ARTICLES
IN CELEBRATION
OF THE
AMERICAN JEWISH
TERCENTENARY
1654—1954
THE purpose of this essay is to describe the social characteristics of
the American Jews from their arrival through their three hun-
dred years of life in the United States. By "social characteristics" we
refer to such things as the numbers of Jews, their geographic distribu-
tion, occupations, income, education, style of life, health, and rela-
tions with their neighbors. Social groups differ from one another in
these and many other characteristics; the sum total of these differences
defines the group, whether it be Negros, Episcopalians, or factory
workers. Here we shall try to make the social characteristics of Amer-
ican Jews explicit, to the extent the data available permit. And since
prejudice and preconception so often give the misleading impression
that a group is characterized by a property which applies to only a
small part of it, we shall, wherever we can, depend on statistics describ-
ing the whole group or a large portion of it.

Out of this description will emerge the fundamental ground-tone
of American Jewish life—the tone of respectable, prosperous, "middle-
class" existence, in fact or aspiration. We must leave it to others to
document the impact of this tone on the spiritual, cultural and polit-
ical life of the Jews. Here, however, we shall try to show by a com-
plete review of the available material that certain common social
characteristics do bind together three hundred years of American
Jewish life.

THE FIRST TWO HUNDRED AND FIFTY YEARS

For the first half of the three hundred years of Jewish experience
in America, there were so few Jews that it has been possible to track
down almost every scrap of information that exists about each of

* We use "middle-class" to refer both to a social group defined primarily by its
occupations (business, the professions, and white-collar work) and to a set of
values (emphasizing steady work, sobriety, saving, calculation) which is generally
accepted as marking off the middle class from both the aristocracy and the working
or lower class. The Jews, as we will see, are in America a middle-class group in both
senses of the term.
them; and so much ingenuity and industry has already been expended on this task that we know a great deal about Jewish settlers in the American colonies in the seventeenth and eighteenth centuries. These earliest settlers take us back to the late medieval age of Jewish history. They were members of that quasi-caste of merchants that the Jews, Sephardim and Ashkenazim alike, had become by the seventeenth century. In the letters of these first American settlers, we can read of their close connections, both business and personal, with the family they had left behind, in England or the West Indies or Central Europe; of their travels from one colony to another in search of opportunities for trade; of their business ventures, their occasional bankruptcies. Not all were merchants, but there were almost no farmers or common laborers or indentured servants: the least of them, the poor butcher or the poor synagogue employee, was always ready to turn his hand to trade if an opportunity offered itself. Aside from the main body of merchants, the only sizable occupational group among the early Jewish settlers was that of artisans.

The main centers of settlement in those early days were New York, Newport, Charleston, Philadelphia, and Savannah. These were the only towns in the United States that had synagogues before the American Revolution. There were certainly no more than 2,500 Jews in the United States in 1790, and, as Jacob Marcus writes, they formed only one class, "a middle class." Many intermarried and became Christians, proportionately more, it would appear, than did so in the nineteenth and twentieth centuries.

Perhaps the most interesting thing about this handful of Colonial Jews is that they did not die out, and formed a series of communities that have lasted to this day. Where they were settled singly, in villages or in the backwoods, we know that many took Gentile wives, and some became converted themselves. But in the larger settlements—where, by the end of the Colonial epoch, the largest Jewish community did not number more than a few hundred—the synagogues had a close hold on their members, and almost every Jew one reads of was a member. It was clearly important for the American Jew of that day to feel part of a community, to be sure, for example, of being buried in a Jewish cemetery; hence, the sanctions of the congregation could effectively control him. The congregation itself was not averse to using powerful disciplinary measures. Spinoza's expulsion from the Amsterdam community in 1656 occurred just two years after a small group of Dutch Jews landed in New York, and the Amsterdam Jews who expelled Spinoza were the friends and relatives of the Jews who founded the first Jewish community in America.

The power of the first congregations of Jews in America was a reflec-
tion of the conditions of Jewish life in Europe at that time, where the synagogue was still, in effect, the government of the Jews. Every Jew was as a matter of course, by virtue of birth alone, a member, and the synagogue or congregation or community—they were all then the same thing—had disciplinary power over every Jew. But, in a new land, settled by people sufficiently free of traditional ties to leave their old homes, one is surprised to find that the first synagogues maintained their importance and power. The conditions of settlement helped them. These early Jews came alone—their families followed later, if at all. The congregation offered the only possibility for help in difficulties. They were run by the richest and most powerful, who considered themselves, as part of the congregation, responsible for poor Jews, as well as for merchants who had suffered one or another of the misfortunes so common in seventeenth and eighteenth century trade. Even the richest of them might be brought down by disaster, as Aaron Lopez of Newport was in the early days of the Revolution. The strength of the synagogue thus reflected not only the social position of the Jews everywhere in the seventeenth century, as a legally separate community, but the dangers facing isolated merchants on a colonial frontier.

It is now believed that Sephardim—Portuguese and Spanish Jews who had spent some time in Holland or England or the West Indies—predominated among the American Jews until about 1735. But even though Ashkenazim—Central and East European Jews—predominated after that time, there was apparently no religious or social struggle between the two groups, as there was to be between the German and Polish Jews (both technically Ashkenazim) a hundred and a hundred and fifty years later. Intermarriage between the two groups was common (perhaps it was not considered intermarriage) and the Ashkenazim accepted the Sephardic ritual in most of the early synagogues.

Perhaps the best contemporary equivalent of the Jewish life of those days is to be found in those small towns, far from any major Jewish settlement, that contain only a few or a few dozen Jews. Such communities either cannot afford to maintain a rabbi or he would not come if they could; the same was the case with our Colonial ancestors (there was not a single rabbi in Colonial America). Again, like Jews in contemporary small towns, Colonial Jews clung together to form a community, but there were so few of them that naturally a good deal of their time was spent with non-Jews. And, as in the contemporary small Jewish settlements, intermarriage, whether viewed as a threat or with equanimity, was an ever-present prospect. Because of their small numbers and few types, Jews led a more limited existence in Colonial times than they do today—we do not find Jewish
intellectuals, secular or religious, in Colonial America—but at the same time they were thrust out more into the non-Jewish world than they are today.

The German Immigration

There have been two periods in American history when the steady recruitment from abroad was halted, and the various strands of the American population could settle down to assimilation without the disturbing impact of heavy immigration. The first such period ran from about 1775 to 1815. Immigration, we know, is largely the effect of economic causes—prosperity in the country that receives the immigrants, depression in the country that sends them forth. During this long, forty-year period, a sequence of war (in America), depression (in America), and war again (in Europe), kept immigration low. So the Revolution marks a break, not only in American political structure, but also in the history of immigration. When we next take up the story, Jewish immigrants to the United States are coming directly from Germany, and from those parts of Central Europe under German cultural influence, rather than, as in the eighteenth century, from the West Indies and England.

From 1800 on the few German Jews already settled were being supplemented by small numbers of migrants from Germany and the parts of Eastern Europe adjacent to it. But in 1836, the first of the mass emigrations that were to characterize European Jewish history for the next one hundred years began; the impoverished Jews of the small towns of Germany, particularly in Bavaria, finding it impossible to live under the galling load of special taxes and restrictions and affected by a general slump in trade conditions, began to emigrate to America. Scenes that were, in later years, to become common in Poland, Russia, Rumania, and other Eastern countries were first played in the southern states of Germany. We read of communities losing a large part of their young and vigorous people in a single year as these decide to remove to America. The number of American Jews grew rapidly. Estimated at only 15,000 in 1840, there were believed to be 50,000 by 1850 and 150,000 by 1860. Even the great wave of East European Jewish immigration in the twentieth century was not capable of multiplying Jewish population tenfold in twenty years.

If the Jews of the seventeenth and eighteenth century can be called "merchants," the immigration of the mid-nineteenth century may well be characterized as that of "peddlers." As Glanz writes: "We [know] that German Jewish emigrants set out to learn new trades before emigration. Nevertheless, upon arriving in America, practically all German Jews began with peddling." As a contemporary account puts
it—and in the absence of statistics (and often even in their presence) a contemporary is the best guide to reality—"the majority of them became peddlers and petty traders." Joshua Trachtenberg, in his fine history of the Jewish community of Easton, records the predominance of peddlers in this small trading town on the Pennsylvania-New Jersey border: Between 1845 and 1855, a good majority of the Jews of Easton were peddlers.

Just as the Arab has many terms for the camel, because it is so important to him, so the mid-century German Jews had many terms for peddling, which was the first step in their efforts to establish themselves. Thus, Rabbi Isaac M. Wise recorded the varieties of basket peddler, custom peddler, pack peddler, wagon baron, and jewelry count. The next stage was a store, and, from all one reads, it did not take many years to progress from pack to store.

The Sephardic (and Ashkenazic) merchants of the Colonial period, with their far-ranging interests, had been found first in one colony, then in another, sometimes on the frontier, sometimes in the West Indies or England. Their permanent settlements, however, had been limited to the Atlantic seaboard, the site of most of the permanent settlements of the American colonies. But the peddler was, in his way, a pioneer. He needed to establish his own itinerary, his own circle of customers, and, ultimately, his own store. While the peddler would naturally think first of a settlement where he already had a friend or a relative, he would, just as naturally, think next of settling where there were not too many friends or relatives—even in a town he had only heard of, perhaps a likely spot some other peddler had passed through, and where no one was established. The period of the German immigration—between 1830 and 1880—was the period when great numbers of American towns were established; it was also the period when most of the American Jewish communities were founded.

So the German immigration became the pioneering immigration in American Jewish history. It is revealing, for example, that during most of this period, we find no tendency for Jews to concentrate in New York City. In 1825 there were still only 500 Jews, out of an estimated American Jewish population of 6,000, resident in New York. By 1848, under the impact of German immigration, New York's Jewish population had grown to the point where it occupied the unquestioned first place among the American Jewish communities, with 12,000 or 13,000 Jews, out of a national population of 50,000. From this point on, New York's Jewish population growth matches that of American Jewry in general. In 1880, New York's 60,000 Jews made up only 25 per cent of the Jews of the country—the same proportion as in 1848.
This was the great age of expansion for American Jewry, in all areas. Colonial Jewry had established congregations in five communities—by 1880 there were congregations in almost two hundred communities. Colonial Jewry had been limited to one class and one occupation. German Jews were not only peddlers and merchants, but also manufacturers, intellectuals, politicians, and even workers, active in every sphere of American life. For the first time one finds American Jewish professors, judges, congressmen, doctors, lawyers. For after the Revolution of 1848, many German intellectuals left for America, and there were German Jewish intellectuals among them.

For the first time, American Jews begin to play a role in American political life—and it is interesting and important to realize that those Jews who became congressmen and judges towards the end of the nineteenth century did not have the character of representatives of an ethnic group that they often have today. The Jews were too few and too scattered to be regarded as an important voting group before the twentieth century. Indeed, here we deal with an interesting feature of American social structure, which tends to "integrate" a smaller group more successfully than a larger one, politically and otherwise. A larger group raises the problem for other groups of definition, and of self-definition in relation to that definition by other groups: That is to say, the way a larger group understands its peculiar character is modified by the way in which other groups characterize it. Either the larger group demands political representatives from the established parties, or else these parties, in their search for votes, insist on putting up members of that group as representatives. So when an American ethnic group looks back on the time when it was relatively small as a golden age of acceptance and integration, it is not deluding itself. The first Italians, the few Negroes in the North before the great migration from the South, the smaller community of German Jews, did have a less problematic relationship to American social and political life.

Thus when one reads the memoirs of the period (for example, the autobiography of Annie Nathan Meyers), one gets a picture of Jews with a more integrated relation to American life than they have had since (even taking into account Mrs. Meyers' very high social position). Reform Judaism, which for a while seemed on the way to unifying American Jewry, was in tune with developments in upper-class Protestant sects. Jews had no important special interests in those years that marked them off from the rest of the population. They did not spend much time worrying about and combatting discrimination and anti-Semitism, because these did not become a problem until the end of the nineteenth century. Nor of course, were they agitated by
Zionism or anti-Zionism until well into the twentieth century. On the whole, Jews lived comfortable lives, had large families and servants, entered professions, and met with very little discrimination. Those were the days before Americans in general worried much about being respectable—and consequently Jews were more respectable. When the newest multimillionaire might be some barbarian who had no table manners, it hardly mattered if he was a Jew. Certainly it did not seem to matter in the West, where the few Jews often seemed to end up as leading citizens.

In short, before 1880 or 1890, there were too few American Jews for them to constitute a question. Hence, one can understand the feelings of dismay of the earlier German Jewish immigrants as the Russian Jewish immigration, which had spurted upwards at the beginning of the 1880's, showed no signs of abating, and indeed grew larger. It is as if a man who has built himself a pleasant house and is leading a comfortable existence suddenly finds a horde of impetuous relatives descending on him. On the other hand, the German Jews did indeed feel themselves to be relatives: They did not say, “What have you to do with me?”, but threw themselves into the work of finding homes and jobs for the vanguard of the East European Jewish immigration—despite the unhappiness that some of them voiced at having to do so.

**American Jews Around 1880**

It is one of those fortunate accidents of history that the first attempt at a census of American Jews was carried out on the eve of the great migration from Eastern Europe that was to transform American Jewry. One discovers, in this census, Jews located in every state in the Union, and in every territory save Oklahoma. They were settled in 173 towns, and, more remarkably, they formed a higher percentage in the West than in the Northeast—they formed 1.6 per cent of the population of the West, and only 0.6 per cent of the population of the Northeast.

This bare recital of numbers and places is elaborated in the report by John S. Billings on the vital statistics of the Jews published in 1890, the only effort to collect social statistics on Jews alone ever made by the United States Government. Ten thousand Jewish families, including 60,000 individuals, the great majority of whom were German immigrants who had arrived in the fifties, sixties, and seventies of the nineteenth century, supplied information on themselves. So Billings’ statistics concern the same Jewish population, more or less, as that surveyed in the census of the Union of American Hebrew Congregations in 1877–79. And how well these
immigrants had done since they had arrived in the United States as peddlers! Of the 10,000 families, almost 4,000 had one servant, 2,000 had two, 1,000 had three or more. Almost half of the men were in business—as wholesale or retail merchants. One-fifth of them were accountants, bookkeepers, clerks, collectors, agents. One-tenth were salesmen. One out of every twenty was in the professions, and there were some who were bankers, brokers, and company officials (2 per cent) and others who were farmers and stock raisers (2 per cent). One out of every eight was engaged in some kind of manual work—there were many tailors, clock and watchmakers and jewelers, cigar makers, butchers, and printers. Perhaps one-half of one per cent were laborers and servants, and about one out of every hundred was still a peddler. (Since people in lower-class occupations, like peddlers, laborers, and servants, very often do not answer questionnaires, they were certainly a larger group than these figures would indicate.)

