of the American Jewish past in a way that is comprehensible and comprehensive, enjoyable and edifying at the same time. May the legacy and vision of the journal’s first editor, Dr. Marcus, continue to be revealed in its pages for another sixty years—at least!

The AJA is grateful to Temple Emanu-El of New York City and the Dolores and Walter Neustadt Fund for making the publication of our journal possible.

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Jeanne E. Abrams, director of the Beck Archives and the Rocky Mountain Jewish Historical Society and a historian of western Jewry, whose books include *Blazing the Tuberculosis Trail*, is the ideal person to chronicle the life and times of Dr. Charles David Spivak. Spivak played a pivotal role in the founding and development of the Jewish Consumptives’ Relief Society (JCRS) sanatorium in Denver and served as its director. Going beyond the boundaries of a standard biography, Abrams frames Spivak’s life in the context of American Jewish history and medical history. Not only was the turn of the twentieth century an important era for Jewish immigration, it was a transformative time for health care and tubercular treatment. This work is not only valuable as a biography but as a case study of the western health rush.

Fortunately for Abrams, Spivak recorded institutional minutes and was a prolific author and correspondent whose frequent topics were Judaism and medicine. These writings enrich the biography. During his youth, Spivak wrote for radical Jewish periodicals; later he penned articles for the *Jewish Exponent*, the *Forward*, and the *Jewish Encyclopedia*; and in 1915 he became the founding editor/contributor to the *Denver Jewish News*. He published in medical journals on the care of tuberculosis patients and wrote for the JCRS’s *The Sanatorium*.

The book’s chapters are arranged chronologically. Dr. Spivak’s youth was similar to that of many Jewish immigrants. Born in 1861 to Orthodox parents, Chaim Dovid Spivakofsky spent his childhood in the southern Russian town of Kremenchug. There he spoke Yiddish at home and immersed himself in Russian language and culture with his friends. After a traditional *heder* education, Spivak attended the Russian gymnasium. Fascinated with politics, he gravitated toward socialism, joining the Socialist Revolutionary Party. Apprehended by the police for distributing radical publications, he escaped from Russia with the help of the party. He arrived in the United States in 1882, hoping to join an Am Olam agricultural colony in Oregon. However, the colony seemed unstable. Unable to farm, he joined other immigrants in factory work. He also typeset the *Jewish Messenger* and taught at the Alliance colony in New Jersey. In New York he made lifelong friends, including Abraham Cahan. As he became Americanized, Spivak remained a socialist, but he lost some of his radical zeal; as one of his friends noted, “Here revolutions were not needed. Opportunities for advancement were open.” (32)

This proved to be the case for Spivak. Appointed librarian of the Young Men’s Hebrew Association in Philadelphia through Alliance connections, he
became friends with wealthy Jews and immigrant eastern Europeans alike. In these formative years, Spivak attended medical school, met his future wife, and became an immigrant community leader. After medical school, he studied at the University of Berlin before beginning private practice in Philadelphia's Russian Jewish community.

His life changed in 1896 when his wife became ill and, like others, he “chased the cure” in Denver’s dry, sunny climate. Denver became home to four religio-ethnic sanatoriums. Before the Spivaks reached Denver, Frances Jacobs, a tireless activist for charities, and Rabbi William Friedman, of the Reform Temple Emanuel, had incorporated the Jewish Hospital Association in 1890. Upon his arrival, Spivak opened a private practice and sought funds for the sanatorium, which did not open until it obtained B’nai B’rith support in 1899. However, the sanatorium did not meet community needs. Led by Reform Jews, it did not provide kosher food or admit sufferers deemed incurable. Spivak and other eastern Europeans sought modifications. When they failed, they founded a rival institution, the JCRS, in 1904. This new institution, like the Jewish National Home (JNH), was free; however, following Spivak’s edicts, it observed Jewish dietary laws and accepted patients with advanced tuberculosis.

The JCRS sought small donations nationwide, while the JNH attracted wealthy donors. Spivak’s prescription for tuberculosis treatment included fresh air, rest, and proper diet. Bringing together two of Spivak’s interests, the JCRS operated its own farm; fresh eggs, milk, and produce nourished patients. With the success of the JCRS, Spivak gained a national reputation. His emphasis on a homelike setting separated the JCRS from industrial Progressive-era hospitals. Spivak instilled his medical philosophy in European hospitals when, after World War I, he volunteered as a special medical commissioner with the Joint Distribution Committee.

