
The Democratization of American Judaism

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In an influential volume titled *The Democratization of American Christianity*, Nathan Hatch proclaimed that the “American Revolution and the beliefs flowing from it created a cultural ferment over the meaning of freedom.” Common people, he showed, became significant actors on the American religious scene in the Revolution’s wake. Turmoil swirled “around the crucial issues of authority, organization and leadership.” The tension between traditional religious values and new American values, he concluded, provoked “a period of religious ferment, chaos, and originality unmatched in American history.”¹

Hatch confined his evidence to the world of American Christianity, including early Mormonism. Was the story the same with respect to America’s small community of Jews? We might have supposed that Jews would have been wary of religious ferment. The small size of the American Jewish community (estimates range from one thousand to twenty-five hundred²); the fact that Jews were scattered over six communities (Savannah, Charleston, Richmond, Philadelphia, New York, and Newport); and Jews’ centuries-old emphasis on tradition and deference would presumably have made Jews wary of “chaos and originality.” They had lived through the Protestant Great Awakening without its transforming, in any discernible way, Jewish religious life.³ The impact of the Revolution, we might have conjectured, would likewise have been muted.

And yet, the more we learn, the clearer it becomes that the Revolution’s impact on the American Jewish community was anything

but muted. Instead, in response to the political, social, and spiritual revolution wrought by independence and the beliefs flowing from it, Judaism in America was challenged and radically transformed. The values of the American Revolution—liberty, freedom, and especially democracy—profoundly affected the Jewish community. In the first quarter of the nineteenth century, before masses of central and eastern European Jews arrived, a new American Judaism took shape. In this early period, as so often later, American Judaism and American Protestantism experienced similar influences and developed in parallel ways. More often than we realize, the individuals who brought about change in both faiths marched to the sounds of similar drumbeats.⁴

As a rule, in talking about early American Judaism, scholars look first to New York, for that is where the bulk of the Jews lived and the bulk of the surviving documents remain. But I begin here in the unlikely Jewish community of Richmond, Virginia, which took shape in the very midst of the American Revolution. Jacob I. Cohen and Isaiah Isaacs, the city's earliest known Jewish residents, arrived about 1781 from Charleston, South Carolina.⁵ Both men had fought, in 1779, under Captain Richard Lushington as part of the Charleston Regiment of Militia ("Free Citizens"), known at the time as the "Jew Company," although only a minority of its members were actually Jewish. Cohen fought in the Battle of Beaufort under General William Moultrie and, according to Lushington, "in every respect conducted himself as a good soldier and a man of courage."⁶ Isaacs may well have been in Richmond previously,⁷ but now the two veterans established the commercial firm of Cohen & Isaacs, locally known as "The Jews' Store." Subsequently, it expanded to include a tavern inn, known as the "The Bird in the Hand," as well as assorted other properties.⁸

A year after the original store's founding, in 1782, Cohen traveled to Philadelphia on a prolonged buying trip, and in May of that year he applied to join Philadelphia's Mikveh Israel synagogue. Having established himself in business, he may also have been looking around for a wife: He was, after all, thirty-eight years old and still single. Within three months he had fallen in love with a recently widowed woman of his own age, Esther Mordecai, whose husband had left her impoverished and with three children. Since Esther Mordecai

had applied to the congregation for nine pounds to pay her rent, the community had reason to be especially gladdened by this turn of events; the match likely seemed providential.⁹

But then a problem arose, for Esther Mordecai was a convert to Judaism. Her original name was Elizabeth Whitlock, and she had converted as a teenager to marry her much older first husband, Moses Mordecai. Who converted her and where she was converted remains uncertain,¹⁰ but few at the time seem to have doubted the legitimacy of her conversion. The real problem was that the marriage of a kohen, a Jew of priestly descent, to a convert is explicitly prohibited by *halakhah* (Jewish law); a kohen may only marry the daughter of a Jew.¹¹ In much of the Jewish world, this obstacle would almost certainly have doomed the match, no matter how extenuating the circumstances.¹²

What is therefore remarkable, and extremely revealing, is that Cohen proved defiant. Although informed of the law, he spurned it. Why, he must have wondered, should he be denied the right to marry a convert to Judaism just because his ancestors had been descendants of Aaron, the high priest? The dictates of the synagogue and of Jewish law ran counter to his newfound sense of democracy and freedom.

Nor was he alone. According to the laconic minutes of the congregation, “great while was spent in debating” the marriage—a sure sign of communal restiveness. In the end, Congregation Mikveh Israel prohibited its *hazzan* (minister) from conducting the marriage or even from mentioning the couple’s name within the synagogue’s portals. Interestingly, stricter punishments, which some proposed, were voted down.¹³

The response on the part of Cohen and his friends was a public act of defiance. The congregation’s leading member, Haym Salomon, along with the Revolutionary War hero Mordecai Sheftall of Savannah and the well-respected old-time Philadelphian, Israel Jacobs, privately conducted and witnessed the wedding ceremony.¹⁴ The *ketubbah* (wedding document) survives, and the copy in the American Jewish Archives makes clear that the officiants acted in conscious awareness of what they were doing. Esther Mordecai is described in the Aramaic *ketubbah* as an *armalta giyorret*—“a widow and convert”—and her husband is listed as *Yaakov Ben Reb Yehoshua Hacohen*, Jacob, the son of Joshua the priest.¹⁵ The three highly respected signators on the

document, having been apprised of Jewish law, thus knowingly placed personal liberty above its dictates. In performing this wedding in the face of the synagogue's objections, they served notice that times had changed and that the congregation's power to regulate Jewish life was waning.