Jewish families were large—perhaps even larger than the large families of the day. The mothers of these 10,000 families had on the average almost five children. But parents who had been born in the United States had fewer children than those born abroad. Their birth rate was declining with residence in the United States, and in the preceding five years had been below the national average. But their death rate was also far, far below the national average, and at every age their life expectancy was greater. As a result, they were a group that was still growing in numbers.

The East European Jews Around 1900

We have gone into such detail in reporting this study because, as we have said, it permits us to see the German Jewish community at a period when it had settled down to a comfortable middle-class existence, and just before it was transformed by the flood of migration from Eastern Europe. There was a fairly heavy immigration from Eastern Europe throughout the 1870's. But in 1881, in the wake of a wave of pogroms, a series of harsh and restrictive decrees, and generally miserable economic conditions, the numbers of East European Jewish immigrants began to spurt upward. It is estimated that by the end of the nineteenth century (when the government started keeping records of arriving “Hebrews”) one-half million or more East European Jews had arrived in the United States; another million and a half had come by the time of the outbreak of the World War in 1914; and still another 350,000 came before national quotas were imposed and the mass immigration came to an end in 1924. Between 1899 and 1914 more than 90,000 Jews a year entered
the United States, and all but one out of fourteen stayed on. And, as we know, these immigrants brought their wives and children with them.

The over-all picture of American Jewry was changed, and its main features today are those stamped on it by this immigration. American Jews increased from about 0.6 per cent of the population in 1880, to 3.5 per cent in 1917—and the proportion of Jews in the population of the United States has remained remarkably constant since. From being a group fairly well distributed through the land, with a sizable concentration in New York City, American Jews became a group overwhelmingly concentrated in the Northeast, with almost half its numbers in New York. The identification of the Jew in general American folklore as a New Yorker dates from the great East European immigration. In 1880, the Jews made up only 3 per cent of the population of New York City. By 1920, they constituted 30 per cent of its population, and they have maintained a similar proportion ever since.

But the biggest change of all was in the social character of the new immigrants. The *Jewish Encyclopedia* estimates that during the 1870's about 4,000 Jews a year came to the United States from East Europe, and "up to the 1880's the Russian Jews were principally peddlers, shopkeepers, and manufacturers." In effect, before 1881 it was neither easy nor fruitful to draw a line between "German" and "East European" Jews. The latter tended to come from the German-influenced parts of Eastern Europe, and followed the same economic pursuits as the German Jews. But this pattern was upset by the post-1881 immigrants. They became workers, concentrated in the largest American cities, and particularly New York City. In 1900, three out of every five of the Russian Jews were engaged in manufacturing, almost all as workers, and more than half of the workers—that is, more than one-third of the Russian Jews—were workers in a single industry, the manufacture of clothing. One-fifth were in trade—one-half as proprietors, another fourth as peddlers. Only one-tenth were in clerical work or the professions. In comparison, in 1890, only ten years before, one-tenth of the German Jews had been workers; three-fifths of the German Jews had been in trade (if we include the salesmen); and only a fraction were still peddlers.

Enough has been written about the horrors of the sweatshop and the overcrowding of the Lower East Side; I do not plan to add anything on that subject. The interesting question for this study is why the Russian Jews of the post-1881 period did not follow the pattern of those who had preceded them, put pack on their shoulders and go off to try their luck in some small town. The explanation—and this
is true of all immigrant groups—is that the immigrant does what is at the moment rewarding, what his training and experience fit him for, and what he can afford to do.

Thus, at a time when new towns had been springing up like mushrooms to service vast new farming areas, German Jews had gone out to service them as peddlers and store keepers. But now, when light industry, particularly the industry of clothes making, was taking over some of the functions that had once been taken care of in the home, the new immigrant Jews entered those industries, either as entrepreneurs (the longer established German Jews), if they had the capital, or as workers, if they did not (the new East European arrivals).

Nor was this type of work foreign to the experience of East European immigrants. The German Jewish immigrants had been, characteristically, the traders and, to a smaller degree, the artisans of the small towns of Germany (an artisan is also a merchant). While some of them were emigrating to America to continue as merchants and peddlers, others were emigrating to the burgeoning German cities to transfer their trading and merchandising activities to a more promising environment. But the Jews of East Europe, though they too had begun as the traders and artisans of the small towns, with the coming of the industrial revolution became in ever larger measure workers. For one thing, the Czarist state kept Jews out of some of the most rapidly growing Russian cities, where the best business opportunities existed. For another, the Jews were so impoverished that when they migrated to cities they could only take work as wage workers. Many East European Jews were thus clothing workers before they came to America. According to the Russian census of 1897, almost one-fifth of the Russian Jews in cities over 100,000 were already working in the clothing industry.

In addition to the opportunities offered by the economic landscape which the immigrant is entering and the economic experience with which he arrives, there is another factor—the individual's economic capacity. The Italian immigrants came to a land which could use farmers and from a land where they had been farmers, but they were so impoverished that they could only take work as day laborers. Similarly, peddling declined in importance among East European as compared with German Jews because many of them were too poor to put up even the minimal stake that peddling required. In 1900, the average Jewish immigrant landed with $9—in that year, the average for all immigrants was $15.21

In absolute numbers, probably as many or more East European Jews as German Jews ended up as peddlers and store keepers in the small towns of America. But the East European Jewish peddler formed
only a very small part of the huge number of East European Jewish immigrants, and most of them became workers in the light industry of the rapidly growing cities. For the clothing trade in America offered an opportunity for an unskilled man to make what was in those days a living wage, even if it was earned under conditions that, by American standards, were inhuman. On this wage the Russian Jewish immigrant saved, and brought over wife and child, and could even often "go into business for himself." For reasons which are not completely clear, Jewish immigrants earned rather more working at the sewing machine than did those of other national groups. Apparently, the Jews were pioneers in the "task system," the breaking down of the garment into a number of parts by a team of workers: but the contemporary observers of the time also believed that the Jews simply developed more dexterity and worked harder and longer hours. Whatever the reason, there is no question that Jews earned more than did non-Jews.  

The fact is that horrible as conditions in the clothing industry were, for the immigrant Russian Jews who had lived in abysmal poverty in the Old Country, the clothing industry was no trap. They could earn wages high enough to permit a very large number of them to leave the industry, or at least to keep their children from entering it; and they could afford to educate their children. Just as peddling was no trap for the German Jew, but rather the first rung on a ladder to established middle-class security—similarly, for the Russian Jews, the sweatshop was the first step on their way up. This, in any case, was the way it looked to the dean of American labor economists, John R. Commons, who puzzled over this problem for the Industrial Commission in 1901. He wrote at that time:

"The Jew occupies a unique position in the clothing trade. His physical strength does not fit him for manual labor. [A common belief of the time.] His instincts lead him to speculation and trade [change "instincts" to "experience" and this is true enough]. His individualism unsuits him for the life of a wage earner, and especially for the discipline of a labor organization. [The kernel of the truth in this statement is that, whether because of individualism or not, the Jewish immigrant did not remain a wage earner as long as other immigrants did.] For these reasons when the Jew first lands in this country, he enters such light occupations as sewing, cigar-making, shoe-making, etc. Only about 11 per cent of the Jewish immigrants were tailors in Europe.  

The reason that so many of them take up that occupation in America, is because the work is light. They begin as helpers and advance to full-fledged mechanics. After they have worked for some time and have learned the trade, they open con-
tractors' shops. They can begin with a capital of $50. From that they go into the wholesale manufacture of clothing.

Jewish women are employed to a much less extent than the women of other nationalities, and their children are kept in school until 15 or 16 years of age. It is quite unusual for Jewish tailors to teach their children their own trade. The younger generation seek other callings. [For this and other reasons] it seems that the future clothing workers in this city [New York] are not likely to be the Jews, but the Italians. . . . The standard of living of all nationalities has been gradually raised after their immigration to this city. Probably the Jewish immigrant changes his standard of living soonest.

This passage is interesting because it was clear, as early as 1900, and to John Commons at least, that the Jewish worker was not like the other workers. Just why this was so Commons did not know, and his explanations (instincts, etc.) are not very convincing. But his observations were right.

The difference between the Jewish and other immigrants could be seen in many other characteristics. In 1890 there were no Russian Jewish almshouse paupers in New York, the proportion of Jews in workhouses was much below their proportion in the population, and the same was true of penitentiaries. Jewish families were larger than other families, and the Jewish death rate was considerably lower. The death rate for Jewish children under five was less than half of that for the city as a whole. Further, the Jews enjoyed school, and did well at it: "In the lower schools," an observer for the Industrial Commission writes in 1900, "the Jewish children are the delight of their teachers for cleverness at their books, obedience, and general good conduct."

Unquestionably, despite Industrial Commissions and Immigration Commissions, though they lived five and ten to a room, the Jews thrived in their crowded tenements—and in a shorter time than any other group, the Jews left the tenements: "Economic advancement comes to these poverty-stricken Hebrews with surprising rapidity," to quote from the report of the Industrial Commission of 1900. "... Many tenements in Jewish quarters are owned by persons who formerly lived in crowded corners of others just like them."

FROM 1900 TO THE GREAT DEPRESSION

We have described the situation of the East European Jewish immigrants in 1900, at a time when there had been heavy migration at a rate of about 30,000 a year for almost twenty years. Did the same situation prevail during the hectic period between 1900 and the out-
break of the first World War in 1914, when Jewish immigration averaged more than 90,000 a year?

Between 1900 and 1920, it can be argued, more American Jews were engaged in a really difficult struggle for existence than at any time before or since. As a result of a long-continued and heavy immigration of impoverished elements, the more prosperous part of American Jewry, which had bulked so large in 1880, was, statistically speaking, submerged. Even when expanded, the philanthropic services that had been able to ameliorate the condition of a relatively small number of poor Jews could do little for very large numbers. The Jewish immigrants still maintained a small advantage, in weekly and annual earnings, over other immigrants; but it was a very small advantage indeed. The Jews were scarcely distinguishable from the huge mass of depressed immigrants, illiterate and impoverished, that was pouring into the United States at a rate of 1,000,000 a year before the first World War. One even finds Jewish children having a hard time at school: in 1908 more of the East European Jewish children were retarded than was the case among the children of the foreign-born in general. Nevertheless, we can see that, hard pressed as they were, the Russian Jewish immigrants were, so to speak, storing up virtues for the future. Thus, we find that more of them than of other groups were learning English. Even more significant as a sign of Jewish preparation for the future was the large numbers that were going to college. When the Immigration Commission surveyed seventy-seven institutions in 1908, no less than 8.5 per cent of the male student body was composed of first-and-second generation Jews (Jews at this time made up about 2 per cent of the American population). Jewish students already made up 13 per cent of those studying for law, 18 per cent of those preparing for pharmacy. But at this time they dared not, as yet, think of such expensive studies as dentistry or medicine. Only 6 per cent of the potential dentists and 3 per cent of the potential doctors were Jews in 1908.

There is no question that the East European Jews who immigrated during 1900-14 showed the same flexibility and ingenuity as the earlier immigrants from Eastern Europe and the still earlier ones who had come from Germany. Yet, in contrast to the German immigrant, it was to be a long time before the majority of East European immigrants would reach the respectable level of trade and the professions. The German Jewish immigrants had risen in the social scale rapidly, and without any apparent difficulty; the East European Jewish immigrants, for the most part, had to leave it to their children to move beyond the position of wage worker. In many cases, of course, an immigrant could earn enough money to go into business himself;
in many cases, the small financial advantage that he held over other immigrants permitted him only to keep his wife out of the factory, or to keep his children in school for a longer time. So, while the proportion of Jewish needle-trades workers fell, it remained very substantial, on the whole; we do not find the majority of them moving out of their occupation in a single generation, as did the German Jewish immigrants who began as peddlers. Most of the Jewish clothing workers of the first decade of the twentieth century remained clothing workers until their death. But their children had advantages, in terms of better home care and longer period of education, that permitted a great advance in the second generation. The East European Jews who immigrated into the United States required two generations to accomplish what the earlier German Jewish immigrants had done in one.

As a result, the division between the generations, between the immigrants and their children, was much sharper among the East European Jews than it had been among the German Jews. One can detect this division as early as 1900, when the Immigration Commission, analyzing the census returns of that year, tried to discover what changes had occurred, between first and second generation, in the pattern of occupations followed by immigrants and their children. In 1900, there were few children of Russian Jewish immigrants who were old enough to have started work. The statistics showed about 15,000 sons of Russian immigrants already engaged in occupations. Almost 10 per cent of the native-born children were already clerks and copyists, compared with only 2 per cent of the immigrant fathers. Almost another 10 per cent of the children were salesmen, compared with 3 per cent of the immigrant fathers. Almost 20 per cent of the immigrant fathers were tailors, compared with 5 per cent of their native-born children. In 1900, it was, of course, far too early for the professions to play any role, either among the immigrants or their native-born children—2 per cent of the Russian immigrants were engaged in the professions, and 3 per cent of their children. Many of these immigrants, we know, were not Jewish; yet the striking differences between the occupations of immigrant fathers and sons reflect the changes among the large majority of Jews in the Russian immigrant group.

This, then, was the pattern of social advance that was followed by the East European Jews: The immigrant fathers, on the whole, remained workers. Part of the energy that in earlier stages of American Jewish history had gone into individual betterment seems to have gone into an attempt to better the condition of the entire Jewish working-class group; and this attempt was remarkably successful. The garment trades were organized in a series of great strikes before World War I, and became a model of trade-union organization, quite con-
found Professor Commons' analysis that Jewish individualism did not lend itself to labor organization. The small advantage in wages that dexterity, hard work, and perhaps superior organization of work had won for the earlier Eastern European Jewish immigrants was preserved for the later Jewish immigrant clothing workers by superior labor organization.

Of course, many members of the older generation were not workers: even in 1900, as we have seen, one-fifth of the Russians in large cities, whom we assume to be Jews, were in trade. And when the Immigration Commission surveyed a group of representative immigrants in large cities in 1908, more than one-third of the Jewish immigrants were already in trade. Still, the greatest change in the social characteristics of the East European Jew was reserved for the next generation.

The upward mobility of the immigrant generation was, for the most part, an economic mobility in terms of a better standard of living and higher wages, not a social mobility altering occupation and status. After World War I and during the Twenties, the modest prosperity of the immigrant generation was reflected in a phenomenally rapid desertion of the old congested centers of settlement. In 1916, the Lower East Side of New York held, it was believed, 353,000 Jews; in 1930 it held 121,000. Between 1914 and 1920, the number of Russian-born (Jewish immigrants) in the old ghetto area of Chicago was more than halved. Of course, other immigrant groups were also leaving their first areas of settlement, but, again and again, we find the Jews, when they follow a common American pattern, doing so more rapidly. Thus, the Jews left their first areas of settlement earlier, and in greater numbers, than other ethnic groups did.