This book examines more than Spivak’s professional life. Abrams also looks at Spivak’s family, friends, and ability to blend Orthodox Judaism and science. His funeral was according to tradition, but his body, against Jewish law, was donated for medical examination. Although Spivak most certainly deserves this thoughtful biography, the tone at times unfortunately leans toward adoration. For those with a passing interest, it could be too detailed. However, for those studying American Jews and medicine, the treatment of tuberculosis, and western Jewish communities, Abrams’s thoroughly researched book is a significant addition to these growing fields of study.

Ava F. Kahn is affiliated with the California Studies Center. Her publications include California Jews; Jewish Life in the American West: Perspectives on Migration, Settlement, and Community; and Jewish Voices of the California Gold Rush: A Documentary History 1849–1880. Jews of the Pacific West: Reinventing Community on America’s Edge which she coauthored with William Toll and Ellen Eisenberg, was released this year.

What is a Jew? This question is different from the perennial and always controversial “who” query, which seeks to establish standards of identity in order to delimit community boundaries. The “what” question is, instead, of an outward-facing nature; rather than marking the perimeters of the in-group, its purpose is to make Jewishness comprehensible to non-Jews. According to Lila Corwin Berman’s new study, this project consumed American Jewish intellectuals throughout the twentieth century, and the stakes were high. Explaining Jewishness, she writes, “became a political necessity and an act of Jewish survival.” (1)

*Speaking of Jews: Rabbis, Intellectuals, and the Creation of an American Public Identity* examines the efforts of Jewish leaders to “make Jewishness intelligible to the American public.” (6) Their goal was only partly to demystify Jewish identity and ritual for those who would otherwise view Jews as too exotic and alien to be part of the American body politic. Their larger project as representatives and ethnic brokers was to convince all Americans, Jews and non-Jews alike, that Jewish distinctiveness had positive value. Doing so, they hoped, would not only encourage inclusivity in American culture but would also assure Jews that they could maintain their Jewish identity while becoming acculturated.

They did this by borrowing from social science, which proposed that religion, ethnicity, and other forms of group identity were functions of social practices rather than racial disposition or divine directive. What Jews were, according to social scientists, was determined by experience and behavior. In this respect Jews were just like everybody else. This assertion recapitulated older European debates about Jewish emancipation and resonated in a nation where immigration had created a profoundly diverse national population. Thus understood, Jewish culture and religious identity could be valued for their universal significance.

Berman claims that “sociological Jewishness” provided twentieth-century Jewish intellectuals with tools to construct their arguments for an inclusive national culture; Jews’ “distinctive behaviors,” she writes, were “iterations of sociological rules followed by all American religious groups.” (70–71) Once Jewish difference was no longer regarded as a problem—once difference was, indeed, something all Americans had in common—Jews could discuss their distinctiveness without fear of alienation.

Though embrace of sociological frameworks facilitated Jewish inclusion in American life, it offered a vision of Jewish identity bereft of deeper meaning. It also threatened to undermine group cohesion. Debates over conversion proved particularly contentious. Could someone not born Jewish become so merely by taking up a set of behaviors and practices? Those who answered in
the affirmative, positing Jewish identity as a matter of individual choice, clashed with rabbis and intellectuals who resisted the idea that the boundaries of Jewish community were so porous.

Berman’s analysis of these disagreements is fascinating, and her account of debates over both intermarriage and Jewish missionary efforts demonstrates that even acculturated American Jews disagreed about the meaning of Jewishness. A possible criticism of Speaking of Jews is its insularity; she limits her inquiry to Jews talking among themselves and might have done more to show that these intellectuals were involved in broader cultural exchanges about group identity in a liberal democracy. Nevertheless, Berman offers an innovative and eminently readable interpretation of American Jews’ twentieth-century responses to the challenges of modernity.

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Jewish Americans have played a disproportionate role in movements for racial equality in the United States, and many Jews tend to think of themselves and their communities as unwavering defenders of equality. Yet when 120,000 West Coast Japanese Americans were arbitrarily confined by official order in 1942, Jewish community leaders and media nationwide failed to speak up in defense of their constitutional rights.