This conclusion is reinforced by a second document that survives, this one from 1785 and written in Western Yiddish (Judeo-German).¹⁶ The document is a fascinating letter written by the leaders of Congregation Mikveh Israel of Philadelphia to Rabbi Saul Halevi Loewenstamm (1717–1790),¹⁷ Ashkenazic chief rabbi of Amsterdam, seeking his advice and support in a battle against one of their most learned (and contentious) lay members, Mordecai M. Mordecai (1727–1809), a native of Telz, Lithuania.¹⁸ Mordecai—no relation to Esther Mordecai who married Jacob I. Cohen—was akin to one of the “common people” whom Hatch highlights as emergent religious actors in this period. A distiller and unsuccessful businessman, he, like so many of his Protestant counterparts, did not feel bound by people of privilege and status, such as the *hazzan* and the members of the synagogue's governing body (*adjunta*). Himself the son of a rabbi, he felt that he understood Jewish law better than they did, and he therefore took the law into his own hands, much as some Protestants of that time insisted that, based on their own independent reading, they could interpret the Bible.¹⁹

“Reb Mordecai,” according to our document, took the law into his own hands on two separate occasions. First, in an apparent attempt to reconcile members of his extended family, he performed an unauthorized Jewish marriage ceremony on a previously intermarried couple: his niece, Judith Hart, and her unconverted husband, Lt. James Pettigrew. On another occasion, the document charges, he openly flouted synagogue authority by performing the traditional last rites on Benjamin Clava, an identifying but intermarried Jew whom the synagogue, as a warning to others, had ordered buried “without ritual ablution, without shrouds and without funeral rites.” Since on both occasions Mordecai vigorously defended his actions, insisting that he knew Jewish law better than those who judged him, the congregation sought “the illuminating light” of the Dutch rabbi's opinion.²⁰

The real question here plainly had less to do with Jewish law than with Jewish religious authority in a democratic age. Mordecai, echoing the spirit of the American revolutionary tradition, and like many Protestant rebels of his day, challenged his religious superiors and claimed the right to interpret God's law as he personally understood it. Nor was he alone. According to the document, "In this country . . . everyone does as he pleases. . . . Yet, the Kahal (community) has no authority to restrain or punish anyone, except for the nominal penalty of denying them synagogue honors, or of withholding from them sacred rites. However, these vicious people completely disregard such measures and continue to attend our synagogue, because under the laws of the country it is impossible to enjoin them from so doing."²¹ In other words, the problem, from the perspective of Mikveh Israel, was that Jews in post-Revolutionary America were making their own rules concerning how to live Jewishly, and there was little that the synagogue could do about it.

Returning to Richmond, where Jacob I. Cohen had also returned, we see more evidence of "democratization." In 1789, the city's first synagogue, Beth Shalome, adopted a constitution. The very term "constitution" is noteworthy. In the colonial era, Jews called such documents by traditional Hebrew terms, *haskamoth* or *ascamoth*, meaning agreements or covenants, and they followed a traditional Sephardic formula.²² Now, two years after the American Constitution was ratified, we see the English term, "constitution," employed. The Beth Shalome document echoes its American counterpart.²³ "We the subscribers of the Israelite religion, resident in this place," it begins. And it continues with three striking clauses, never to my knowledge previously found in a synagogue constitution, and all of them highly revealing:

"Every free man residing in this city for the term of three months, of the age of 21 years, and who congregates with us, shall be a yahid [first-class member] of the kehilla and entitled to every right and privilege of the same." (Article 1)

The key word here is "every." In the colonial era, *yehidim* were the equivalent of what Protestants called "communicants." They were

men of status who materially supported the congregation, and they were different from women, the poor, and visitors, who occupied seats but had no authority. In New York's Shearith Israel, according to the congregation's 1761 constitution, the waiting time to become a *yahid* was set at "at least one Year," and the cost was twenty shillings—a respectable sum.²⁴ Now in Richmond, *every* free man, rich and poor alike, could become a *yahid* after only three months. Although women and slaves were still excluded, democratization was evident nevertheless. Just as the franchise nationwide was broadening, so too was the franchise within the world of the American synagogue.²⁵

"The parnas and assistants shall not be connected in family or in partnership in trade, in order to preserve an equal and an independent representation." (Article 2)

With these words, Beth Shalom's constitution outlawed the traditional practice of having only wealthy families run the synagogue. In colonial New York, interconnected merchant families had dominated congregational life for more than fifty years, and such was the case in much of early modern Europe.²⁶ Post-Revolutionary Richmond Jews, however, rebelled against such undemocratic practices. The phrase "an equal and an independent representation" is particularly revealing. These were good Virginia values in 1789, but by no means traditional Jewish ones.