It was in the Twenties, too, that for the first time the Eastern European Jewish group began to show the characteristic demographic features of the American middle class. The Jewish immigrants around the turn of the century had, as we have seen, larger families than the non-Jews, a higher birth rate, and a lower death rate, and in particular a lower death rate for children. So a good part of the huge increase of Jewish population between 1880 and 1927 (from about 250,000 to about 4,225,000—though the latter figure is probably somewhat exaggerated) must be due to the fact that Jews had the high birth rate of the poor and the high survival rate of the rich.

The American Jews have never lost their high survival rate. But, as early as 1925, when the mass immigration from Eastern Europe had just come to an end, the Jews of New York began to show a lower birth rate than the rest of the population. This pattern was to characterize the Jewish population of the United States persistently. In 1925, 8 per cent of the New York Jews were under 5 years of age, as
against 11 per cent of the general American population; 9 per cent of the New York Jews were in the 5-9-year-old group, as against 10 per cent of the general population.

In all this, of course, we are describing changes that took place in American society in general, as well as among the Jews. In the United States as a whole the years before World War I were difficult ones for workers. We find large-scale strikes, the organization of trade unions, the growth of a strong Socialist party. The Jews, as workers—and in those years most of the Jews were workers—shared in all these movements. The same improvement that took place in the condition of Jews after World War I also took place throughout American society. True, the Jewish birth rate dropped faster than the general birth rate in the 1920's; but the general birth rate was nevertheless dropping too, and the same factors were affecting the birth rate among Jews and non-Jews—the cutting off of immigration, which had introduced a very fertile element into the population, the growing prosperity, and the reduction in the number of the most impoverished.

The changes we have described in the numbers, distribution, and economic characteristics of the Jews as a result of the great immigration from Eastern Europe could not help but affect Jewish relations with non-Jews. We have described what appear to have been the easy relationships that prevailed between Jews and non-Jews in the United States in the 1880's. In those days, when Jews were portrayed on the vaudeville stage they were considered as Germans, and no one bothered to make very fine distinctions. There were not enough Jews, they were not visible, and they created no social problems. But after 1900, it was very clear what a Jew was—and that he was neither a Russian nor a German. The distinctively Jewish characteristics of the East European immigrants reacted back upon the established German Jewish community and made it, too, willy-nilly, more Jewish. The Reform temple, rapidly becoming indistinguishable from a Unitarian church, revised its course. This was not only because the East European Jews, rising, joined the temples and insisted upon a more “Jewish” service; it was also because the East European Jews, by creating a community where there was a continual and intense discussion of Jewish issues from many points of view, made it impossible for a kind of unconscious or half-conscious drift away from Jewish life to continue. With newer Orthodox synagogues—quite different from the older established American Orthodox synagogues—springing up on every side, it was not possible for Reform Judaism to remain unaffected. It could have separated itself more sharply from traditional Judaism, or modified its drift; Reform Judaism chose the latter course. At the same time, the East European Jews brought with them Jewish politics on a large
scale—Zionism, Bundism, Yiddishism, all became part of American Jewish life.

Similarly, the German Jew who rose to high political position now had to become aware of a huge constituency of fellow Jews. The German Jewish professional—doctor or lawyer—found a ready-made clientele (sometimes as charity cases, but also as paying clients). If one went into politics, the Jews were a possible source of votes, and of problems and issues—immigration, labor conditions, Sunday laws, laws dealing with kashruth. This meant that the aspiring Jewish politician tended to be identified more as a Jew by others. For who else but a Jewish political figure was to speak and act on Jewish problems? The concern of the German Jews for the Jewish immigrants, whether it took the form of social work or politics, meant that the German Jews became more concerned with Jewishness.

One outcome of this development was that tendencies toward assimilation, the complete loss of one's identity as a Jew, seem to have become weaker after 1900. The evidence for this is of the most tentative sort; but it seems fairly clear that the rate of intermarriage between Jews and Gentiles in the United States has been rather lower than in other countries (such as those of Western and Central Europe) where the Jews have been culturally assimilated to the dominant population. It is less clear, but also likely, that this rate was higher in the nineteenth century, when Jewish communities were smaller and Jews were more closely identified in culture and language with the countries from which they came and with a large non-Jewish element of the population of this country, and, by the same token, less distinctively Jewish. The East European Jew, on the other hand, was distinguished in language and culture as well as religion from the population of the countries from which he came, and more of his values and attitudes were distinctively Jewish. Further, the conditions of American life were less receptive to the assimilation of new elements after 1900. Unitarianism and universalism had long since lost their power. The cult of respectability was growing, and the effort to create an aristocracy of the nouveau riche, aped to some extent by those who were less rich, made American social life more snobbish, more “exclusive,” and less open.

But it was not all a matter of rejection by non-Jewish society. As the numbers of Jews increased, and as it became easier to satisfy one's needs, no matter how individual, within a community of Jews, relations between Jews and non-Jews became less frequent and less intimate. The Jewish congregations of the nineteenth century were not social organizations; they did not have clubs and centers and parties.
This kind of development belongs, again, to the decades following the great immigrations from Eastern Europe.

THE JEWS IN THE 1930'S

If the East European Jewish immigrants of 1900-14 could, on the whole, look forward to no more than a moderate success as workers themselves, their children could contemplate a really startling change from the occupational and social status held by their fathers. These native-born American Jews, who were in their teens in the 'Twenties, and in their twenties in the 'Thirties, entered the labor market during the greatest depression in American history. But they showed a most amazing ability to find economic openings, and established a community that today (1954) consists largely of well-to-do professionals, merchants, and white-collar workers.

Their first move was into white-collar occupations and business—the former often as a preparation for the latter. During the Thirties, they came under the lens of social investigation a number of times. In 1935, the Jewish youth of New York City and Detroit were both the subject of extensive study. It is interesting to compare them with their parents, as well as with their non-Jewish age mates.

In New York, almost one-half of the young people came from homes where their fathers were still workers, one-third from homes where their fathers owned their own businesses or were managers and officials in other enterprises; in one-tenth of the homes the fathers were clerks, and in fewer than one-twentieth they were professionals. Here we see the typical distribution of the East European Jewish immigrant group, with a few more businessmen and professionals, and fewer workers, as a result of twenty or thirty years of change. But 60 per cent of the children were engaged in "clerical and kindred" work, and many of them, we may be sure, were headed for an independent business. The Jewish youth, who constituted 31 per cent of the youth of the city, also constituted 56 per cent of the young people who had their own businesses or were managers and officials; the Jewish youth constituted 43 per cent of the young people who were in clerical and sales work, 37 per cent of the young people who were in the professions. In terms of their proportion to the city youth, the Jewish youth had less than their share in skilled and unskilled work (24 per cent), and they made up only one-tenth of those young people who were engaged in unskilled work. Fewer of the Jewish youth were on relief (12 to 15 per cent). Many more of the Jewish youth than of the others had had some kind of business and vocational training. It can be
said that in bad times the Jewish youth were better off than the other youth. In Detroit the situation was much the same. Of the Jewish youth 12 per cent were in the professional and "proprietor, manager, official" category, as against 4 per cent of the non-Jews. Forty-six per cent of the Jewish youth were in clerical work, and only 21 per cent of the non-Jewish. On the other hand, three-fifths of the non-Jewish youth were engaged in semi- and unskilled labor, while only one-third of the Jewish youth was engaged in such work. In Detroit, of course, a much larger percentage of the Jewish fathers—almost half—were proprietors, managers, and officials than in New York (in general, the larger the Jewish community, the larger the proportion of Jewish workers). Two-fifths of the Jewish fathers and roughly the same percentage of their sons were workers. But it must be realized that the sons were at the beginning of their occupational careers, and 1935 was the middle of a depression.

The Jewish youth of Detroit were starting out with far more of an education than the non-Jewish youth; 70 per cent of them had at least a high school education, while only 40 per cent of the non-Jewish Detroit youth had graduated from high school. This, of course, helped explain the head start of Jewish youth. But it also appeared that no matter what the educational level, Jewish youth did better than the non-Jewish. Thus, of those Jewish young people who had had an elementary school education of eight years or less, 64 per cent were engaged in manual labor; but of the non-Jewish youth who had had an elementary school education or less, 87 per cent were engaged in manual labor. As in New York, in Detroit, too, we find fewer of the young people among the Jews unemployed. "Jewish workers can get jobs younger, to some degree, and hold them at older ages, than [other] Detroit workers. Likewise, unemployment affects them relatively less at the extreme ages."

Thus Jews maintained significant advantages, small as they may have appeared at the time, in a generally stricken community. Because the Jews had, even in large cities, a relatively strong concentration in trade (they formed one-fifth of persons in wholesale and retail trade in Detroit, while making up only one-twentieth of the population), young Jews tended in general to know more people who might know about jobs, and tended to have relatives who could put young people to work at something in a business. This is why the Jewish community of the time showed, as a complement to a relatively strong representation in trade in the older generation, a very strong representation in clerical and sales work in the younger generation. The non-Jewish factory worker (in Detroit, more than half the non-Jews, less
than one-fourth of the Jews, were in "manufacturing and mechanical work") would tend to have a more limited range of acquaintances who would be likely to know about job opportunities; in any case, the industries that the factory worker and his acquaintances would be likely to know about, were terribly depressed. In general, in a depression the highly organized branches of industry, like heavy manufacturing, tend to cut production and employment to keep up prices. The unorganized branches—like agriculture and retail trade—tend to cut prices and keep up the number of people employed.

It is this fact that led many observers in the 'Thirties to take the position that, even though more Jews were technically employed, they were employed at running losing businesses, and were no better off than the unemployed non-Jew. But again, the figures show a different story. In Detroit, the Jewish median income in 1935 was more than $100 more than non-Jewish median income ($1,139 as compared with $1,027). It was true that Jewish clerks and salesmen (the young men and women laboring away in a relative's store at a purely nominal income) earned less than non-Jewish clerks and salesmen, Jewish workers earned less than non-Jewish workers. But Jewish proprietors earned as much as non-Jewish proprietors and Jewish professionals earned more.45

We have gone into such detail on Detroit, first, because we have two excellent studies of the Jews of that city during the Depression, but equally important, because it is a representative Jewish community, containing a larger number of workers than most of the smaller Jewish communities, and fewer than the huge Jewish population of New York.

This movement of immigrant children into work as clerks and secretaries, salesmen, and other white-collar jobs, caused this category to loom very large in almost every study conducted in the middle 'Thirties. In Buffalo (1938), Detroit (1935), and San Francisco (1938) "clerks and kindred" constituted the largest group when the Jewish working population was broken down by the kind of occupation followed. When the Jewish working population was broken down by the branch of industry (a less useful type of breakdown, unfortunately used more widely in the studies of the 'Thirties), trade bulked largest—but we know that a large part of those engaged in "trade" were actually clerks and salesmen.

This concentration in white-collar work was particularly evident among Jewish women. This was the age of the Jewish secretary—now disappearing almost as fast as the Jewish manual worker. Thus, one study in 1933 showed large numbers of New York non-Jewish women in domestic and personal work (34 per cent), clerical and sales work
(29 per cent), and in professional work (16 per cent); but more than half of the Jewish women—51 per cent—were engaged in clerical and sales work. In other cities this concentration was even greater: In Buffalo in 1938, 78 per cent; in Detroit in 1935, 66 per cent; in Passaic in 1937, 63 per cent of the employed Jewish women were engaged in clerical and sales work.

Two other aspects of Jewish occupational distribution in the late Thirties are interesting.

(1) In view of the Jewish youth's consistently better education, one might expect to find a large proportion going into government service. Indeed, during the Depression the government service was attractive to all groups, and particularly to the Jews. With the rise of an independent civil service, one would expect Jews, always looking for kinds of employment where personal prejudice would not touch them, to rush into government work. There was a considerable movement of this kind, and in New York Jewish young women did gradually replace Irish young women in the teaching force. But, despite the attractions of government service, Jewish representation remained small. In seven cities for which this information is given (for 1935–38) in the volume of studies edited by Robison, one per cent or fewer of the employed Jews were engaged in government work in six cities; in one city, Pittsburgh, 6 per cent of the Jews were in government work (but one suspects an error). For the United States as a whole, almost 4 per cent of the working population were in public employment in 1940. In proportion to their number in the general population, in Detroit in 1935 only three-tenths as many Jews as non-Jews were engaged in government work; in New York City, in 1937, there were two-thirds as many Jews as non-Jews in this work. (Probably rather more Jews, proportionately, tended to work for the Federal government than for local government; the picture would be somewhat altered if we had figures for Washington.)

In general, the tendency of Jews was to stay out of the bureaucracies of government and private corporations. In the case of the large corporations, anti-Jewish prejudice played an important role in restricting the number of Jews (in 1937, only one-eighth as many Jews as non-Jews, proportionately, were working in public utilities in New York City). But even where prejudice played no role, or practically none, Jews seemed to prefer occupations where they were less dependent on others and had a chance eventually to become completely independent.

(2) We have already pointed out that as early as 1908 there was statistical evidence of the large attendance of Jews in colleges, and their particularly strong interest in studying for the law and pharmacy.
Dentistry and medicine were as yet too expensive to attract Jews in large numbers. Ten years later the situation was quite different. In 1918–19, law was still very popular among Jewish students, but dentistry was hardly less popular, and medicine was even more so. In the early 'Thirties about one-eighth of the entering classes in American medical schools consisted of Jews; it was only the institution of a subtle and extensive discriminatory system in most medical schools that reduced this percentage in the late 'Thirties.

In the middle 'Thirties, the period we are describing, the great interest among Jewish students in the "free" professions of law, medicine, and dentistry—professions, it may be pointed out, which do not generally require employment in large organizations—bore fruit in the presence of an amazingly large number of Jews in these professions in most communities. In San Francisco 18 of every 1,000 Jews were lawyers or judges, 16 doctors (among non-Jews, 5 out of every thousand were lawyers or judges, and 5 were doctors). In Pittsburgh 14 out of every 1,000 Jews gainfully employed were judges or lawyers, 13 doctors (among non-Jews, the proportion was 4 out of 1,000 engaged in each of these professions). The situation was about the same with dentists. In Trenton, there were ten times as many Jews as non-Jews (proportionately) who were doctors, six times as many (proportionately) who were lawyers. In general, a somewhat larger proportion of Jews were in the professions than non-Jews; and in the professions Jews favored medicine, dentistry, and the law, as against such professions as engineering, architecture, and teaching. These Jewish professionals had a somewhat smaller income than their non-Jewish colleagues; but this was not unusual in view of the fact that few of the Jewish professionals had gone to good schools, many were foreign-born, and few inherited the established practices of parents and relatives.