How do we explain this lapse? In an influential article published some years ago, Cheryl Lynn Greenberg attributed it in large part to the ignorance and indifference of national Jewish organizations with predominantly East Coast membership toward matters on the Pacific Coast. In The First to Cry Down Injustice?, a brief but troubling study, Ellen M. Eisenberg cogently poses the same question in regard to Jews on the West Coast, who lived amid large Japanese American populations and to whom such events were neither distant nor impersonal. Eisenberg argues convincingly that the silence of these communities was conscious and suffused with ambivalence. In an analysis informed by Eric Goldstein’s recent work on Southern Jews and black civil rights, she suggests that West Coast Jews’ acceptance as “white” throughout prewar decades hinged on the presence of a stigmatized nonwhite minority. Therefore, despite occasional criticism from coreligionists further east, West Coast Jewish communities maintained a prudent silence on discrimination against Asian Americans in order not to be identified too closely with nonwhites. A few elite Jews even
joined restrictionist groups. Eisenberg claims that this policy continued through the war: While scattered individuals protested Executive Order 9066, the collective Jewish response was obtrusive silence. She affirms nevertheless that this silence did not betoken agreement. Apart from one group in southern California that collected dubious information on Japanese subversives and supported mass roundup of Japanese immigrants—though not Nisei citizens—Pacific Coast Jewish leaders and journals more frequently expressed (heavily) veiled dissent through innocuous warnings against intolerance and support for the rights of unspecified groups of enemy aliens.

Unfortunately, perhaps in the interests of brevity, Eisenberg has omitted some important elements. First, she does not sufficiently differentiate between cities such as Seattle and San Francisco, where Asian Americans represented the largest racial minority and which featured small and long-established German Jewish communities, and Los Angeles, with its giant Eastern European Jewish population (who faced widespread antisemitism) and its largely Hispanic minority population. Similarly, in exploring the position taken by Jews in Los Angeles, Eisenberg fails to consider sufficiently the contribution of those in the movie industry. Jewish collaborators in Hollywood’s wartime propaganda machine helped churn out a half-dozen movies that libeled Japanese Americans as spies and traitors (for example, the 1942 film *Across the Pacific*, with a screenplay by Howard Koch, featured a Nisei villain dynamiting the Panama Canal, while Aubrey Wisberg penned the 1945 thriller *Betrayal from the East*). More important, she neglects the significant role of Alfred A. Cohn, the screenwriter turned Los Angeles police commissioner. It was Cohn whose sensational (and fictitious) reports on Fifth Columnists helped persuade Los Angeles mayor Fletcher Bowron to support mass removal during January 1942, and which Bowron in turn used to lobby government officials.

Meanwhile, Eisenberg mischaracterizes the American Civil Liberties Union’s (ACLU) position on Executive Order 9066 as noninvolvement. The ACLU, following a board referendum in mid-1942, did indeed vote not to question the order’s constitutionality. It nonetheless permitted its lawyers to take the weaker stand of opposing the order’s discriminatory application to Japanese Americans, as well as opposing the confinement itself. Thus Jewish ACLU lawyers such as Ernest Besig, A.L. Wirin, and Edgar Camp challenged official policy. Eisenberg fails to note that in the case of Ernest and Toki Wakayama, brought by Wirin and Camp with assistance from African-American attorney Hugh MacBeth, federal judge Henry Hollzer (whom the author terms a leading Jewish community figure) and two colleagues granted petitioners a writ of *habeas corpus* in early 1943. Tragically, by the time a hearing was scheduled, the Wakayamas, embittered by confinement, had withdrawn their petition and requested deportation.
The book also suffers from a certain amount of sloppiness. Eisenberg first states that the Socialist Party did not officially oppose removal (xiii), then correctly states that it did. (76). The journal of the National Association for the Advancement of Colored People (NAACP) is *The Crisis*, not *Negroes* (108), and the text renders Franz Boas as “Boaz” (97) and Mitsuye Endo as “Mitzuye” (149). Although the publisher is presumably most at fault, at least in the copy I purchased the bottom halves of pages 12 and 16 were effaced.