"No rules or regulations shall be considered as binding on the congregation until it is read 2 Shabbath or holidays separately in the synagogue. Should any member object to the same, it must be by a letter to the parnas within 24 hours after the last publication, who shall be obliged to call a meeting of all the members in toto. . . . A majority present at such meeting, which must be 2/3 of the members in town, shall deterim [determine] the same and the [de]termination shall be binding on the objecting member and all the rest." [Article 3]

This provision of the Richmond synagogue constitution promoted the goal of communal consensus by offering dissenters unprecedented opportunity to have their views heard. Even a single dissenter could bring about a meeting of "all the members in toto" to render a binding decision. The practice never became normative in American synagogue life; it was totally impractical. The intent, nevertheless, is fascinating, for a key source of dissatisfaction within colonial-era synagogues was

the stifling of dissenting voices. Following the Revolution, at least for a brief period, synagogue dissenters in Richmond received a guarantee that their views would be heard and voted upon.²⁷

Young people likewise found their voices heard in the immediate post-Revolutionary years. Whereas before, at least in New York, leaders had tended to be older men, the leadership at Shearith Israel now became progressively younger. From 1783–1801, the age of the *parnasim* (presidents) of that congregation averaged about fifty-eight. From 1801–1824, the average age dropped to forty!²⁸ So dramatic a change cannot fully be explained based on the data at hand, but the generational shift certainly adds credence to the sense that a rising post-Revolutionary generation was demanding to be heard. Moreover, in Judaism, as in Protestantism, religious leadership was becoming divorced from social position, in keeping with the ideology of a democratic age.

The same trend reveals itself in 1805, with the dramatic change in the way that congregants were seated in the Shearith Israel synagogue. Throughout the colonial period, the synagogue seated its members much as Protestant churches did. An anonymous colonial-era poem summed up the system:

In the goodly house of worship
Where in order due and fit,
As by public vote directed
Classed and ranked the people sit.²⁹

In Shearith Israel and, so far as we know, every other synagogue, the congregation carefully allocated a “proper” seat to each person based on his or her status, and each seat was then assessed a membership tax. Members of the wealthy Gomez family regularly enjoyed the most prestigious seats and paid the highest assessments. Others paid less and sat much farther away from the holy ark. The system generated a great deal of bad feeling, usually on the part of those dissatisfied for one reason or another with the seats assigned to them, but it produced a steady stream of revenue and accurately reflected the social stratification of Jewish society. The synagogue seating chart, in the colonial era, provided an annual map of society’s inequalities.³⁰

Unsurprisingly, this system offended Jews of the post-Revolutionary era. As early as 1786 a special *banca* (bench) reserved for the aristocratic women of the Gomez family was removed. Elite families such as the Gomezes no longer could impose their will on everybody else.³¹ In 1805, in a much more radical move, the congregation abandoned its whole system of assigned seats and assessments and committed itself to a system of what churches call pew rent. Under this procedure, the trustees assigned different values to different seats (as in a theater), and then leased them on a first-come, first-served basis. Practically speaking, this hardly changed the social stratification of the synagogue, since wealthy people rented better seats than poor people did. In the eyes of contemporaries, however, the change represented a dramatic triumph for democracy in American Judaism, for under the new system members enjoyed much more freedom of choice.³²

The next twenty years, from 1805–1825, witnessed a great deal more ferment in American Jewish religious life, much of which I have described elsewhere.³³ First, women gained new visibility, thanks to the adoption of the open-style women's gallery in New York (1818) and Philadelphia (1825). No longer did they have to sit, as they had earlier, hidden by a "breast-work as high as their chins." The number of seats available to women likewise increased—to 44 percent of the seats in New York, and 46 percent in Philadelphia—suggesting that women were regularly expected to attend religious services, much as their Protestant counterparts did. The presence of so many women within the synagogue's portals often proved a source of contention, especially when disputes arose concerning who should sit where.³⁴

In Charleston, so-called "vagrant Jews"—the counterparts to Hatch's "common people"—literally brawled with synagogue leaders in 1812 over issues of authority that pit the congregation's minister against its governing board. A one-sided version of what took place is preserved in a letter from the future Jewish leader Mordecai M. Noah, then twenty-seven years old and living in Charleston, to his uncle Naphtali Phillips in New York:

In my last I enclosed to you a bill of fare relative to a singing match established by Mr. [Emanuel Nunes] Carvalho[.] [W]ithin this last week the Congregation has been in a state of warfare sanctioned & approved by that gentleman unheard of in the annals of religion—It appears he had taught the children to sing the concluding psalms of the Sabbath Morning Service in a very handsome manner which in a measure did away [with] the discordance which attends every Synagogue [.] [F]or a whim or caper he discontinued this ceremony & forbid the children to sing[.] The private adjunta conceiving it to be his duty to continue a system which was generally approved of respectfully requested him to allow the children to continue which he refused to do and on application for some other branch of his duty he treated the adjunta with disrespect & they suspended him for five days which suspension terminated on Saturday at 10 oclock when he performed the prayers[.] --Saturday evening being a meeting of the adjunta in general body he collected a rabble composed of all the vagrant Jews & had a petition signed by them to give him redress[.] [T]his petition was handed the Parnass who could not act upon it being in express violation to the constitution[.] Mr. Carvalho in person aided and abetted the confusion & riot which took place[.] [I]n a short time the whole meeting parnass & all were battling with clubs & bruising boxing &c during which his reverence & brother & friend [Abraham?] Lipman came off with a few thumps[.] [T]his outrageous & disgraceful [*sic*] produced by the interference & cooperation of Mr Carvalho terminated without any serious injury[.] The result has completely destroyed the small remnant of respectability & character yet left for Mr C[.] [H]is duty was not to take the law in his own hands but to submit with respect to the conduct & resolve of the private adjunta who are composed of the most respected & indeed the most enlightened part of the Congregation[.]³⁵

Fascinatingly, Noah describes Carvalho in terms similar to those that synagogue leaders of Philadelphia used against Mordecai Mordecai.