One further characteristic of American Jews in the 1930's should be mentioned. We have already spoken of the drop in the Jewish birth rate, which, it became evident around 1925, had begun to dip below the general American birth rate. Of course, we speak of the East European Jewish birth rate—the birth rate of the German Jews was already below the general birth rate in the 1880's. It was to be expected that, as the middle-class character of the Jewish population became accentuated, the birth rate would drop. The surprising thing, perhaps, was that this lower birth rate was already clear in New York City in 1925, when there was still a very large Jewish working class. But this was only one of the many middle-class social features that have always seemed to characterize the Jews, both as working class and middle class: Jews have almost always shown less juvenile delin-
quency, and less adult crime, than the rest of the population; they have generally shown a more stable family life, a higher proportion attending school and for a longer period, and fewer deaths from accident and violence.

The studies of the 'Thirties reveal a very large drop in the Jewish birth rate. Here we should speak of a persistent feature of Jewish sociology: the great volatility of social movements among the Jews. These reflect the general movements of society, but are more emphatic. Thus, if there is a general movement away from manual work, among the Jews it becomes a flight; and when the general birth rate dropped during the Depression, the Jewish birth rate plunged downward. Ben B. Seligman has calculated “fertility ratios” in eleven communities where studies were made between 1930 and 1940 (Chicago, Detroit, Passaic, Trenton, New London, Norwich, Minneapolis, Buffalo, San Francisco, Pittsburgh, Erie). The “fertility ratio” is the proportion of children under 5 per 1,000 persons aged 20-54. For United States whites this figure was 153.5 in 1940; for the ten Jewish communities studied in 1930-40 it ranged from 81 to 122. On the basis of these and other studies, sociologists were predicting, not long ago, that the Jewish community in the United States would begin to decline. In the late 'Thirties, it seemed fair to conclude that a modicum of relative prosperity had been accompanied by a very rapid drop in the size of the Jewish family.

**AFTER WORLD WAR II**

We have described a Jewish community in the 1930's where probably at least half of the first generation were still workers and at least half of the second generation were clerks, office workers, salesmen, and the like. We have spoken, of course, of the East European Jews—not that they were distinguishable in any of the statistics from the longer established German Jewish community.

Fifteen years of prosperity have wrought great changes, and created the Jewish community we know today. The effect of these changes has been to raise the East European Jews—the immigrants of 1880-1924, their children and grandchildren—more or less to the level achieved by the German Jews in 1880. These changes have wiped out most of the economic and occupational distinctions between the two elements, and along with other developments, have in large measure merged the two formerly distinct elements into a single community.

In these fifteen years, the older generation of East European Jewish immigrants, with its large proportion of workers, has been further reduced by the natural effects of age, while the younger generation
has risen in the social scale. Perhaps a majority of the younger generation is now composed of businessmen and professional men. This community of businessmen and professional men is a better educated and wealthier element of the population—probably as well-educated and as wealthy as some of the oldest and longest established elements in the United States.

Outside of New York City, the homogeneous character of the Jewish communities is beyond dispute. Between 1948 and 1953 local Jewish communities conducted surveys in fourteen cities—Camden, N. J., Charleston, S. C., Gary, Ind., Indianapolis, Ind., Los Angeles, Cal., Miami, Fla., Nashville, Tenn., New Orleans, La., Newark, N. J., the suburbs of Newark (considered as a separate community), Passaic, N. J., Port Chester, N. Y., Trenton, N. J., and Utica, N. Y. This is a fair random sample of the existing types of Jewish communities. It was discovered that the proportion of Jews in the non-manual occupations (that is, of those working in the professions, as proprietors, managers, and officials, and as clerks and salesmen) ranged from 75 to 96 per cent. For the American population as a whole, the proportion engaged in this kind of work was about 38 per cent of the gainfully employed in 1950. Even if we add to this group the farm owners and tenants, who might be considered a rural social equivalent of the Jewish shopkeeper, we find that only 48 per cent of those gainfully employed in the general population were in non-manual work or owned and managed farms.

Of course, it is only in the largest cities that one finds fairly substantial proportions of Jewish workers. Yet it appears from a number of studies that even in New York City two-thirds of the gainfully employed Jews, both immigrants and native-born, are engaged in non-manual work. Certainly the proportion among the native-born elements alone is much smaller. Among the non-Jews of New York, only one-half or fewer are engaged in non-manual work.

The distinction between manual and non-manual work is today considered a crucial one for determining the social status of individuals and groups. (Of course, there is a considerable amount of movement across the line.) Yet it is also important to know where in the non-manual group American Jews fall. Here too the evidence is decisive: they are high in the group, and an extremely large proportion of them are professionals. Large as this proportion was in the 1930's, it is considerably larger today. Thus, if we compare the fourteen communities that were surveyed in 1948–53 with another group of ten communities surveyed during 1935–45 (Buffalo, N. Y., Detroit, Mich., Erie, Pa., Grand Rapids, Mich., Jacksonville, Fla., New Orleans, La., Passaic, N. J., Pittsburgh, Pa., San Francisco, Cal., and Trenton,
we find that the proportion of professionals has risen, on the average, from about 11 per cent of the Jewish gainfully employed in the earlier group to about 15 per cent in the later group. One might argue that the two groups of cities are not strictly comparable. However, three of the cities—New Orleans, Trenton, and Passaic—were included in both groups. In New Orleans, the proportion of professionals rose from 15 to 21 per cent of the Jews gainfully employed; in Trenton, the proportion rose from 12 to 19 per cent; in Passaic, there was no change. In 1950, about 8 per cent of the general American population were professionals.

This rise in the proportion of professionals has been accompanied by a fall in the number of Jews engaged in the lower levels of white-collar work—as clerks and salesmen. Comparing our two groups of Jewish communities, we find that in the 1935-45 group about 36.5 per cent of the gainfully employed Jews were clerks or salesmen; in the 1948-53 group, the proportion was only about 27 per cent. The rapid decline in the numbers of Jewish secretaries and salesmen in recent years is a phenomenon apparent to the naked eye; the available figures support this impression.

What has happened, in effect, is that the great Jewish economic advantage, already perfectly obvious in the 'Thirties, because of superior education, and a higher proportion of self-employed persons, has borne fruit in the fifteen years of prosperity since 1940. The proportions of Jewish doctors and lawyers has probably not risen greatly (it was very high, as we have seen, in the 'Thirties). For one thing, the number of Jewish doctors has continued to be artificially held down by discrimination. The greatest increase in the number of Jewish professionals has been in other categories—there are more Jewish journalists, authors, engineers, architects, college teachers. In short, one finds a rapid rise in the number of Jews engaged in all intellectual occupations in recent years.

One interesting example of this Jewish professionalization is afforded by Charleston. In the middle 'Thirties, the Jews of Charleston—an element long-established in the city, with a relatively low proportion of immigrants—included one doctor, one dentist, several lawyers, two pharmacists, three or four teachers, and one rabbi. In 1948, there were eight doctors, seven dentists, eighteen lawyers, five pharmacists, nine teachers, eighteen engineers, seven social workers, four accountants, three radio commentators, three writers and editors, three artists, an orchestra leader, and four rabbis. All this in a community of less than 2,000 persons.

At the same time there has been little sign of change in another of the characteristics of Jewish occupational distribution. The Jews are
largely still proprietors of their own businesses—whether they be push-carts, junk yards, groceries, or factories—rather than managers and executives of enterprises they do not own. There are a number of reasons for this. As we have already said, the American Jew tries to avoid getting into a situation where discrimination may seriously affect him. In a great bureaucracy, he is dependent on the impression he makes on his superiors and, increasingly in recent years, dependent on the degree to which he approximates a certain "type" considered desirable in business. The Jew prefers a situation where his own merit receives objective confirmation, and he is not dependent on the good will or personal reaction of a person who may happen not to like Jews. This independent confirmation of merit is one of the chief characteristics of business, as against corporate bureaucracy. In Abraham Cahan's *The Rise of David Levinsky*, we read how the young immigrant going into business could, despite his accent, produce clothing as good as that produced by longer established Americans, and more cheaply. Only a rare businessman would not buy Levinsky's goods because of his accent. But if David Levinsky had been trying to rise to the vice-presidency of a huge corporation, he would certainly have found the going harder.

Before we proceed, let us document two other aspects of the Jewish community which are closely related to this concentration in professions and business. We have spoken of the Jewish advantage in education. In New York City, two studies, in 1948 and 1953, showed that about one-sixth of the Jews over 18 had completed college, compared with a little more than about one-twentieth of the non-Jews—and this even though considerably fewer of the Jews were native-born. In other cities, with smaller percentages of foreign-born Jews, their relative percentage as college graduates was even greater.65

As to the question of Jewish wealth: Again, we may look at New York City, which has the largest proportion of Jewish workers and Jewish foreign-born. In 1951, according to one study, 12 per cent of the Jewish households of the city had incomes of more than $10,000 as compared with 5 per cent of the non-Jewish population. At the other end of the scale, 29 per cent of the Jewish households and 49 per cent of the non-Jewish households earned less than $4,000. It is true a larger number of the Jewish households than of the non-Jewish households refused to divulge their income—15 per cent as compared with 10 per cent. Yet this could hardly change the over-all picture.66 The evidence on this point would be multiplied *ad infinitum*; but it is most impressive that New York Jews, still the most varied and differentiated of all American Jews in their social range, nevertheless surpass their neighbors in wealth.
Finally, one other group of Jewish statistics is revealing evidence of the character of the Jewish experience in America. These statistics demonstrate that the rise in the social and economic position of the Jews has been extremely rapid, far surpassing that which can be shown for any other immigrant group, and indeed surpassing, for the same period, changes in the socio-economic position of long-settled groups. A study of American college graduates made in 1947 showed that more Jews than non-Jews became professionals (excluding teachers, who, though professionals, generally have a smaller income than other professionals); more Jews became proprietors, managers or officials; fewer Jews became any type of white-collar and manual workers. Yet, if we were to look at their parents’ occupations, we would find that fewer of their parents than of the parents of non-Jews had been professionals, and proprietors, managers, and officials. This same point is demonstrated in a study of 1,500 gifted children in California during 1921–23. When studied twenty years later, the Jewish children showed the same more rapid rise than the non-Jewish. Of the Jewish children, 57.5 per cent became professionals; of the non-Jewish, 44 per cent. Yet only 15 per cent of the Jewish fathers, as compared with 35 per cent of the non-Jewish parents, had been professionals. In other words: in this group, in a single generation, the Jews had increased their proportion of professionals by close to 400 per cent, the non-Jews only by about 25 per cent.

One further fact derived is interesting, and will prepare us to consider the causes of this prosperity of the Jews in America. In the study of Jewish and non-Jewish college students, it was found that, on the whole, the Jewish graduates tended to enjoy a higher income than the non-Jewish. The careful researchers tried to determine the cause of this disparity. Knowing that Jews tend to settle in large communities, and that large incomes are more easily obtained in big cities, the researchers held the factor of size of city constant, and compared small-town Jews with small-town non-Jews, large-city Jews with large-city non-Jews. Again, the Jews had larger incomes in the small towns, as well as the large cities, and in every size of community. The researchers then tried to find out whether the higher Jewish income was a product of the fact that more Jews were concentrated in the high-paying professions. But even in the professions, Jews earned more than non-Jews. It appeared that the Jewish superiority in earning power could not be ascribed to any objective social characteristics—at least not to any that had come within the purview of this study.

In fact, the whole body of information on the socio-economic position of the Jews that we have attempted to summarize in this article leaves us with one unanswered question: What is the explanation for
the greater success—measured in the objective terms of income, and the commonly accepted status of different occupations—of the Jews in the United States?

The question is interesting not only in itself, but also because its answer will suggest whether we may expect this prosperity to continue. The modern student of social phenomena cannot stop at psychological explanations. We know that Jews get (or used to get) better marks in school. We know that Jews work (or used to work) harder at getting an education, when they work for someone else, when they work for themselves. But again, what is the explanation for these traits?

Ultimately, social explanations must resort to history, and explain a present peculiarity by discovering an earlier one. We think that the explanation of the Jewish success in America is that the Jews, far more than any other immigrant group, were engaged for generations in the middle-class occupations, the professions and buying and selling. It has also been said that the urban experience helped them, but we think that experience is much less important. For in any case, very large proportions of Jews, German as well as East European, came from small towns and villages that were scarcely "urban." Now, the special occupations of the middle class—trade and the professions—are associated with a whole complex of habits. Primarily, these are the habits of care and foresight. The middle-class person, we know, is trained to save his money, because he has been taught that the world is open to him, and with the proper intelligence and ability, and with resources well used, he may advance himself. He is also careful—in the sense of being conscious—about his personality, his time, his education, his way of life. The dominating characteristic of his life is that he is able to see that the present postponement of pleasure (saving money is one such form of postponement) will lead to an increase in satisfaction later. Perhaps the most significant findings of Alfred Kinsey's study of male sexual behavior was on this point: The person who postponed sexual pleasure, Kinsey discovered, was already essentially middle class; for even if such a person was now working class, he was going to rise into the middle class.

Now, since the end of the Middle Ages, and particularly since the French Revolution, it has been those with training in the middle-class virtues who have reaped the greatest rewards in society. The world has indeed been open to persons with enterprise and capital, and the United States has been perhaps more open than most countries. The peasant and the worker, no matter what philosophers and moralists have to say about the virtue of manual work, never stand high in society. In primitive society, it is the chief and priest who dispose of the greatest wealth; in feudal society, it is the warrior and churchman;
in modern society, it is the businessman and intellectual. Consequently, it is in modern society that the Jews, who had been stamped with the values that make for good businessmen and intellectuals, have flourished; and it is when society reverts to a more primitive state, where force and those who wield it receive the greatest rewards, that the Jews are again thrust back to a low social position.