Notwithstanding such criticisms, Eisenberg has done commendable work, both by her research in organizational archives and her close readings of the Jewish press. Her thesis is solid and well-presented, and her examination of regional ethnic responses to Japanese American removal not only illuminates a vital aspect of the wartime events but opens up a new chapter of Western history.


Ellen Eisenberg, Ava Kahn, and William Toll, historians associated for some time now with the history of Jews of California, Oregon, and elsewhere in the Pacific Northwest, have produced an attractive book with their *Jews of the Pacific Coast*. Lavishly illustrated, full of portraits of interesting and notable individuals who played a role in the construction of Jewish life in the Pacific northwest and who helped build up the region itself, this book stands as a kind of state-of-the-art of western Jewish history. The theme of the book has a timely quality to it. Historians for a decade or so have turned their attentions to littorals and have begun to explore the impact of coastal regions on exchanges of goods, ideas, and people. While studies of coasts in American history have been dominated by the emergence of Atlantic studies, historians have also looked westward to the Pacific. This book, with its definition of the particular coastal region as not on the expansive and constantly changing “west,” which functioned as a shifting space in the context of American history, places its historical drama on the strip of land that went from the Canadian border on
the north to the Mexican border on the south. In the context of this region, the authors sought to answer two questions: How did Jews shape the region? And how did the region shape the Jews?

Eisenberg, Kahn, and Toll have a clear answer to both of those questions, which they would undoubtedly see as linked. Jews, present from the beginning, played a pivotal role in the settlement, development, and Americanization of the Pacific Coast. At no time did Jews not live, work, and, most important, trade there. Because of that and as a result of what the authors see as the essential openness of life on America’s Pacific rim, Jews experienced few difficulties in fitting in, in being recognized by their non-Jewish neighbors for their centrality to civic life, and in achieving a high level of respect. In this and in the creativity and plasticity of Jewish institutions, they posit the Pacific coast as unique in the annals of American Jewish history. The general paucity of numbers, the authors claim, left its mark on Jewish patterns of settlement and integration. They lived in clusters so small that they had to become part of the general society.

Because this Jewish West differed from Jewish life in the large cities in the east and the midwest, at least as depicted here, the authors spend much time in this book lamenting the fact that American Jewish historians have by and large left this region out of their analyses. Yet Jews of the Pacific Coast takes its place in an already large body of historical works that explore something about western Jewry. What makes this book different from nearly all others is that, to its credit, it placed the Jews’ acceptance into the reality of the region’s encounter with race. On the Pacific coast, Chinese, Japanese, and Mexicans—a disparate set of nonwhite residents—provided the foil by which Jews could, and did, come to stand on the favored side of the racial divide. Nearly no other scholar before this triumvirate situated the process of Jewish acceptance in the context of the demonization of these particular groups.

The book, which surely will be considered an important reference work for future scholars, has its limitations. It repeatedly seeks to make a claim about Pacific Coast Jewish ingenuity when it came to constructing new forms of Jewish life, yet it repeatedly chronicles the activities of Jewish organizations and institutions founded in the east, directed by east coast Jews, and then adopted by Pacific coast Jews. In fact, Pacific coast Jews emerge here, not by design, obviously, as basically the importers of Jewish institutional forms from New York. What does this do to the fundamental analysis here? Similarly, we learn nothing about the outmigration from the Pacific coast and some Jews’ moving back east. The authors take for granted that something called the “American Jewish experience” existed, and they set that supposedly singular experience up as the standard against which to measure the region of their interest (and residence). Furthermore, the authors devoted too much time to complaining about the historiography. The topic should stand on its own analytic merits and not just as a rebuke to scholars who did not consider it previously.
Despite its inherently defensive tone, one that echoed the words of many of the Pacific coast Jews quoted in this book, *Jews of the Pacific Coast* fills an important niche in the literature of American Jewish history. It is hoped that scholars of the Pacific northwest will embrace it as well.


Dana Evan Kaplan’s monograph, *Contemporary American Judaism: Transformation and Renewal*, is a “popular overview of how American Judaism has changed since 1945.” (xv) Kaplan draws from the contributions of historians, sociologists, and innovative Jewish clergy and lay leaders to survey the challenges facing today’s American Jewish community. His first priority is illustrating how “the Jewish religion, as practiced by American Jews, has changed” (xxi) in the last several decades. In this volume, Kaplan is not very interested in ethnic expressions of Jewishness; he concentrates chiefly on Judaism as religious behaviors “performed by Jews” (xxi).