In both cases, the offenders were charged with the same kinds of offenses: taking the law into their own hands, spurning authority, and making common cause with congregational malcontents. Moreover, there proved to be little, in both cases, that synagogue authorities could do about the situation. However much the “enlightened” part of the congregation sought to have dissenters “submit” to the *parnas* and the *adjunta*, the new world of American religion conspired against these efforts and favored the forces of change.

The synagogue’s reduced power was amply illustrated just a year later in New York City, when its authority to regulate kosher meat was challenged. Formerly in New York, as the historian of Jewish ritual slaughtering details, “all Jewish slaughtering was done by one man, the elected shohet [ritual slaughterer] of the Shearith Israel Congregation. The meat was distributed through a number of Christian meat dealers who had entered into contracts with the Congregation.” In 1813, the shohet, Jacob Abrahams, failed to win reelection and instead set himself up as an independent ritual slaughterer, slaughtering meat “without warrant of the Congregation and for butchers with whom the Congregation had no contract.” Horrified, the synagogue’s leaders petitioned the New York Common Council to have their sole authority over kosher meat restored. The Common Council obligingly agreed, approving an ordinance that “no Butcher, or other person, shall hereafter expose for sale in the public Markets any Meat sealed as Jews Meat, who shall not be engaged for that purpose by the Trustees of the congregation Shearith Israel.” But in an era that exalted freedom and democracy, an ordinance that granted monopoly power to synagogue trustees provoked immediate opposition. Eight dissident congregants who supported Abrahams protested the ordinance as “an encroachment on our religious rites [*sic*] and a restriction of those general privileges to which we are entitled.” They asked that it be “immediately abolished” and privately complained that it was an “infringement on the rights of the people.” The Common Council, unwilling to enter into what it now understood to be an internal Jewish dispute, quickly backed down. It expunged its original ordinance and washed its hands of the whole matter. Once again, synagogue dissidents emerged victorious, while the traditional authorities of the congregation lost both power and face.³⁶

Back in Charleston, the leadership of the synagogue experienced a similar loss of face when it attempted to crack down on the move to establish private Jewish cemeteries. Historically, control over the cemetery served as a potent source of power for synagogues and organized Jewish communities. Dissidents, transgressors, and defaulters knew that unless they submitted to authority they risked being shamed at their death. The intermarried Benjamin Clava, we have seen, was ordered buried “without ritual ablution, without shrouds and without funeral rites.” In extreme cases, individuals might be denied a Jewish burial altogether. Seeking to preserve this venerable authority, which was perhaps the strongest deterrent in the congregation’s disciplinary arsenal,³⁷ Beth Elohim reacted strongly when several notable families purchased their own “places of interment.” It proclaimed in its 1820 constitution that “there shall be one Congregational Burial Ground only, . . .” although in the interests of peace it conceded “that this law shall not extend to any family place of interment already established.” The proclamation, however, made no noticeable impact. In a free country, Beth Elohim proved no more able to control where Jews would choose to be buried than Shearith Israel was able to control whose kosher meat they would choose to eat.³⁸

Whether all of this adds up to what Hatch calls “democratization” may be open to dispute. The word “democratization” itself—which means “the process of becoming democratic”—was actually unknown in early America, and it only appears in print in the second half of the nineteenth century.³⁹ But if the word was unknown, the process, if anything, was accelerating. Synagogues, much like the Protestant churches that Hatch described, experienced burgeoning religious ferment, challenges from below to established communal authority, and appeals to American values (“freedom,” “rights of the people”) in order to legitimate expressions of religious dissent. Over time, the hierarchic, deferential, and tradition-based world of colonial Judaism gave way to a new Jewish world: one where Jewish law and the authority of synagogue leaders could be openly challenged; where *every* man was a “yahid” (first-class member); and where power no longer lay exclusively in the hands of wealthy “elders.” Most of all, this new Jewish world was characterized by freedom: the freedom to

choose seats within the synagogue, the freedom to buy kosher meat outside the synagogue, and the freedom to bury dear ones in a private cemetery if that is what one chose to do.

After years of stirring, this new Jewish world emerged into the fullness of life in the mid-1820s. The hallowed “synagogue-community” model of American Judaism, which assumed that each community would be organized around a single synagogue that governed all aspects of Jewish life, collapsed at that time. In its place came a more free-wheeling marketplace model of American Judaism, the “community of synagogues.”⁴⁰

Two nearly simultaneous “revolts” between 1824 and 1826 occasioned this transformation: the secession from Shearith Israel that led to the establishment of Congregation B’nai Jeshurun in New York, and the secession from Beth Elohim that led to the creation of the Reformed Society of Israelites in Charleston. Both of these well-known episodes sought to bring a greater measure of freedom and democracy into Jewish religious life, legitimating religious change on the basis of American political values.