But what is the origin of these values that are associated with success in middle-class pursuits? Max Weber argues that they originated in a certain kind of religious outlook on the world, the outlook of Calvinism. There is no question that Judaism emphasizes the traits that businessmen and intellectuals require, and has done so since at least 1,500 years before Calvinism. We can trace Jewish Puritanism at least as far back as the triumph of the Maccabees over the Hellenized Jews and of the Pharisees over the Sadducees. The strong emphasis on learning and study can be traced that far back, too. The Jewish habits of foresight, care, moderation probably arose early during the two thousand years that Jews have lived primarily as strangers among other peoples. Other features of Jewish religion and culture tended to strengthen the complex of habits leading to success in trade and the professions. One scholar has argued that the very strong interest of the Jews in medicine, both in ancient and medieval times and today, in the Arabic world as well as the Christian, comes from the orientation of Jewish religion to the good things of this world conceived not in hedonistic or epicurean, but in sober, moderate, Apollonian terms.71

These are the origins of what we have called the “middle-class” values as held by the Jews. But certainly the Jewish economic experience since the beginning of the Christian era can only have strengthened the bent given to them by religion and culture. Until the nineteenth century the Jews were characteristically a group of traders and businessmen and scholars (the term professional is hardly applicable to the medieval doctor or teacher). They numbered a very large group of artisans, but, in contrast to the Christian artisans, the Jewish artisans were not members of guilds and corporations, but rather independent craftsmen and artists; consequently in large measure the Jewish artisans too were tradesmen. It is not easy to evaluate, in the creation of a Jewish character strongly influenced by middle-class habits, the relative influence of religion and that of occupations followed for centuries—both influences worked in the same direction.

The Jewish immigrants who came from Eastern Europe to the United States during 1881–1924 numbered as many workers, and as many impoverished workers, as any other ethnic group. But they carried with them the values conducive to middle-class success and
could, under the proper circumstances, easily return to the pursuit of trade and study, and thus to the ways of their fathers and forefathers. What is really exceptional, in terms of the large perspective of Jewish history, is not the rapid rise of these Jews in America, but the extent to which, in the Czarist Empire and Eastern Europe in general, they had been forced out of their age-old pursuits and proletarianized. This process was to a certain extent a response to the industrial revolution: everywhere peasants and artisans and small traders were forced to become workers. But in the Czarist empire, where the bulk of East European Jews lived, artificial measures were taken to drive them out of their traditional occupations—Jewish taverns were closed, Jewish students were artificially limited in the schools, Jews were not permitted to live in the expanding capital cities.

As a consequence, then, of governmental anti-Semitism and the industrial revolution, the East European Jews arrived in this country either as workers or luftmenshen—businessmen and traders with neither stock nor capital. But they were not like the other workers who immigrated with them, the sons of workers and peasants, bearing the traditionally limited horizons of those classes. The Jewish workers were the sons—or the grandsons—of merchants and scholars, even though the merchants had only their wits for capital, and the scholars' wits were devoted to feats of memory. This background meant that the Jewish workers could almost immediately—as Commons says—turn their minds to ways and means of improving themselves that were quite beyond the imagination of their fellow workers. Business and education were, for the Jews, not a remote and almost foreign possibility, but a near and familiar one. They, or their friends or relatives, had the necessary experience and knowledge; with the prospect of success beckoning, it became worthwhile for the Jewish immigrants to work harder and save more than other immigrant groups.

In any case, the pattern of foresight and sobriety so essential for middle-class success was so well established in Jewish life that it was maintained even when there was no prospect of going into business. The Jews did not drink; the Jewish students were docile, accepting—as lower-class children rarely do today—today's restraints for tomorrow's rewards; the Jewish workers stayed out of jail. When we look at the working-class Jewish neighborhoods of the great American cities of the 1920's and 1930's, it is clear we are not dealing with ordinary workers. It was not dangerous to walk through the New York slums at night when they were inhabited by Jews. The Jewish workers violated most of the patterns of lower-class behavior, and
were in many important ways indistinguishable from the non-Jewish as well as the Jewish middle class. Thus, a study of voluntary organizations in New York City in 1934–35 revealed—as other studies have—that the higher the class, the larger the number of persons active in organizations. But the Jewish workers break this pattern—more of them belong to organizations than do Jewish white collar workers.  

A study in Chicago six years later told the same story: "Whereas among Protestants and Catholics working-class persons belong to fewer associations, among Jews the relationship is reversed." And a study of political activity in New York City in 1945 showed that low-income Jews wrote more often to their Congressmen than did even high-income Protestants and Catholics.

In the early 'Thirties, J. B. Mailer compared the social characteristics of the solidly Jewish neighborhoods of New York City with those of the rest of the city. The Jewish neighborhoods were, economically speaking, representative of the city: the average rent in the Jewish neighborhoods was about that of the city as a whole. Yet no matter what statistics we look at, we find a more markedly middle-class pattern of behavior in the Jewish neighborhoods than elsewhere. Thus, the homicide and the accident death rates among Jews was half of that for the whole city (the lower class is much more subject to fatal accidents than the middle class). The infant mortality rate was lower, the IQ of school children higher, the school attendance rate higher, the juvenile delinquency rate less than half of the general city figure.

One more study is worth quoting on this point. In 1935, one out of every ten youths in the city of New York was interviewed. Here is a description of the leisure-time activities of the Jews among them:

The principal recreational activities of Jewish and non-Jewish youth are the same, but more of the Jewish than the non-Jewish had participated in them. . . . More of them had participated in athletic games, had gone swimming, played tennis or golf, attended concerts and lectures. More (though the differences were not so great) had hiked, gone to dances, and visited museums. Fewer had spent any time on manual diversions such as sewing or knitting, or doing carpentering, or putting a radio in condition, or repairing a motor.

What this means is that twenty years ago the Jewish youth of New York City, half of whom, according to this study, came from working-class homes, showed in their leisure-time activities the pattern of the middle class—just as their fathers, who would never be anything but workers, showed a middle-class pattern in their leisure-time activities.
CONCLUSION

The story we have set out to tell has two addenda, which do not change any part of the main line. Another two migratory waves succeeded the great immigration from Eastern Europe. Between 1936 and 1943, about 150,000 Jewish refugees entered the United States from Germany, Austria, Czechoslovakia, and other Central European countries that had been overrun by Hitler. The new immigrants were of uniformly high social and economic status and formed a cross section of the prosperous and cultured Jewish communities of Central Europe. Naturally, these newcomers had all the difficulties of adjustment of new immigrants, combined with the pain involved in the loss of wealth and position and of familiar cultural surroundings. Many of them—the doctors and scholars, for example—rapidly achieved positions in the New World in every way the equivalent of those they had held in the Old. Others—the lawyers were perhaps the hardest hit—found it more difficult. But by 1954 there is no question of the generally high economic and social position speedily achieved by this stratum of the American Jewish population.

An immigration of this size would have had a great impact on the American Jewish community if it had come at any time before 1900. But coming as it did at a time when there were 4,500,000 Jews in the United States, its impact was not great. Perhaps its most important effect was in the sphere of culture, where it has helped widen Jewish intellectual perspectives.

After World War II another, and the latest, wave of immigration reached American shores—about 100,000 Jews who had survived Hitler. They came with nothing, or less than nothing, but they came to a community that was able to spend tens of millions of dollars to help establish them. Most of them today are workers; many have been helped to start businesses; some are studying. There is no question that these Jews, the remnant of the once populous Jewish communities of Eastern Europe, will follow the path of their relatives who were fortunate enough to arrive in the United States before 1924. Most of them will remain workers for the rest of their lives. But the perspective of education and business is as attractive to them, and to their children, as it was to the East European Jewish immigrants of fifty years ago, and in a generation this latest immigration will be merged almost indistinguishably into the whole body of the American Jewish community.

What is the significance of this history for the relation of the Jews to the United States? We have pointed out those characteristics in which the American Jews have differed from the "general American
It is useful to compare Jews with "average Americans" (3.5 per cent of whom are Jewish) because in this way we can define what is characteristic of Jews. But we should realize that the "average American" is even more of an abstraction than the "average Jew." If we were to leave out such underprivileged groups as the Negroes and Mexicans and Puerto Ricans, the Jewish advantages we have chronicled would become less striking. If we were to compare Jews with Episcopalians or Presbyterians, we might find that the proportion of Jewish professionals was lower than that of professionals in these high status denominations. Indeed, one study conducted in Madison, Wis., showed just that. Among the Episcopalians of that city, no less than 36 per cent of those gainfully employed were professionals, as compared with 16 per cent among the Jews.77

The groups that make up America differ very little from each other in their overt culture. But they do differ greatly from each other in many other respects. The fact of concentration in certain classes or occupations is not peculiar to the Jews; any group in the population which is relatively small, and whose arrival in this country has been concentrated in a relatively short span of time, is likely to have a special economic distribution, different from that of the abstraction we call "the general population." Two factors will determine what this distribution will be: the character of the group at the time of its arrival, and the structure of economic opportunity in the country at the time of its arrival. We have already shown how Jewish religion and culture and occupational experience fitted the Jewish immigrants for business and the professions; it should now also be pointed out that these non-manual occupations were expanding greatly during the period of the greatest Jewish immigration, and unskilled manual work and farming were employing a progressively smaller proportion of the labor force. Between 1910 and 1950, the proportion of the population engaged in non-manual work rose from 21 per cent to 38 per cent.78 Certainly this offered great opportunity to the Jews. But one had to be of the proper social and psychological constitution to take advantage of it—which the Jewish immigrants were. Hence, while America in general became more markedly middle-class in its occupational structure, Jews became even more so.

There is a general tendency for the ethnic concentration in a single occupation or industry to suffer dilution in time, just as the ethnic neighborhood is gradually dissolved as the second generation and third generation moves away. This means that in the second generation of Norwegians we do not find quite so many farmers, in the second generation of Italians we do not find quite so many heavy manual workers, and so on. This dilution is actually a movement upward,
occasioned by the better education and wider knowledge of opportunities available to a native-born generation. But in the case of the Jews, this dilution upward becomes a concentration, for the Jews begin to reach the upper limit of occupational mobility. In order to reflect the heterogeneity of the "general American" population more accurately, it would now be necessary for the Jews to actively oppose their natural inclinations, as well as the natural movement of American society itself, and artificially to attempt to increase the number of farmers and workers and maintain the proportion of office workers and salesmen among them.

This is not going to happen: so we may expect the Jewish community to become more homogeneous in the future, as the number of first-generation workers, and the culture they established, declines.

The future of the Jew in the United States does not, to our mind, raise economic problems, and raises only slight political problems; but it does raise social problems and cultural problems which we have at best only hinted at: There does exist a problem of the proper relation between Jewishness and Americanism; there does exist a problem raised by a social life lived almost entirely within a homogeneous Jewish community; there does exist, most significantly, the problem of whether the active communal life of American Jews should embody "values"—other than the value of sheer survival as a distinct group. All these questions are influenced by, indeed to some extent arise from, the social structure of American Jewry. But the answers to them will not be given by studies of social structure, but by the experiences and commitments of individual Jews, and by the history of the Jewish group in America. Our assigned task, and our method, carries us to the threshold of these questions, but does not permit us to go into them. Hopefully, this pedestrian exposition of the facts of American Jewish social life will make possible a more competent discussion of the truly problematic areas of American Jewish life.
ABBREVIATIONS USED IN NOTES

AJVB—AMERICAN JEWISH YEAR BOOK
JE—Jewish Encyclopedia
JSS—Jewish Social Studies
JSSQ—Jewish Social Service Quarterly
PAJHS—Publications of the American Jewish Historical Society
YAJSS—Yivo Annual of Jewish Social Science

NOTES

1. My chief source for this section is, naturally, Jacob Rader Marcus, Early American Jewry, two volumes, Philadelphia, 1951, 1953. Marcus speaks of the middle-class character of the eighteenth-century American Jews in Volume II, p. 423. On p. 413, a characteristic type of statistic, reflecting the middle-class character of the Jewish community, makes its appearance for the first time in American Jewish history: In 1775 in Newport, R. I., Jews, “though less than 2 per cent of the total number of taxpayers, . . . paid 8.25 per cent of the amount collected.”


4. Ibid., p. 85.

5. “In many a place, out of a Jewish population of 30-40 families, 15-20 people have emigrated.” A letter in a German Jewish newspaper, 1839, as quoted in Glanz, p. 90.


7. Glanz, p. 92.

8. Quoted in ibid., p. 93.

9. Consider the Years, Easton, Pa., 1944, p. 125.

10. As paraphrased in Glanz, p. 92.
11. These figures are from Sulzberger, *op. cit.*, checked against Hyman Grinstein, *The Rise of the Jewish Community of New York 1654-1860*, Philadelphia, 1945, p. 469. Where there is a large discrepancy in figures, Grinstein is preferred—e.g., the figure of 500 for 1825.


18. These calculations are based on the standard estimates of Jewish population, which, since 1900, have been published in the *American Jewish Year Book*.


20. The figures for 1900 are Nathan Goldberg’s, based on the very likely assumption that persons identified as “Russians” in the census of 1900, in cities of more than 250,000, were almost entirely Jews. See his *Occupational Patterns of American Jewry*, New York, 1947, pp. 12-16.


22. *Ibid.*, pp. 343-69, where shops of different nationality groups are compared.

23. This figure must be an error. The same volume (p. 301) gives 14 per cent of the Russian immigrants of 1890 as tailors. For 1903-04, *JE*, XII, p. 375, gives 26 per cent. Joseph, *op. cit.*, gives 25 per cent of the Jewish immigrants occupied in 1897-1910 as tailors. Goldberg, *op. cit.*, p. 18, reports that the Russian census of 1897 showed that 17 per cent of Jews in cities over 100,000 were engaged in the manufacture of clothing.


26. Nathan Goldberg, *The Jewish People*, II, p. 27, skillfully analyzes census statistics for the number of children born to Yiddish-speaking mothers, and shows that immigrant Jewish women around 1900 were more fertile than native American white women. See too, *JE*, XII, p. 377, for evidence that New York Jews in 1903 had more children than New York Catholics had.

27. This we will find wherever statistics are available: Goldberg, *op. cit.*, pp. 33-34.


52. See Melvin J. Fagen, "The Status of Jewish Lawyers in New York City," *JSS*, 1, 1939, pp. 73-104.
61. The author, together with Herbert Hyman and S. M. Lipset, has analyzed two public opinion polls conducted in New York and its vicinity in 1948 and 1951 by the National Opinion Research Corporation, and distinguished by the use of particularly careful sampling methods in order to approximate as closely as possible true random samples. A full report on what these studies revealed about New York Jews is in the files of the AJYB. The following is a summary of the occupational distribution of New York City Jews and non-Jews as revealed by these studies:
**TABLE 1**

**OCCUPATIONS OF RESPONDENTS IN TWO PUBLIC OPINION POLLS, NEW YORK CITY AND WESTCHESTER AND NASSAU COUNTIES, 1948, 1951**

<table>
<thead>
<tr>
<th>Occupation</th>
<th>1948</th>
<th></th>
<th>1951</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Jews</td>
<td>Non-Jews</td>
<td>Jews</td>
<td>Non-Jews</td>
</tr>
<tr>
<td>Non-manual</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professional</td>
<td>16</td>
<td>12</td>
<td>20</td>
<td>10</td>
</tr>
<tr>
<td>Manager, proprietor, official</td>
<td>20</td>
<td>15</td>
<td>24</td>
<td>14</td>
</tr>
<tr>
<td>Clerical and sales</td>
<td>17</td>
<td>12</td>
<td>44</td>
<td>14</td>
</tr>
<tr>
<td>Manual</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Skilled and semi-skilled</td>
<td>15</td>
<td>11</td>
<td>54</td>
<td>18</td>
</tr>
<tr>
<td>Unskilled</td>
<td>—</td>
<td>—</td>
<td>8</td>
<td>3</td>
</tr>
<tr>
<td>Service, domestic, and protective</td>
<td>3</td>
<td>2</td>
<td>31</td>
<td>10</td>
</tr>
<tr>
<td>Housewives, retired, students, etc.</td>
<td>66</td>
<td>48</td>
<td>121</td>
<td>40</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td>137</td>
<td>100</td>
<td>302</td>
<td>100</td>
</tr>
</tbody>
</table>

62. These studies are from Robison, *op. cit.*; Seligman in AJYB (Grand Rapids, Erie, and Jacksonville), 51, 1950, p. 28; the information on New Orleans is from Julian K. Feibelman, *A Social and Economic Study of the New Orleans Jewish Community*, Philadelphia, 1941.