Kaplan’s book is concerned with both outlining problems and exploring potential solutions. In the first category, a historical overview summarizes the large-scale shifts in American Jewish life since 1945. In two other chapters, Kaplan documents the waning strength of the major denominations, as well as the “collapse of the intermarriage stigma” (161). Five of Kaplan’s chapters, on the other hand, discuss ways in which American Jews have tried to revitalize Jewish life. He first explores American Jews’ experimentation in new religious ceremonies, social justice initiatives, and meditation as ways of “reengaging” with spirituality (56). He summarizes the achievements of Jewish feminists in the last half century and briefly touches on the growing acceptance of LGBT (Lesbian, Gay, Bisexual, and Transgender/Transsexual) Jews in communal institutions. The havurah movement, Jewish renewal, and the ba’al teshuva movement make up the bulk of a chapter on “radical responses to the suburban experience” (258). An in-depth discussion of Chabad follows, in addition to an account of the efforts initiated in the 1990s toward synagogue renewal and transformation.

For scholars of contemporary American Jewish life, the first half of Kaplan’s book is familiar territory. In large part, he touches on themes introduced in Steven Cohen and Arnold Eisen’s *The Jew Within* (2001), the last chapters of
Jonathan Sarna’s *American Judaism* (2004), and several publications by Jack Wertheimer. Susannah Heschel, Pamela Nadell, Judith Plaskow, and others have thoroughly documented the significant changes in Jewish ritual life inspired by a diverse group of Jewish feminists. There is no shortage of literature on intermarriage and Jewish communal responses; webinars pop up several times a month on the specific needs and concerns of Jewish millennials. But for a general audience, Kaplan’s overview chapters on these subjects are highly readable and informative.

Kaplan’s most significant contributions, however, come in the latter portion of his book. His final two chapters on the success of Chabad-Lubavitch and recent efforts at synagogue renewal are particularly engaging. Here, he begins to address the question of what some institutions are doing right to meet the needs of their constituents. Kaplan devotes a couple of pages to the independent minyanim movement. In light of the recent publication of Elie Kaunfer’s book, *Empowered Judaism* (on Kehilat Hadar, the first of these minyanim in New York City), Kaplan’s chapter is quite relevant. The two books indeed complement each other well.

More generally, Kaplan’s description of synagogue renewal efforts begs the question of impact. He adopts the leaders’ perspective, for the most part, particularly in his description of the considerable effort individual congregations have devoted to creating institutional change. Implicitly, Kaplan suggests the need for more books like Kaunfer’s, which document the degree of success these synagogues experience as a result of their initiatives.

It is difficult to discern Kaplan’s personal assessment of contemporary American Judaism as far as its “spiritual health” is concerned. He is quite successful at divorcing his own religious perspective (that of a Reform rabbi) from his analysis. Kaplan firmly believes that the American Jewish community is becoming increasingly polarized, with the “middle ground”—once considered Conservative Judaism—all but obliterated (381). Perhaps “cautious optimism” would be an accurate description of the tone on which Kaplan ends his volume. He is acutely aware of the problems facing American Jewish leaders by the hybrid and fluid identities that characterize today’s young Jews. On the other hand, he is at least a little bit confident that some of the initiatives he describes may be starting to address their needs.

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The soundtrack of my childhood, though I never analyzed it much at the time, included the voice of popular Jewish radio DJ Art Raymond on WEVD, the New York radio station that billed itself as “The Station That Speaks Your Language.” What that language consisted of by the time I heard it in the 1980s—and how the lingua franca of east European Jewry had evolved into an amalgam of Yiddish-inflected jokes and words, English patter, Israeli songs, and Jewish news tidbits of all sorts—is put into dramatic perspective by Ari Y. Kelman’s *Station Identification: A Cultural History of Yiddish Radio in the United States*. Given the richness of Yiddish radio’s offerings in America, the significance of its very existence, and the contemporary resurgence of popular and scholarly interest in Yiddish culture, it is surprising that no serious full-length study of Yiddish radio in America has appeared prior to Kelman’s. And it appears that, at least from the perspective of fact-finding about Yiddish on the airwaves, no further academic book will be necessary. Kelman has done a thorough job of amassing not only the names of personages and radio shows but also of appealing to social scientists beyond the world of Jewish academe, as he offers a framework for understanding Yiddish radio as part of a larger development of American ethnic identification.