The developments in Charleston have been amply described elsewhere.⁴¹ Young people, dissatisfied with the “apathy and neglect which have been manifested towards our holy religion” and fearful that Judaism would not survive unless it changed, sought far-reaching changes in their synagogue, advocating, among other things, an abbreviated worship service, vernacular prayers, a weekly sermon, and an end to traditional free will offerings during the Torah service. When their 1824 petition for change was coldly denied, they seceded from Beth Elohim and formed what was officially known as “The Reformed Society of Israelites for Promoting True Principles of Judaism According to its Purity and Spirit.”⁴²

This development is often recalled as the beginning of Reform Judaism in the United States, which in many ways it was. But in addition to ritual reform, the new congregation also provided for a good deal more democracy. For example, a key article of the Reformed Society’s constitution declared, “Any Israelite whatsoever, who makes a donation or leaves a legacy of not less than fifty dollars for the benefit of this Society, shall receive every mark of respect, have the right of

burial, and be entitled to every religious attention to which members are entitled." This article, a silent critique of Beth Elohim, aimed to move away from the plutocracy and authoritarianism characteristic of that synagogue and to link the Reformed Society with the nationwide movement for democracy and equal rights. The "birthright of ourselves . . . is equal liberty," Reformed Society of Israelites leader Isaac Harby reiterated on the society's first anniversary. He and his fellow reformers argued, in effect, that a new democratic country needed a more democratic Judaism.⁴³

The same argument characterized the Jewish secessionists of New York.⁴⁴ In 1825, young members of Shearith Israel petitioned not for reform, but simply for an early worship service "on the Sabbath morning during the summer months." When their petition was refused (for violating the "rules and customs of our ancestors"), the young people formed an independent society "to promote the study of our Holy Law and . . . to extend a knowledge of its divine precepts, ceremonies, and worship among our brethren generally, and the enquiring youth in particular." The goal, in this case, was a worship service run much less formally than at Shearith Israel, without a permanent leader, and with no "distinctions made among the member rich and poor." The movement reflected all of the themes familiar to us from the history of Protestantism in this era: revivalism, challenge to authority, a new form of organization, anti-elitism, and radical democratization. Within a short time, the young people created B'nai Jeshurun, a new and competing synagogue to Shearith Israel.

Revealingly, the new congregation justified itself in the preamble to its constitution by appealing to American democratic values. "The wise and republican laws of this country are based upon universal toleration giving to every citizen and sojourner the right to worship according to the dictate of his conscience,"⁴⁵ it explained. In New York as in Charleston, ritual change and democratization marched hand in hand.

Later, congregations elsewhere in the country echoed — practically word for word—the stirring value-laden language that the secessionists at B'nai Jeshurun employed.⁴⁶ In addition to mutual influence, this demonstrates the power of rhetoric in a democratic age. The emphasis on toleration, on equality, on conscience, and above

all on the “wise and republican laws of this country” bespoke the new values that entered the world of American Judaism in the years following the American Revolution. Following “a period of religious ferment, chaos, and originality unmatched in American history,”⁴⁷ a new and more democratic American Judaism had emerged.

a turnpike road between Philadelphia and Lancaster in June of 1792 (Charles I. Landis, *The First Long Turnpike in the United States* [Lancaster, Pa., 1917], 136). Moline's decision not to indenture his manumitted slaves may have been made from conviction or simply from his having passed the six-month deadline for such an arrangement.

37. Jean Devèze, *Recherches et Observations, Sur les Causes et les Effets de la Maladie Epidémique qui a régné à Philadelphie* [printed in French and English translation] (Philadelphia: Parent, 1794), 2–3. Nassy mentions their friendship during the epidemic in his *Observations*, 44.

38. On the influx of about 500 slaves from Saint Domingue and their manumission in the years 1793–1796, see Nash, 141–142.

39. For the model developed in the French colonies in the wake of the revolution, see Laurent Dubois, *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787–1804* (Chapel Hill: University of North Carolina Press, 2004). For the model of freedom in the Maroon communities of Suriname, see Richard Price, *Alibi's World* (Baltimore, MD: The Johns Hopkins University Press, 1990).

40. John Carter Brown Library, Providence, Rhode Island, Brown Papers (1795), 26 April 1795.

41. *Early Proceedings*, 232. Bijlsma, 71. Judah M. Cohen, *Through the Sands of Time: A History of the Jewish Community of St. Thomas, U.S. Virgin Islands* (Hanover, NH: Brandeis University Press, 2004), 14–16. NAN, ANPIG 198, 4, 9 August 1796 (AJAmf 185).

42. David Nassy, *Programma de Huma Caza d'Educação, ou Seminario de Criaturas na Savana de Judeus* [trilingual text in Portuguese, Dutch, and French] (Paramaribo: A. Soulage, Jr., 1796).

43. Among examples of Jewish *congregaten* who had once belonged to a Nassy: Joseph de David Cohen Nassy, Simcha de Jacob Nassy. An example from the Reformed Church in 1787: Vrije Janiba van Adjuba van Nassy (Januba was the daughter of Adjuba, who had been manumitted earlier by David Nassy). For an image of such shops, see Benoit. fig. 32.