63. Jaffe and Stewart, *op. cit.*


65. See footnote 67.


The percentages are:

**TABLE 2**

**PERCENTAGE DISTRIBUTION OF AMERICAN COLLEGE GRADUATES OF 1937**

**BY OCCUPATION**

<table>
<thead>
<tr>
<th>Category</th>
<th>Jews</th>
<th>Protestants</th>
<th>Catholics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proprietors, managers, and executives..........</td>
<td>33</td>
<td>34</td>
<td>26</td>
</tr>
<tr>
<td>Non-teaching professionals......................</td>
<td>45</td>
<td>34</td>
<td>32</td>
</tr>
<tr>
<td>Teaching professionals...........................</td>
<td>6</td>
<td>12</td>
<td>13</td>
</tr>
<tr>
<td>All types of white collar and manual workers and farmers</td>
<td>16</td>
<td>20</td>
<td>29</td>
</tr>
</tbody>
</table>

68. We have no figures on the occupations of fathers of all Jewish college graduates as compared with the fathers of their non-Jewish classmates. But a study of women college graduates shows a smaller proportion of professionals among the fathers of Jewish students than among the fathers of non-Jewish students, and it is reasonable to assume the same would be true for male college students. See Robert Shosteck, *Five Thousand Women College Graduates Report*, B'nai B'rith Vocational Service Bureau, 1953, pp. 8-9.


75. Maller, 1934, *op. cit.*

76. McGill, *op. cit.*


78. Jaffe and Stewart, *op. cit.*
The Acquisition of Political and Social Rights by the Jews in the United States

By Oscar and Mary F. Handlin

In September 1954, the three-hundredth year of Jewish life in what is now the United States will have been completed. In those three eventful centuries, the relationship of the Jews to the surrounding society has been entirely transformed. The ancient restrictions upon their freedom to participate in the political and social activities of the whole community have disintegrated; and these people, so long set apart, have emerged citizens in the fullest sense.

This development was characteristic of the whole western world in the same centuries. But the special circumstances of the New World environment hastened the trend and gave it a force and continuity it enjoyed nowhere else. In America the attitudes, customs, and laws of the Old World were almost at once anachronistic. Although the earliest Americans were transplanted Europeans, the process of crossing the Atlantic and settling the wilderness in time eroded the old assumptions as to what a Jew was and as to how he should be treated. The change was already apparent in the Colonial period, before 1774, when the colonies were still culturally, socially, and politically dependent on the mother country. The rate of change accelerated after the Revolution in the years from 1775 to 1830. The new Republic then struggled to work out a distinctive pattern of relationships between the church and the state; and that effort further freed the Jews from the imputations of inferiority. There followed a half-century of efforts, between 1830 and 1880, to elaborate the social and intellectual consequences of the changes in legal status. By the end of that period the Jews had attained complete political and social equality in the United States.

In the last decades of the nineteenth century there nevertheless remained some ambiguities in the situation. These arose less from any peculiarity in the position of the Jews than from uncertainties in the condition of the whole society. Although church and state had by then everywhere been completely separated in law, there remained perplexing points at which the conduct of religious worship touched upon the operations of government. Generally the Jews in the United...
States fought the demands by other religious groups for positive recognition by, and special privileges from, the state. Furthermore, in the years after 1880 the Jews, as a special group, were on the defensive. The great wave of immigration from Eastern Europe magnified the social difficulties of all Americans identified with the newcomers. At the same time the emergence of anti-Semitism as a social and political force threatened the gains of the preceding two centuries.

In the last seventy years, American Jews have struggled with both problems. They have resisted any breach in the wall separating church and state, aware that only thus could they keep from sinking to the position of a tolerated minority. And they have insisted upon social equality as well, calling upon the aid of the government when necessary.

Not all the problems raised in those decades of rapid change were resolved. But the most critical ones were. An understanding of the nature of those developments will supply the perspective within which to view the questions that still trouble many Americans.

THE MEDIEVAL BACKGROUND

The first Americans brought to the New World ideas about the Jews that were inherited from the Middle Ages. Diluted in the crossing of the Atlantic and slowly altered by the passage of time, these concepts nevertheless had their roots in the patterns of medieval society.

Although in retrospect the Middle Ages give the appearance of homogeneity and uniformity, three distinct strands entered into the formation of Christian attitudes toward the Jews. The popular notion, widespread among the peasantry, the nobility, and the burghers and artisans of the towns, had been formed by actual contacts with the Jews. To most Europeans of the period the Jew seemed to occupy an anomalous position. In a society in which everyone else had an established status, the Jew alone lacked a clearly defined place. Everyone else was the member of an order, a village, a guild, a community of some sort. The Jew was an outsider.

As an outsider, the Jew lacked access to the usual means of earning a livelihood. He could not till the soil, and in many places and for long periods he could follow no recognized craft. Instead, he was compelled to live by his wits. He engaged in kinds of trade that other men would not undertake, took usury which was forbidden to Christians, and practiced arts like medicine which were under no corporate control. For long periods, the Jews lived at the edge of destitution, deep in poverty. Yet, paradoxically, some among them attained great
wealth and considerable power. After the thirteenth century, as capitalism developed, they proved more capable of taking advantage of new opportunities than people of fixed place and established habits; but the appearance of a few international bankers and capitalists only increased the anomaly of the Jews' situation, despised and excluded yet somehow above the run of other people.

To the settled folk of medieval society, there was something strange and mysterious about the Jews. Hidden within the walls of their separate ghettos, these people, with no recognizable means of support, seemed to possess some fearful demoniac powers that enabled them to persist and survive. In a culture in which learning was closed off to the masses, the Jews who could read the holy language were thought to have at their command the magic of the ancient wisdom concealed in the strange books. No man of the times was so foolish as to question the real existence of spirits; few could fail to believe that the Jews, who obviously thrived despite their social inferiority, must be creatures of the devil.

This popular attitude that regarded the Jews as mysterious aliens somehow related to the devilish forces of the universe occasionally burst forth in angry outbreaks or led to periods of violent persecution. More usually it was restrained by other views of the Jews that were also widely held. Medieval people permitted the Jews to exist in their society because those outsiders played a special role in Christianity and had established a peculiar relationship to the wielders of political power.

The Jews were, after all, linked in with the whole drama of Christianity. To the Church they were also a mystery, but a mystery divine in nature. The Jews were living evidence of the truth of Christianity. Providentially preserved, these wanderers over the face of the earth were witnesses of the truth of the Scriptures and of the validity of the promises of salvation.

Not, however, in the past alone, but in the future also had Providence assigned the Jews a part. The ultimate development of history pointed to a Second Coming and the millennial salvation of humanity; and these people would then once more be summoned to the center of the stage. Their conversion would herald the return of the Redeemer and would lead on to the climactic events of salvation. Therefore, it was necessary to preserve the Jews and, while keeping them separate, still to permit them to retain their identity in anticipation of the future. The most thoughtful theologians and religious leaders of the medieval period consistently fought the popular hostility to the Jews, and the Popes recognized their protected character.

Another safeguard, occasionally helpful against the persecutors, was
forged out of the relationship of Jews to the state. The Jews had no place in the feudal patterns of power, which were wrapped up in land holding, in the ability to make war, and in recognition of the validity of certain bonds of personal fealty. On none of these counts could the Jews be nobles or share otherwise in the disposition of political power. They could not even participate in the more restricted government of the towns, since only Christians were members of the corporations and guilds that controlled the boroughs.

Nevertheless, the Jews were an asset to those who dominated the polity. The Jews held in their hands a substantial part of the uncommitted wealth of this society. At critical times, they could supply those who fought with the sinews of war; and the nobility frequently offered them protection in return for their services as managers and financiers. In Eastern Europe that situation persisted through the centuries. But, in the West, as time went on, the connections were more likely to be with the monarch than with the barons. The centralization of power tended to turn the Jews into king’s men. That relationship usually gave the Jews protection and occasionally privileges. It also exposed them to total ruin if they lost the king’s favor. Since they lived by the tolerant whims of the royal personage, their security was altogether dependent upon his humors. A good part of their history through these years was the story of fluctuations in royal favor.

The Jews uneasily accommodated themselves to the view the world held of them. They accepted their own separateness and within the ghetto governed themselves. Under these conditions they did not distinguish between religious and secular affairs. Since they were cut off from the state, they developed communal institutions with recognized coercive powers to deal not only with the conduct of worship and the observance of ritual, but also with marriage and divorce, with inheritance and commercial transactions. That was a sign of the complete acceptance of the division between themselves and the society in which they lived.

By the seventeenth century, when the first migrations to the New World occurred, many changes had transpired across the face of Europe. The manorial agricultural economy had begun to decline, giving way to a thriving order of trade located in flourishing cities. In many places collapse of the guilds had left room for a freer system of enterprise. Education and literacy had spread; and the vulgar languages had come into their own. Everywhere the national state was in process of formation.

Still, the heritage of the old attitudes persisted throughout Europe. The existence of Jews was tolerated, but there was no tolerance for their faith; nor was there any greater inclination than earlier to ac-
cept them as equal members of the society in which they lived. In practice, they were still set off in separate communities, still not permitted to engage without restrictions in the economy, still not social equals of the Christians, and still entirely devoid of political privileges. Although the national state, in time, put in place of the feudal relationships a more general conception of citizenship, the Jews were still exceptional.

And beyond the continuing separateness and inferiority of status there still lurked vestiges of the old attitudes—of the popular notion that the Jews were mysterious, demoniac spirits, of the religious conception of the Jews as a mystery, and of the political conception of the Jew as an outsider, related by sufferance to the possessors of political power, but not capable of sharing it.

These were the attitudes and habits that the first immigrants to America brought across the ocean. Neither the ideas nor the practices would find fertile soil in the New World, and, almost from the start, would begin to change.

**The Colonial Era, 1654–1774**

The country to which the Jews and other seventeenth-century newcomers came was a colonial wilderness. It was unsettled: and for more than a century, until 1774, it was dependent politically and economically upon Great Britain. Those circumstances, together with the character of the new arrivals themselves, conditioned the nature of the rights accorded the Jews.

Although the first American laws were based on European models, circumstances quickly altered them. Every jurisdiction in North America was subject to the sovereignty of some European monarch. In the area that would ultimately come to be the United States, Spain and France, England and the Netherlands each held sway and each transmitted to the New World its own usages with regard to religion and to religious dissidents, including the Jews.

Yet the laws were not always applicable. Seventeenth-century America was a wilderness. Only a few nomadic tribes occupied the land, and the European population grew slowly. In 1670, after sixty years of effort, only 80,000 souls were scattered along the coastline. One hundred years later their number had grown by immigration and natural increase to over two million. But these sparse settlements were still small. Everywhere, therefore, new additions to the population were in high demand and were welcomed whatever their source. That attitude encouraged settlement not by a single group but by a diverse agglomeration of wanderers from every part of Europe and from many parts of Africa.
Furthermore, on the new continent the Jews were only a handful; by 1774 they numbered little more than two thousand, spread through the commercial cities of the seacoast and occasionally in the interior.

Out of these conditions developed a society radically different from that of the Old World. The first newcomers were Europeans and brought with them ancient attitudes, habits, and regulations about the Jews. But these subtly and steadily gave way to the pressure of the new conditions. In place of a society of status and established ranks, there appeared a highly unstable and fluctuating pattern of social relationships. The communal uniformity and the restrictive authority of the Old World gave way to communal diversity and to a sense of freedom that would culminate in the Revolution at the end of the period.

These changes were the basis for the development of the political and social rights that ultimately made American Jews equal to other citizens. The process went forward not through modifications of theory or law, which long remained European, but rather through the practical pressure of the conditions of life which were American.

The most fundamental right of all was that of residence in the colonies. The privilege of being a denizen, a legally settled inhabitant of a place, was not one that extended automatically to Jews or indeed to any aliens in Europe or in the European colonies. The express consent of the sovereign or overlord was a necessary prerequisite. In Europe, some monarchs had extended and others had withheld that privilege. But in any case, Jews were rarely accorded the permission to migrate to or to trade with the colonies. France, for instance, allowed only Catholics to come to its American colonies.

The question was complicated by the fact that some of the provinces were held not by the Crown directly but by intermediaries, either by proprietors like the Penns of Pennsylvania and the Calverts of Maryland or by trading companies like the Dutch West India Company or the Virginia Company of London. These corporations and proprietors had considerable latitude in making whatever additional regulations they pleased with regard to settlement.

The test of the right of the Jews to take up residence in the New World came in the possessions of the Dutch West India Company. The first handful of Jews reached Manhattan Island in September 1654, and immediately presented the commander of that post with the problem of whether to admit them or not. Governor Peter Stuyvesant acted in accordance with accepted European practice. He clapped some of the newcomers into jail for debt and ordered all of them to prepare for deportation.

The developments that followed revealed the interplay of motives
that reshaped the attitude toward Jews in America. Stuyvesant reported to the Company that the newcomers were “very repugnant to the inferior magistrate, and also to the people”; he had therefore required them to depart. He asked that the Company approve this action so that “the deceitful race—such hateful enemies and blasphemers of the name of Christ—be not allowed further to infect and trouble this new colony.”

In reply, the Amsterdam chamber of the West India Company acknowledged that there was a basis to Stuyvesant’s fears, but also observed that his action was “unreasonable and unfair,” since some Jews were investors in the Company. The Governor was, therefore, ordered to see to it that “these people may travel and trade to and in New Netherland and live and remain there, provided the poor among them shall not become a burden to the Company or to the community, but be supported by their own nation.”