After a somewhat ponderous introduction that is too reminiscent of the book’s origins as a doctoral dissertation, the first chapter traces the development of American radio in general, the rise of ethnic stations, and the resultant outgrowth of Yiddish radio. Kelman argues that this is one arena in which Jewish culture took a mainstream phenomenon—radio broadcasting—and sought to specialize it for a smaller public rather than taking the usual trajectory of Americanizing an immigrant institution. Though this part of the work is slow at times, there is a wealth of information about the early radio industry, down to details such as bandwidth and radio reception equipment. Even before there were Yiddish radio stations, Kelman points out, sales of radio transmitters skyrocketed in the urban neighborhoods where Jews and other immigrants lived. Also, he notes, the Yiddish-language newspaper *Forverts* included instructions for where to purchase equipment and how to use it.

One of Kelman’s main contentions is that Yiddish radio required the creation of an audience—a process that brought together native Yiddish speakers who preferred to hear news analysis and cultural guidance of all sorts on their stations, and other American Jews for whom Yiddish was simply a sentimental throwback to a world of Jewish tradition. Increasingly, broadcasts took place in heavily Yiddish-accented English, which is itself commentary on the uses of ersatz Yiddish culture as shorthand for Jewish cultural identification in America. As Kelman points out in relation to both types of listeners, they tuned
in to Yiddish radio to “hear themselves.” This accounted for the popularity of commercials and on-air patter that hawked kosher products or used an east European accent even after the late 1930s. The attraction of these stations was infectious even from the earliest days of immigrant broadcasting: In 1922, Kelman tells us, when twenty new stations went on the air in New York, half were Yiddish or Yiddish-English stations! He also offers a fascinating glimpse of the politicization of ethnic radio, detailing the creation of the Federal Radio Commission and the self-defense that ethnic stations of all languages mounted as a result of the government’s forcing them to prove their contribution “to the public interest” if they wanted to continue broadcasting.

Of course, Kelman introduces readers to the colorful cast of shows and personalities that made Yiddish radio memorable and beloved to its generations of listeners. Names like Mollie Picon and the Barry Sisters may be familiar to a wider audience, but indispensable features of the radio lineup such as Nukhem Stutchkoff, Seymour Rechzeit, the rhyming Zvee Scooler, and the advice-dispensing Rabbi Samuel Rubin are also dutifully included. Many times, while reading these descriptions, I thought of the extraordinary work of ethnomusicologist Henry Sapoznik, who has collected hundreds of hours of Yiddish radio programs over the years and created a number of CDs for today’s listeners, and I wished that Kelman’s book had come with an accompanying soundtrack. (Of course I am aware of the costs of publishing any academic text, but this would have certainly been a welcome addition.) In many regards, and with respect for Kelman’s impressive accomplishment, it is somewhat impossible to do more than catalog, analyze, and pay tribute to the myriad talents and voices that made up the phenomenon of Yiddish broadcasting without actually hearing them.

Kelman’s work shines—perhaps brightest of all—in his closing chapters that deal with the legacy and purpose of Yiddish radio for its listeners and, by extension, for today’s American Jewish community. Here, Kelman’s role as a prominent new voice exploring American Jewish culture and sociology comes through, as he poses questions that place Yiddish radio in a broader context. He introduces the term “heritage speakers,” coined by sociolinguist Joshua Fishman (219–220), and contends that much of the listening public in the twenty-first century fits this description of individuals whose ties to a language are more emotional than practical and who recognize the value of maintaining a distinct cultural heritage in today’s complex society. It is this continuing balance of cultural particularism and the modern environment that led to the creation of a Yiddish-listening public in the early days of Yiddish broadcasting and, as Kelman persuasively argues, it is what keeps the topic of Yiddish radio relevant today.
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Julian Preisler is a genealogist and archivist who for two decades has been photographing synagogues in each of the fifty states. In his introduction to this book, Preisler says he decided to focus on Greater Philadelphia because of the city’s long history and great variety of Ashkenazic and Sephardic synagogue architecture. The black-and-white photos offered here indeed reveal a significant Jewish community following a familiar pattern seen throughout the United States. In the first half of the twentieth century, neighborhood synagogues in Philadelphia’s crowded urban spaces were increasingly sold and converted to churches, retail outlets, and the like. By midcentury, congregations in the city and in neighboring cities in southeastern Pennsylvania, New Jersey, and Delaware were moving to the new and more spacious suburbs. Noted architects often designed these modern and impressive edifices.