44. Jones and Allen, 26–27.

Chapter 6 - The Democratization of American Judaism

This essay honors Dr. Gary P. Zola on the tenth anniversary of his becoming executive director of the Jacob Rader Marcus Center of the American Jewish Archives. Our deep and productive friendship extends over almost thirty years. An earlier version of this paper was delivered as the 2008 Lapidus Lecture in American Jewish Studies at Princeton University.

1. Nathan O. Hatch, *The Democratization of American Christianity* (New Haven, CT: Yale University Press, 1989), 6, 64.

2. Jacob R. Marcus, *To Count A People: American Jewish Population Data, 1585–1984* (Lanham, MA: University Press of America, 1990), 237.

3. Jonathan D. Sarna, *American Judaism: A History* (New Haven, CT: Yale University Press, 2004), 30.

4. *Ibid.*, 31–61; Jonathan D. Sarna, “What Is American About the Constitutional Documents of American Jewry?,” in *A Double Bond: The Constitutional Documents of American Jewry*, ed. Daniel P. Elazar, Jonathan D. Sarna, and Rela G. Monson (Lanham, MD: University Press of America, 1992), 35–55; Jonathan D. Sarna, “The

- Impact of the American Revolution on American Jews," *Modern Judaism* 1 (1981): 149–160.
5. Myron Berman, *Richmond's Jewry, 1769–1976* (Charlottesville, VA: University Press of Virginia, 1979), 6. Berman claims that Cohen arrived "a year after the war," but this cannot be right since he was already in Richmond in 1781 when he did business with Daniel Boone and because by the time he came to Philadelphia he was described as being from Virginia; see Jonathan D. Sarna, "Jacob I. Cohen," *Dictionary of Virginia Biography* 3 (Richmond, VA: Library of Virginia, 2006): 345–347 (a footnoted copy is in the American Jewish Archives); Herbert T. Ezekiel and Gaston Lichtenstein, *The History of the Jews of Richmond From 1769 to 1917* (Richmond, VA: Ezekiel, 1917), 15; and Aaron Baroway, "The Cohens of Maryland," *Maryland Historical Magazine* 18 (1923): 359.
6. Jacob I. Cohen Papers, American Jewish Historical Society (AJHS), New York; Leon Hühner, "Some Additional Notes on the History of the Jews of South Carolina," *Publications of the American Jewish Historical Society (PAJHS)* 19 (1910): 151–156. The oft-repeated tale that Cohen was taken prisoner during the Revolution seems to be baseless; see my discussion in "Jacob I. Cohen and the 350th Anniversary of American Jewish Life," *Generations* 11 (May 2005): 1,3,8,14.
7. See Ezekiel and Lichtenstein, *History of the Jews of Richmond*, 14.
8. Berman, *Richmond's Jewry*, 1–12; Ezekiel and Lichtenstein, *History of the Jews of Richmond*, 15–16.
9. The Mikveh Israel minutes from this period are reprinted in Jacob R. Marcus, *American Jewry: Documents, Eighteenth Century* (Cincinnati: Hebrew Union College Press, 1959), 120–121.
10. Gratz Mordecai, a descendant, reported that Moses Mordecai "married in England, Elizabeth Whitlock, who previously became a convert to the Jewish faith, which she ever afterwards adhered to in the strictest manner." "Notice of Jacob Mordecai...." *PAJHS* 6 (1897): 40. However, the English rabbinate had a firm policy of not approving conversions, for fear of breaching the agreement under which Jews had been readmitted into England; see Todd M. Endelman, *The Jews of Georgian England 1714–1830* (Philadelphia: Jewish Publication Society, 1979), 145–146; and Joseph R. Rosenbloom, *Conversion to Judaism From the Biblical Period to the Present* (Cincinnati: Hebrew Union College Press, 1978), 75–76. Under the British Penal Laws, moreover, conversion from Protestantism to Catholicism, at least, was strictly punished. See F.P. Moran, *The Catholics of Ireland Under the Penal Laws in the Eighteenth Century* (London: Catholic Truth Society, 1899), 16–18. Perhaps Whitlock traveled to Holland, where conversions were easier to obtain. Emily Bingham, *Mordecai: An Early American Family* (New York: Hill and Wang, 2003), 13, implies that the marriage took place in America and suggests that Mordecai came to America as a convict.
11. Shulhan Aruch, *Even Ha-Ezer*, 6:8; see also the discussion in Maimonides, Book of Holiness, Laws of Forbidden Marriages, 18:3.
12. For a parallel case in England in 1825, which is strikingly similar to our case, see Endelman, *The Jews of Georgian England*, 145.
13. Marcus, *American Jewry: Documents*, 121–124. On this issue, as on so many others, Haym Salomon and Jonas Phillips clashed. Whether this was the "unrecorded

quarrel" that prompted Phillips's decision to be buried in New York is unclear. See Samuel Rezneck, *The Saga of an American Jewish Family Since the Revolution: A History of the Family of Jonas Phillips* (Washington, DC: University Press of America, 1980), 15–16.