This order was, in some measure, a precedent. Yet further extensions of the privilege of residence came not by the explicit action of the governments or proprietors but by the gradual acquisition, de facto, of the right. In the next century, the records do not mention the direct grant of the privilege. Yet in those years the number of Jews grew steadily if slowly. Individuals settled and communities sprang up; and the right to exist where they were was not even challenged. The desirability of a growing population in the wilderness was too evident to permit anyone to quibble over differences of antecedents or of faith.

But it was another matter when it came to civic rights. The conception of citizenship was still unformed and was particularly difficult to apply in the colonies and to a group as alien to its privileges as the Jews. Nevertheless, without formal legislation they earned those rights gradually in the course of their first century of residence in the New World.

In Europe, in the past, the Jews’ right to residence had generally been qualified by restrictions upon the group. These had included limitations upon the place of residence, restrictions as to behavior, forms of worship, and clothing, and a variety of other disabilities. In America, there was no conscious effort at the start to depart from these patterns.

In many parts of the new continent, the influence of the religious element in colonization was strong. Religion was one of the accepted objects of civil government, and the colonies, with few exceptions, each supported an established church, financially, and by a code of laws that confirmed its precepts. The ties between church and state were most intimate in New England. The Puritans had come to
America to establish a Bible commonwealth; and they wished no disturbing, dissenting strangers to live among them. The entrenched zealots in control of these colonies harried out Quakers, Baptists, and any other folk who failed to conform.

The notion of a Bible commonwealth did not exist south of New England. Nevertheless, even in seventeenth-century Virginia, Maryland, and New York, the motives for settlement had religious elements; and the concept of establishment was widely accepted. Church and state were not separated but joined; and government was obligated to supply secular sanctions to religious precepts.

These attitudes relegated Jews to the position of an underprivileged minority, and subjected them to legal requirements often contrary to their faith.

Through the Colonial period, therefore, the Jews lived under a wide range of disabilities. Such discriminatory measures were not directed at them as a group; rather these were concomitants of their position outside the established church, a position the Jews shared with other dissenters. Only the established church could conduct public worship. It alone found support from the taxes levied on all. Whether they wished it or not, Jews, like all others, were compelled to obey the laws for Sunday observance. Public fast and feast days were couched in religious terms, and similar regulations touched on every other sphere of life.

Significantly, the Jews themselves did not protest. This was the prevailing pattern of religious organization they had known throughout the world; they expected no different treatment in America.

The complaints came in more general terms and emanated particularly from sects that objected to establishment in principle. Already in 1645, in New England, there were serious proposals "to allow and maintain full and free toleration of religion to all men that would preserve the civil peace," extending the privilege even to Turk, Jew, or Papist. The governor of Plymouth would not allow these radical suggestions to come to a vote, "as being that indeed would eate out the power of godliness." But the mere advancing of such ideas indicated the approaching decay of the old assumptions. The growth in numbers of the Baptists and Quakers created a body of colonists in principle opposed to establishment and dedicated to the dissolution of the old ties between church and state.

As the seventeenth century advanced, the impulses toward change became stronger. In the eighteenth century those impulses carried all before them. A combination of new influences profoundly altered the place of Jews in American society by 1774. By that date, the churches everywhere were still established. But the consequences of that estab-
lishment were altogether different. The influences responsible for the change sprang in part from developments in the colonies, in part from more general cultural trends, and in part from a transformation in the position of the Jews themselves.

In New England, Puritan zeal declined after 1670. The founders died off, and their American-born sons were not moved by the same fiery convictions. The rigid Calvinism of the first settlers now yielded to more relaxed religious attitudes. The doctrine that only the Saints, providentially elected to salvation, had rights in a godly society disappeared. In New England and elsewhere that notion vanished in the face of widespread latitudinarianism, the belief that any man, whatever his faith, could win salvation by leading an ethically good life. The shift in emphasis left room for recognition of a multiplicity of faiths, all compatible with the welfare of the state and all entitled to recognition by it. Since men of every creed were capable of salvation, they were all equally capable of taking part in the activities of society.

Practical considerations increased the difficulty of maintaining the old relationship between religion and the state. In some parts of the continent, the government was in the hands of adherents to sects which suffered from the connection. Thus in Maryland Lord Calvert, a Catholic, feared that establishment of the Anglican Church might prevent his own co-religionists from settling in his colony. The Act for religious toleration he promulgated in 1649, limited as that was, attempted to mitigate the harshness of establishment, at least for Christians. So too the Quakers and Baptists, strong in Pennsylvania and Rhode Island, had themselves too often been victims of persecution and discrimination to wish to see the principle of establishment planted in the New World.

Rhode Island, under the influence of Roger Williams, early decreed that “all men of whatever nation . . . shall have the same privileges as Englishmen, any law to the contrary notwithstanding.” Although the measure was ambiguous, it furnished the basis for the thriving Jewish community of Newport. William Penn’s First Fundamentals of 1682 and the Frame of Government a year later also provided for freedom of worship. Colonies like Maryland, Pennsylvania, and Rhode Island created little islands of toleration in America, and their prosperity seemed impressive evidence of the propriety of their course.

By the eighteenth century, the proponents of tolerance were no longer exceptional. Religious diversity was becoming characteristic of Colonial life. The Church of England was still the largest single denomination, although the Congregational churches of New England had by now decisively separated themselves from it. But, in ad-
dition, there were already also substantial numbers of members of the Dutch Reformed Church, of Catholics, Jews, Baptists, and Quakers; and as the years went by there arrived also Scotch-Irish and French Presbyterians, German sectarians of various sorts, and Lutherans. Within this mosaic of faiths the pretense of uniformity was difficult to maintain. Since social and economic power was, to some degree, accessible to all, invidious religious distinctions were still more difficult to justify.

By the middle of the eighteenth century, the trend had also begun to receive the support of the Enlightenment, the great revolution in western thought that exalted the conceptions of human rights and human reason. John Locke's letters on toleration and a long line of English and French writings on the separation of church and state were widely read in the American colonies and their injunctions quickly applied.

The general diffusion of the idea of tolerance was advantageous to the Jews at it was to other Americans. It went hand in hand with the practical acquisition of civic privileges. The ancient restrictive laws were not often repealed. But the new attitudes made the discriminatory provisions increasingly anachronistic and imperceptibly but steadily endowed Jews with the civic and religious rights of other colonists.

The process began early. In 1655 the New Amsterdam Council had decided that the Jews were a separate “nation” and not to be “counted among the citizens, as regards train bands,” after the practice of Amsterdam and other cities at home. In response to a protest, the council would go no further than allow those who were aggrieved to depart. At the same time it affirmed restrictions upon the freedom of Jews to engage in trade and upon their right to own real estate. These restrictions were not accepted but fought. A vigorous protest to the parent company elicited the order that the Jews be permitted “quietly and peacefully” to carry on their business, although they were still excluded from the mechanic occupations and retail trade. They won also the concession that they “enjoy the burgher right” in other respects. These privileges were renewed after the English conquest of the colony. The distinction between wholesale and retail trade then still persisted, but dropped away as the seventeenth century closed. There were, after all, no entrenched guilds to insist upon such anachronistic restrictions, and before long Jews found it possible to engage in every calling. The development in other colonies was less notable, because it was less eventful. As groups of Jews appeared in Rhode Island, Pennsylvania, South Carolina, and elsewhere, they assumed full civic rights as a matter of course.
In the decades that followed the turn of the century the Jews also acquired some political rights, were chosen to local office, and able to vote in some elections. Recognition of their legitimate place in this society came decisively in an Act of Parliament of 1740, which provided that foreigners who had resided seven years in the colonies could be naturalized and thus acquire all the privileges of native-born subjects. At home, that process had called for subscription to an oath no Jew could conscientiously take. But in the case of the colonies the law specifically exempted those “who profess the Jewish Religion” from the test. The requirement of other oaths still excluded them from the highest Colonial and imperial offices; and an occasional colony now and then put temporary difficulties in the way of naturalization. But the Jews advanced further in America than anywhere else in the western world.

Under these circumstances, the conception of establishment became irrelevant. There was no direct assault upon the principle, particularly in view of the continued dependence upon Great Britain. But the practical disabilities all but vanished.

Religious laws remained on the statute books. But they were simply not enforced and were often all but forgotten. Long before, in 1658, the case of Dr. Jacob Lumbrozo in Maryland had foreshadowed the pattern of future developments. The doctor’s difficulties sprang from the “act concerning religion” of 1649 which deemed those who denied “the doctrine of the Trinity” guilty of blasphemy and punishable by death. Lumbrozo, accused of this crime, admitted his guilt. Yet, the courts were apparently unwilling to convict him, and he never was punished. The law there and elsewhere continued in effect. But no Jews suffered as a result of it.

Almost unobtrusively, without any decisive test or crisis, the Jews also secured recognition of the fact that their faith stood on an equal footing with every other. Back in the seventeenth century, when they were admitted to New Amsterdam, they were permitted to “exercise in all quietness their religion within their houses.” To that end they were enjoined to build their homes close together on one side of town. A synagogue they could not have. As late as 1685 they were told by the English Governor of New York that “publique Worship” was a privilege only of those “that professe faith in Christ.” From that position there was no official withdrawal. Yet before the decade had ended there was a synagogue in New York and shortly synagogues appeared also in each of the towns in which Jews were settled and grew steadily in size and prominence.

That trend was characteristic. In 1774 the Jews were still a tiny minority in a society in which the church was formally established and
where the law recognized a variety of religious distinctions. But in practice, they had already begun to escape the most onerous burdens of discrimination. And, shortly, the Revolution and independence from European domination would bring the law into accord with practice.

**The Consequences of Independence**

Several distinct strands entered into the achievement of American independence. The Revolution involved, in the first instance, a total separation from England. But the break entailed also the destruction of an ancient system of authority; and that called for justification. The Americans who were pulling down an empire were anxious also to establish a nation. They felt the compulsion to set forth the reasonable, orderly, legal grounds for their actions. They based their thinking on the conceptions of natural rights and law derived from the Enlightenment and from the heritage of their own experience. And the intellectual revolution that ensued had profound implications for the general relationships between church and state and also for the position of the Jews in the United States.

The logic of the Revolution had elevated reason above tradition and the natural rights of the individual above constituted authority. It was no longer possible to regard the established church as other than an outmoded vestige of the past. The theory in the Declaration of Independence explained what Americans had already learned in practice, that religious faith involved an exercise of individual choice in which the state ought not to interfere.

Furthermore, in most parts of the continent the established church was a vestige of the imperial connection—the Church of England—and vulnerable on that account alone. Earlier, while they were still colonists, Americans had resisted the establishment of an episcopate that would tie them further to Britain. Now citizens of an independent nation, such a link was still more abhorrent. The fact that the Anglican clergy had generally been loyal to the Crown and had resisted the Revolution was additional evidence of the necessity of dissolving the established church, indeed of divorcing entirely the church from the state.

The decisive steps came in Virginia. As the states, each in turn, came to frame a constitution, they were most likely to seek a model in that of the Old Dominion where so many of the great leaders of the Revolution were at home. What happened in Virginia therefore was important far beyond its own borders, indeed far beyond the borders of the United States.
The first test came quickly in 1776 as the Virginia state constitutional convention considered a Bill of Rights. At the urging of James Madison, a clause providing for the fullest toleration in the exercise of religion was rejected. In its stead, the Bill of Rights proclaimed, "All men are equally entitled to the free exercise of religion according to the dictates of conscience." The emphasis was not upon toleration merely, but upon the equality of all sects.

The position of the Virginia churches remained ambiguous for some years, however. No state grants were made to the Anglican Church; such grants no doubt were contrary to the intent of the Bill of Rights. But it was an open question as to whether the Bill also precluded equal grants by the state to all the recognized sects. That might leave the way open for the establishment of Christianity, rather than any form of it, as the established religion. Thus, in 1784 a bill proposed to tax every citizen for the support "of some Christian church."

Once more Madison was moved to action. "Who does not see," he asked, "that the same authority which can establish Christianity to the exclusion of all other religions may establish, with the same ease, any particular sect of Christians in exclusion of all other sects?" His opposition helped defeat the proposal and, with Jefferson, he secured the enactment of the statute establishing religious liberty. That law was deliberately phrased broadly enough to comprehend the Jew. Believing that "the reason of man may be trusted with the formation of his own opinions," the Virginians had completely severed the ties between church and state.

From Virginia the principle was rapidly extended to other states and to the Federal government. The Pennsylvania constitution of 1776 and the New York constitution of 1777 called for religious equality. The Northwest Ordinance adopted by the Continental Congress in 1787 set forth the same principle. Article VI of the new constitution of the United States forbade any religious test for national office; and the first amendment, Article I of the Bill of Rights, prevented Congress from making any law "respecting an establishment of religion, or prohibiting the free exercise thereof." The purpose of these constitutional barriers was, as Jefferson put it, to build "a wall of separation between Church and State."

By and large, progress in these terms, by 1790, justified the tone of self-congratulation in which George Washington and the various Jewish congregations of the country greeted one another. All Americans, the first President pointed out, in August 1790, "possess alike liberty of conscience and immunities of citizenship. It is now no more that toleration is spoken of, as if it was by the indulgence of one class
of people, that another enjoyed the exercise of their inherent natural rights. For happily the government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that they who live under its protection should demean themselves as good citizens, in giving it on all occasions their effectual support.”

The President’s assertion was slightly exaggerated. In a few respects, Jews still suffered from disabilities that were the products of surviving traces of establishment in some of the states. Those disabilities were slower to disappear.

The development of the principle of separation had been slowest in New England. Their distinctive role gave the established churches a longer life there than in the rest of the nation. The Congregationalists had not been tainted with an English connection. Indeed, many ministers had been in the forefront of the Revolution and had thus acquired patriotic status. Moving toward liberal, often Unitarian or Universalist, affiliations, they were also in accord with the spirit of the times. The dissolution of the ties between church and state was therefore more gradual in New England, particularly since here the number of Jews and other dissenters was relatively small.

Moreover, although full separation of church and state was not yet achieved, the discriminatory consequences had already been substantially eliminated or mitigated. The members of churches other than the orthodox were allowed to direct their taxes to be appropriated to the use of the ministers or the religious institutions of their own denominations. This tolerance extended to the Jews, as to others. Thus in 1808 Moses Michael Hays appeared before the magistrates of the City of Boston and declared that he was a member of a synagogue of the Jews, and ought not to be taxed to support the Congregational Church.