The book is essentially a photo album, albeit one with useful captions; however, sometimes the information is inadequate. A photograph on page 90, for example, is of an unidentified synagogue that had become a church; the author photographed it in 1994 and notes that he does not know if the building is still standing. This should have been determined. Page 107 depicts a synagogue covered with graffiti, but the caption fails to comment on this. Occasionally two views of a single synagogue are shown, as on pages 60 and 61, but to no added advantage. The book has no index, and the synagogues are not presented according to when they were built, thus making it virtually impossible to find a particular synagogue without leafing through each page and reading each photo caption. Still, *Historic Synagogues of Philadelphia* does manage to document a significant aspect of the American Jewish journey.


Fred Rosenbaum has written a sweeping account of the first century of Jewish life in the Bay Area (1848 to approximately 1948). In so doing, he has synthesized decades’ worth of scholarship from a wide array of sources into an informative and entertaining narrative. His work will likely enthrall local history enthusiasts, and professional scholars will find his chronology, list of historical figures, notes, and bibliography to be a useful resource in the fields of local, state, and regional Jewish history and beyond.

Central to Rosenbaum’s account is an exceptionalist argument which asserts that, thanks to the global nature of the California Gold Rush in 1849, San Francisco was born as a culturally diverse place. It is worth noting that this cultural tolerance did not extend to Native Americans, Sonorans, Chileans, and other ethnicities. Nevertheless, Rosenbaum tells us that the Bay Area, thanks to its Gold Rush heritage, “has continued to be one of the most ethnically and religiously mixed spots in North America, its many cultures simultaneously resisting both eradication and parochialism” (xiv). He highlights this cultural vibrancy through the histories of many Jewish artists, ranging from Oakland-born author and arts patron Gertrude Stein to classical music virtuosi such as Yehudi Menuhin and Isaac Stern. Those chapters that focus on artistic production are by far the most cogent and convincing in the book. This is particularly true of Rosenbaum’s third chapter, a study of the children of the Gold Rush pioneers. In this section, the author deftly connects the experiences of Stein, theatrical producer and director David Belasco, painter Ernest Peixotto, and even Jewish retailer Abraham Gump, to demonstrate a certain freewheeling, cosmopolitan, Northern California Jewish identity—one that informed these figures as they made their way into wider worlds, such as fin-de-siècle New York and Paris.

Politically, socially, and religiously, *Cosmopolitans* offers a fairly standard narrative of Jewish life that would be recognizable in almost any urban American center. Throughout the book we read that Jews played a pivotal role in the debates between the political right and left, between labor and management, and, intra-ethnically, between assimilation and distinction. Rosenbaum would disagree with the contention that Jewish life in the Bay Area resembled the Jewish experience in other American places, however. He argues that the region was exceptional because of its relative lack of antisemitism, which Rosenbaum does demonstrate to some extent. Also, he asserts that the Bay Area’s Jewish history is distinct because of the absence of a German/eastern European Jewish divide, arguing that almost all of the Jews around the Bay were of German descent or at least culturally affiliated with German Jewish norms. Still, his own work frequently references the existence of eastern European Jewry, and,
what is more, his assertion does not at all jibe with Hasia Diner’s convincing argument that the changing boundaries of nineteenth-century central Europe render demographic distinctions between German (or even Germanic) and eastern European Jewries almost moot. This fact does not detract from the book’s success, but it does call into question some of Rosenbaum’s claims to Bay Area exceptionalism.¹