14. On Haym Salomon, see Jacob R. Marcus, *United States Jewry 1776–1985* (Detroit: Wayne State University Press, 1989), 66–77; and Edgar J. McManus, "Haym Salomon," *American National Biography Online* (accessed 23 June 2008); on Mordecai Sheftall, see Malcolm Stern, "Sheftall," in *Encyclopaedia Judaica* 18, 2nd ed., ed. Michael Berenbaum and Fred Skolnik (Detroit: Macmillan Reference USA, 2007), 433; and on Israel Jacobs, see Edwin Wolf II and Maxwell Whiteman, *The History of the Jews of Philadelphia from Colonial Times to the Age of Jackson* (Philadelphia: Jewish Publication Society, 1956), 30 *passim*; and *Poulson's American Daily Advertiser* (6 March 1810): 3.

15. A copy of the original *ketubbah*, located in the Jewish National Library in Jerusalem, is found in small collections file, SC-6277, American Jewish Archives, Cincinnati, OH. I am most grateful to Mr. Kevin Proffitt for sending me a copy.

16. Sidney M. Fish, "The Problem of Inter-marriage in Early America," *Gratz College Annual of Jewish Studies* 4 (1975): 85–95. The article reproduces the original text and provides an English translation. An abbreviated translation along with other valuable material may be found in Malcolm H. Stern, "Two Jewish Functionaries in Colonial Pennsylvania," *American Jewish Historical Quarterly* 57 (September 1967): 41–46.

17. E. Slijper, "Saul Loewenstamm," *Jewish Encyclopedia* 8 (New York: Funk and Wagnalls Co., 1901–1906), 194; Louis I. Rabinowitz, "Loewenstamm," in *Encyclopaedia Judaica* 2nd ed., 13, 167–168. Presumably, the congregation turned to Loewenstamm in Amsterdam because it would have been unthinkable, so soon after the American Revolution, to seek rabbinic guidance from England.

18. Stern, "Two Jewish Functionaries," 35–48, contains the most complete biography of Mordecai.

19. Hatch, 179–183.

20. Fish, "Problem of Inter-marriage," and Wolf and Whiteman, *History of the Jews of Philadelphia*, 128–131. No reply from Loewenstamm has been located.

21. Fish, "Problem of Inter-marriage," 93–94.

22. Sarna, "What Is American about the Constitutional Documents?," 37.

23. For the text of Beth Shalom's constitution, see *American Jewry: Documents*, 145–146; and Elazar et al., *A Double Bond*, 112.

24. Elazar, et al., *A Double Bond*, 105 (article 12).

25. Shearith Israel broadened its franchise under its 1805 constitution; see *ibid.*, 105–111 (where the term *yachid* is replaced by "elector.")

26. See the Shearith Israel minutes reprinted in *PAJHS* 21 (1913) and Jacob R. Marcus, *The Colonial American Jew*, II (Detroit: Wayne State University Press, 1970), 897–911. For Europe, see Salo Baron's discussion of "growing plutocracy" in his *The Jewish Community: Its History and Structure to the American Revolution*, II (Philadelphia: Jewish Publication Society, 1945), 50–51; and for Amsterdam, see Miriam Bodian, *Hebrews of the Portuguese Nation* (Bloomington: Indiana University Press, 1997), 51–52. In London, kinsmen "unto the third generation" were not permitted to hold office together at the Spanish and Portuguese Synagogue, but there

- was no apparent objection to business partners serving together; see Neville Laski, *The Laws and Charities of the Spanish and Portuguese Jews Congregation of London* (London: Cresset Press, 1952), 5.
27. Jacob ben Meir (Rabbenu Tam) in the twelfth century had advocated an even more extreme model of communal consensus, but his view remained a minority one; see Menachem Elon, *Jewish Law: History, Sources, Principles* (Philadelphia: Jewish Publication Society, 1994), 715–723. Colonial American Jews, by contrast, promoted the principle of deference to authority; see Sarna, *American Judaism*, 14.
28. For a list of the congregation's *parnasim*, see David and Tamar de Sola Pool, *An Old Faith in the New World: Portrait of Shearith Israel* (New York: Columbia, 1955), 503. Their birth dates can be found in Jacob R. Marcus, *The Concise Dictionary of American Jewish Biography*, 2 vols. (New York: Carlson Publishing, 1994), and the resulting calculation is my own.
29. Quoted in Robert J. Dinkin, "Seating the Meeting House in Early Massachusetts," *New England Quarterly* 43 (1970): 450.
30. Jonathan D. Sarna, "Seating and the American Synagogue," in *Belief and Behavior: Essays in the New Religious History*, ed. Philip R. Vandermeer and Robert P. Swierenga (New Brunswick, NJ: Rutgers University Press, 1991), 189–206, esp. 191–192.
31. Pool, *Old Faith in the New World*, 44.
32. Sarna, "Seating and the American Synagogue," 192.
33. Sarna, *American Judaism*, 45–61.
34. *Ibid.*, 47–49; Karla Goldman, *Beyond the Synagogue Gallery: Finding a Place for Women in American Judaism* (Cambridge: Harvard University Press, 2000), 38–54.
35. The letter was first printed in Isaac Goldberg, "Mr. Noah, American," *Menorah Journal* 24 (Autumn 1936): 287–288, and reprinted in Isaac Goldberg, *Major Noah: American-Jewish Pioneer* (Philadelphia: Jewish Publication Society, 1938), 51–52. I have supplied material in brackets to aid readability. James W. Hagy, *This Happy Land: The Jews of Colonial and Antebellum Charleston* (Tuscaloosa: University of Alabama Press, 1993), 79–80 supplies valuable background on Carvalho and links this description to some 1811 court cases concerning synagogue assaults in Charleston. But since Noah's 1812 letter refers to developments "within this last week," the association seems doubtful. Those cases, instead, underscore the many different social tensions within the congregation.
36. Jeremiah J. Berman, *Shehitah: A Study in the Cultural and Social Life of the Jewish People* (New York: Bloch, 1941), 285–287; Samuel Oppenheim, "The Question of the Kosher Meat Supply in New York in 1813: With a Sketch of Earlier Conditions," *PAJHS* 25 (1917): 54–57; Sarna, *American Judaism*, 50.
37. In theory, the ultimate authority available to the synagogue was the dreaded "excommunication," but in practice this punishment was almost never meted out in North America; see Sarna, *American Judaism*, 16.
38. Sarna, *American Judaism*, 53–54; Elazar, et al., *Double Bond*, 116; Hagy, *This Happy Land*, 63–64, 70–71.
39. "Democratization," *Oxford English Dictionary* (second edition, 1989), <http://dictionary.oed.com> accessed on 20 July 2008.
40. Sarna, *American Judaism*, 52–61 sets forth the "synagogue community" to "community of synagogues" model. For a critique, see Holly Snyder, "Rethinking