While it is a very fine work of history, I believe Rosenbaum has failed to address three important points in this book. First, *Cosmopolitans* synthesizes a wide array of earlier scholarship. The book, for example, reflects the significant efforts of Rabbi Bill Kramer and Norton Stern of Western States Jewish History. While Rosenbaum adequately cites his sources, some explicit acknowledgement of his scholarly predecessors’ efforts and their contribution to Rosenbaum’s own knowledge of Bay Area Jewry seems in order. Second, Rosenbaum is not always clear about the geographic boundaries of his study. Some of the figures he cites achieve their greatest importance outside of the Bay Area, and some contribute to Bay Area Jewish life after precious little time in the region. Here a more forceful argument about who and what is considered a product of the region would have strengthened his book. Finally, the book’s regional focus notwithstanding, Rosenbaum makes almost no reference to Los Angeles Jewry. Throughout the 160-year history of Jewish life in the Golden State, there has always been a significant connection between the Jews of the City of Angels and their coreligionists to the north. One of the most significant figures in early twentieth century San Francisco Jewry, I.W. Hellman, began his California career in Los Angeles, and the most public face of Los Angeles Jewry for almost seventy years, Rabbi Edgar Magnin, was a product of the Bay Area. Such facts suggest the need for a more in-depth consideration of the ties between these two significant Jewish communities.

The above cited critiques aside, *Cosmopolitans* is an important work in a growing field of study and represents a significant contribution to our understanding of the history of the Bay Area and its Jewish community.

Notes


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In this rich collection of nineteenth- and twentieth-century sermons, Marc Saperstein demonstrates both the enduring rhetorical power of Jewish preaching and the value of the sermon as window onto Jewish history. Saperstein presents readers with a compelling selection of English and North American sermons given in times of war. He argues persuasively that Jewish preachers often found themselves confronted with the challenge of interpreting difficult moral and political questions for their congregations but that these questions took on particular urgency in moments of military conflict, when political stakes grow higher and moral decisions more painful. In presenting these wartime sermons, Saperstein explores developments in the style and structure of Jewish preaching during the modern era, but he also uses the sermons to examine the nuances of Jews’ attitudes toward their countries and governments and to reveal the significance of the state in shaping Jewish discourse.

Saperstein opens the book with a preface laying out the goals and methodology of his study, and he provides a useful introduction to the topic of modern Jewish preaching. After that, the book is broken down into seven sections, each dealing with a particular conflict or period. The sermons chronicle rabbinic responses to the Napoleonic Wars, uprisings in India, the American Civil War, the Franco-Prussian War, the Spanish-American War, and the Boer War. There are separate sections for World Wars I and II, a brief section on Vietnam and the Falklands Crisis, and, finally, three sermons responding to the attacks against the United States on 11 September 2001.

Saperstein precedes each sermon with an introduction that provides biographical information about the preacher, the setting in which the sermon was given, and the specific events and circumstances to which the sermon responds. The author uses his introductions to set the sermons into their various historical and rhetorical contexts by pointing out similarities and differences among the texts and changes in the outlook of the speaker, or by connecting these sermons to others not included in this volume but relevant to understanding the text at hand. Each sermon is also carefully annotated to provide additional background or explanatory material and to offer useful references to secondary sources dealing with issues that arise within the sermons.

The introductions and footnotes not only define the immediate context of the sermon but also give insight into the preacher’s dilemma as he or she prepared to speak on matters involving both national policy and profound human suffering. The sermons make the uncertainty and unpredictability of war clear. For contemporary readers it may seem obvious that Abraham Lincoln was a great president or that American Jews wished to enter the war against Nazi Germany, but the sermons included in Saperstein’s volume reveal the preacher’s difficulty
of discerning the path ahead or of knowing which course of action best served national and Jewish interests. They show, moreover, the preacher’s struggle to interpret questions of slavery, colonial rebellion, or of Jew fighting against Jew in opposing armies, in light of Jewish principles and in a manner that would offer comfort, courage, or guidance to his or her congregation.

In reading though this provocative collection of British and American sermons there are times when one wishes for more. What, for example, did French Jewish preachers have to say about Napoleon and his wars? How did Prussian Jews interpret the events of the Franco-Prussian War? How did Russian rabbis address the events of World War I? Saperstein reasonably argues that, given the immense volume of possible source material available, he chose to survey Jewish preaching in English-speaking lands rather than to investigate different Jewish perspectives on any one conflict. That, he claims, would be work for a different book and further explorations of Jewish preaching in the modern era. Given the value of the material Saperstein presents here, one can only hope that other such studies will follow.

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