the Definition of 'Community' for a Migratory Age 1654–1830," in *Imagining the American Jewish Community*, ed. Jack Wertheimer (Waltham, MA: Brandeis University Press, 2007), 3–27.

41. Among the best sources are L.C. Moise, *Biography of Isaac Harby* (Columbia, SC: R.L. Bryan, 1931); Lou H. Silberman, *American Impact: Judaism in the United States in the Early Nineteenth Century*, B.G. Rudolph Lectures in Judaic Studies (Syracuse, NY: Syracuse University Press, 1964); Robert Liberles, "Conflict Over Reforms: The Case of Congregation Beth Elohim, Charleston, South Carolina," in *The American Synagogue: A Sanctuary Transformed*, ed. Jack Wertheimer (Cambridge: Cambridge University Press, 1987), 274–296; Hagy, *The Happy Land*, 128–160; Michael A. Meyer, *Response to Modernity: A History of the Reform Movement in Judaism* (New York: Oxford University Press, 1988), 228–233; and Gary P. Zola, *Isaac Harby of Charleston, 1788–1828* (Tuscaloosa, AL: University of Alabama Press, 1994), 112–149.

42. Quotes are from the documents published in Moise, *Isaac Harby*, 52, 61.

43. Quotes are from *ibid.*, 71, 118.

44. What follows is based on Sarna, *American Judaism*, 55–57; for key documents, see Joseph L. Blau and Salo W. Baron, *The Jews of the United States 1790–1840: A Documentary History* (New York: Columbia University Press, 1963), 540–545; for other accounts, see Hyman B. Grinstein, *The Rise of the Jewish Community of New York* (Philadelphia: Jewish Publication Society, 1945), 40–49 and Pool, *Old Faith*, 436–437.

45. Israel Goldstein, *A Century of Judaism in New York: B'nai Jeshurun 1825–1925* (New York: B'nai Jeshurun, 1930), 55–56 reprints the preamble.

46. See James G. Heller, *As Yesterday When It is Past: A History of the Isaac M. Wise Temple, K.K. B'nai Jeshurun of Cincinnati, in Commemoration of the Centenary of Its Founding* (Cincinnati: Isaac M. Wise Temple, 1942), 26–27; and Joshua Trachtenberg, *Consider the Years: The Story of the Jewish Community of Easton, 1752–1942* (Easton, PA: Centennial Committee of Temple Brith Shalom, 1944), 237.

47. Hatch, 64.

Chapter 7 - Jonas Phillips Levy: A Jewish Naval Captain in the Early Republic

1. Edwin Wolf II and Maxwell Whiteman, *The History of the Jews of Philadelphia from Colonial Times to the Age of Jackson* (Philadelphia: Jewish Publication Society of America, 1959), 84, 96, 116–127, 146, 149, 151.

2. *Ibid.*, 220, 225, 227. The authors identify Levy as supporting the Whigs in the election of 1810, but that would have been impossible as the Whig party was not founded until the 1830s. In Philadelphia, the Federalists were forerunners of the Whigs and took the positions the Whigs would later hold.

3. Melvin Urofsky, *The Levy Family and Monticello, 1834–1926* (Charlottesville, VA: Thomas Jefferson Memorial Foundation, 2002). For Jefferson Monroe Levy, see <http://www.jewishvirtuallibrary.org/jsourc/biography/JLevy.html> accessed on 28 February 2009 and for Jonas's relation to Monticello, "Correspondence re: Monticello, 1869–1974," Jonas P. Levy Papers. P-412, Box 1, folder 3, American Jewish Historical Society (AJHS), New York.

4. For Phillips's nurturing spouse, see Aviva Ben-Ur, "The Exceptional and the Mundane: A Biographical Portrait of Rebecca Machado Phillips," in *Women and*

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