With time and with the appearance of schismatic divisions among the Congregationalists, establishment became ever less meaningful. One state after another took the inescapable road to disestablishment. By the 1830’s the process was complete; Massachusetts, the last state to act, divorced church from state in 1833. A rear-guard action by conservatives like Joseph Story who wished to substitute a general establishment of Christianity for the particular establishment of any sect failed as it had failed almost fifty years earlier in Virginia. The trend was irresistible. In the process, the religious equality of the Jew was made legally complete. Their congregations were eligible for incorporation and treated in law like the associations of every other sect.

The religious disabilities under which the Jews suffered after 1833 were not explicitly directed against them, but were rather the indirect result of vestiges of older practice left in law. Although the general
attitude toward Jews was friendly, public opinion often was slow in rectifying these discriminatory features.

In some of the states, for instance, the formula for oaths included references to belief in the Trinity or the New Testament, to which Jews could not conscientiously subscribe. Several such oaths—as for jurors or witnesses—were altered with little difficulty. But now and again, a more serious problem arose with regard to the oaths required of the holders of elective office.

By the end of the Revolution, Jews had been chosen not only to local posts in some cities, but had also been selected for more responsible positions in many parts of the country. There was no inclination to bar these people from public office and generally the question of the offensive oaths had only to be raised to be resolved. Thus the Jews of Philadelphia, in 1783–84, protested as a "stigma upon their nation and religion" the requirement that members of the General Assembly take an oath affirming belief in the New Testament. The revised constitution of Pennsylvania, a few years later, explicitly barred the disqualification on account of religious sentiments of any person "who acknowledges the being of a God and a future state of rewards and punishments."

In states like Maryland and North Carolina, however, where the number of Jews was small, the issue was not systematically raised by any organized community. The oaths remained in use unnoticed, unquestioned until the election of some Jewish official or the conscientious scrutiny of some Christian legislator unexpectedly brought the matter into the open. Then emotional obstacles sometimes temporarily stood in the way of the logical solution. But such obstacles rarely were strong enough to perpetuate injustice, nor did they long delay the trend toward equality.

Thus, in 1809, Jacob Henry, reelected to the North Carolina House of Commons, found the right to his seat challenged because he was a Jew who would not take an oath affirming the divine character of the New Testament. After a spirited defense, Henry was nevertheless permitted to keep his seat; a legal subterfuge made it possible for him to do so without a change in the requirement. Traces of the old provisions lingered in North Carolina until they were completely eliminated by the state constitution of 1868.

A similar test in Maryland extended over a long period and evoked a penetrating discussion that clarified the most significant issues involved.

The Maryland constitution of 1776 had made "a declaration of a belief in the Christian religion" requisite to holding office. A petition by the Jews in 1797 for relief from this provision had been found rea-
The question was raised again in 1818 by Thomas Kennedy, a Scotch Presbyterian immigrant and member of the legislature, who took up the cudgels on behalf of the Jews out of a sense of the injustice of the legal position to which they had been relegated. Year after year he introduced his bill to give them equality of status and thus to extirpate the remnants of the prejudice of centuries, until he was finally successful in 1826. His own interests were purely altruistic, representing as he did a constituency entirely without Jews. He was moved, as other Americans were, by a consciousness that religious equality and the separation of church and state were among the proudest achievements of the Republic. "America," he said, "has wisely relinquished it to the insidious policy of regal governments, to make an instrument of religion," by having "forever sundered the spiritual from the temporal concerns of men."

As the second third of the century opened, the last traces of establishment had all but disappeared in the United States. The way was then open for a further struggle to explore some of the social consequences of the new relationship between government and religion. In many spheres of American life that exploration would call forth an effort to give new and greater depth to the conception of equality.

**The Mid-Century Crisis, 1830–1880**

The spreading influence of the American Enlightenment had already evoked its counter-reaction in the first decades of the nineteenth century. After 1800, a persistent uneasiness reflected the fears of some Americans that their country had slipped downward along the path of deism to infidelity and atheism, and that that descent would undermine the foundations of morality. The disastrous course of the French Revolution was a warning of what the future might bring to America were the trend to remain unchecked. Furthermore, the spread of settlement and the difficulties of frontier life led many to long for a faith more consoling and more satisfying than cold reason could afford. That longing conformed also to the general romanticism and emotionalism of the period.

A series of religious revivals spread across the country, mounting steadily in force. The more extravagant manifestations were the riotous camp meetings of the West. But in countless cities and towns also there was a quieter return to the churches, as deism and rationalism lost their attractiveness.
The reawakening of religious interests, however, did not involve a return to the doctrines of the past. Rather, it led to a restatement of the assumptions of the Enlightenment in theological terms, and particularly in terms of the Protestant tradition. The faith to which men now moved stressed ethical behavior above acceptance of a formal creed. It put great premium upon the conduct of an outwardly Christian life. But it joined to those attitudes the insistence upon a formal act of conversion and the affirmation that the Bible was a literal guide to everyday conduct.

This faith was aggressive and dynamic. It drove Americans to undertake new world-wide missionary activities that reached to Asia and to the Pacific islands as well as deep into the interior of America. At the same time, the religious revivals supplied a startling dynamism to the developing reform movements. Since righteous outward conduct was a critical evidence of conversion, and, in a sense, essential to salvation, it was the duty of the Christian to remove the evils in society, and by furthering the reform of the individual, to further his salvation as well. Evil was not inherent in man but was rather a product of his environment and could be eradicated by social action. To that task devoted men and women gave themselves with truly religious zeal. That sense of dedication filled the ranks of those armies which, in the years to come, labored for the cause of abolition, temperance, education, and the multitude of other humanitarian reform movements that enlivened the decades before the Civil War.

The goal of the reformers was of such transcendent importance that they were not content to rely upon exhortation and education alone. They thought themselves justified in calling also upon the coercive power of government for sanctions. The fact that religious ends were sometimes involved was not an obstacle, for these sanctions were sought from the states; and the Supreme Court had absolved the states from the limitations of the First Amendment.

Whether the framers of the Bill of Rights intended it to limit the powers of the states is not altogether clear. But John Marshall's court, which was so eager to widen the scope of national powers in other respects, in this matter took the narrowest view. In 1833, the case of Barron v. Baltimore held that the restrictions of the Federal Bill of Rights did not apply to the states; and dealing specifically with the problem of the churches, Permoli v. Municipality in 1845 laid down the rule that the national constitution did not protect the citizens of the states in their religious liberties. In theory, after this decision there was no reason why any state should not have created an established church or have abolished religious freedom.

In practice, of course, every development had been in the opposite
direction. Every state by then had attained complete disestablishment and most states offered some guarantees of religious liberties. But the provisions with this regard in many state constitutions were loose and inconsistent, and left room for a variety of actions that might implement religious ends.

The reformers took all society as their field of action. Abolition would attract the widest public attention in the years before the Civil War. But this was only the brightest in a galaxy that contained a multitude of other causes as well. Two among the numerous schemes for reconstructing society particularly affected the relations of church and state and, therefore, the Jews.

Preoccupation with reform thus revived the old concern with observance of the Sabbath. The Colonial blue laws had, almost everywhere, become anachronistic in the eighteenth century. Although some states allowed those statutes to remain on their books, provisions for enforcement were usually lax or nonexistent.

The religious revival and the reform impulse both seemed to create an urgent need for putting life into these dead measures. Religious and humanitarian arguments pointed in the same direction. Conduct of a Christian life required the total dedication of one day to God; and reasons of health and moral well-being called for a twenty-four-hour period of rest each week.

The same forces also freshened the interest in public education. The schools had languished in the seventeenth and eighteenth centuries, impoverished and unsustained by public support or interest. Now, however, learning seemed increasingly to have value as a means toward both salvation and good citizenship. Vigorous organizations that grew steadily in strength devoted themselves to sustaining and improving the educational system. In some cities, like New York and Boston, private school societies had assumed the direction of some branches of education, aided by public funds. Elsewhere there were efforts to work out other arrangements on similar lines.

Significantly the reformers turned frequently to the government for assistance. The proponents of Sunday observance and of public education depended not merely on exhortation or advice; they hoped also to use the power of the law and of public funds. But the resort to the sanctions of the state involved them occasionally in conflicts with groups that did not share the same social objectives or religious assumptions. From time to time, those conflicts deeply concerned the Jews.

The Jews had by now substantially increased in number. From perhaps 20,000 in 1830 they had grown to some 300,000 in 1880, largely as a result of immigration from Germany and Central Europe.
They were therefore no longer a negligible political or social factor. Newcomers with a background that was predominantly German, and prosperous as a result of their successful resettlement, the Jews had little sympathy with the reform movements. The enthusiastic radicals seemed dangerous, and the Protestantism that nurtured their zeal was altogether alien to the Jews. These general factors added bitterness to the disagreement over specific questions.

Furthermore, the Jews were not in a position to choose the most effective strategy of defense. The vast majority, as well as the lay and secular leadership, was foreign-born; and they came only slowly to understand the nature of the American separation of church and state. Most frequently, they thought in terms of European precedent and sought in the New World as in the Old to work toward some recognition of their religious difference that would exempt them from the unpalatable regulations, rather than to press for total repeal of the discriminatory regulations.

The Jews objected to the Sunday laws because those laws compelled them to acquiesce in public observance of a religious occasion that had no significance for them. Furthermore, the same laws diminished their ability to observe their own Sabbath on Saturday since they were thereby deprived of income on a second day of the week.

In the nineteenth century, the Jews phrased their opposition in terms of the second rather than of the first objection. They were less likely, that is, to protest against the Sabbath observance laws as such than to claim exemption for themselves as observers of a different Sabbath.

There was a certain tactical advantage to the choice of this ground of protest. Most Christians recognized the special character of the Jewish Sabbath, and exemptions on its behalf had often been made in the United States—even exemptions from military duty. It was possible to argue, as a whole line of judicial decisions did, that the intent of the law could be stretched so that the Sabbath, in the case of the Jews, referred to Saturday not to Sunday. Thence it was held that a man who rested on the one day could not be compelled to rest on the other.

Although partially successful, this pattern of defense nevertheless contained several dangers. Hostile courts could argue that these enactments were in the nature of police measures, promulgated for the good of society and not for the support of religion. As such, they were general in their purview, and since they did not in themselves compel the Jew to desecrate his own Sabbath, they admitted of no exceptions.

Or alternatively, hostile authorities could assert flatly that the laws were intended to advance religious interests. But they could add that
"the day of rest" could only refer to Sunday, since America was "a Christian community" and recognized only the Christian Sabbath. Potentially, this reasoning was a threat to the whole Jewish position in the United States.

In this period there was no clear-cut resolution of the question. Since the matter was entirely within the jurisdiction of the states, the outcome varied from place to place, depending on the whims of the various legislatures and courts. Some states permitted a Jew to plead his observance of Saturday; others did not. Still others drew a shadowy line between manual labor, which was permitted to Jews, and selling, which was not. Meanwhile, another body of decisions had liberated from restriction a whole class of occupations considered necessary, although without clear definition of necessity. The core of the issue—the propriety of Sabbatarian legislation as such—was not raised, and the question would linger irritatingly on into the twentieth century.

The Jews demonstrated a similar inability to choose the most appropriate grounds of defense with regard to religious intrusions into public education. The requests by private organizations for government funds met occasionally favorable responses through the early decades of the nineteenth century. Yet sectarian influences were often strong in the school societies, since Protestant ministers were among their most prominent and active members. Often that influence directly and indirectly affected the curriculum and the character of instruction and thus subjected the children of Jews to religious training of which their parents did not approve. However, the reaction of the Jews frequently was not to oppose all such grants of funds, but to request similar ones for their own parochial schools. In New York, for instance, where the issue was most sharply drawn, such appeals were made between 1811 and 1840. Successful or not, these requests prevented the Jews from resisting effectively the denominational impact on the public schools.

Fortunately the Jews were not the only ones to confront the problems of either Sabbatarianism or sectarianism in education. Powerful allies in other sectors of American society came to their support. The Puritan Sabbath had been offensive to many Christians, like the German-born, who objected to the stern, joyless conception of Sunday. And many other Americans were even more concerned than the Jews over Protestant domination of the public schools.

In New York, the Catholics under Archbishop Hughes, also objected to the markedly Protestant character of the School Society and, at first, also sought a solution by which Catholic institutions would receive a share of public funds. But after 1842 it was apparent that the only feasible arrangement was entirely to divorce public education
This position was most cogently argued by the social groups, like those involved in the various workingmen's parties, that had the greatest stake in public education. The nature of the proper relationship between the state and the schools was most clearly perceived by secular reformers like Horace Mann. Mann argued that every sectarian influence on education was deleterious both to the school and the church. During his tenure as secretary of the Massachusetts Board of Education, he fought a long and winning struggle to make the schools entirely secular. The result, in Massachusetts and other states, was to relieve the Jews and other groups from the disabilities they had suffered when one denomination or another of Christians had controlled public education.

Remnants of sectarianism, it was true, persisted all through the nineteenth century, for the issue had not altogether clearly been drawn. Thus the question of Bible reading now became troublesome. The Bible, in its King James version, had long been used as a text in classroom instruction, or had been read regularly in school exercises. Massachusetts, in 1826, had actually fixed such a requirement by state law. With the growth in number of dissenters—Jews who found the New Testament offensive and Catholics who objected to the Authorized Version—a long process of local agitation began. The question, often brought to the courts, was whether the reading of such passages constituted the use of public funds for sectarian purposes. Cases in Maine, Massachusetts, and Ohio between 1854 and 1872 were inconclusive. On the other hand, as a result of local political pressure, a gradual pattern of administrative compromise emerged in the same years. In places where Jews and Catholics were most numerous, there were agreements either to drop Bible reading entirely or to select passages offensive to no one. Elsewhere the question remained troublesome for many years.

If the Jews were slow to raise the question of the separation of church and state with regard to the new issues produced by the religious revivals, they were still slower to protest against old practices sanctioned by time, but of dubious constitutionality. Again their reaction was to seek particular recognition of their distinctiveness rather than to raise the general question. By long usage religious property was free of taxation; Jews acquired the same privileges for themselves. Similarly, there was no complaint against the practice of appointing chaplains to government institutions. These religious functionaries, in military and civil positions, had official status and were often supported by public funds. They were, almost as a matter of course,
Protestants. Catholic priests found it difficult to secure access to the inmates of charitable and penal establishments even on an unofficial basis, although there was some improvement, in this respect, in the 1850's. The problem then did not greatly concern the Jews; however, and was scarcely considered by them.

The Civil War brought the question of the chaplains to public prominence. A substantial number of Jews were in the armed services, and by then there were enough rabbis available to cater to them. There were forceful representations against what amounted to discrimination against the Jews in this regard.

Once the question was raised, there was an immediate and evident desire to accommodate the needs of the Jews, within the necessities of the military situation. The law was quickly amended to make room for rabbis among the chaplains; and the rabbis thereafter served in the armed forces on an equal basis with Protestant ministers and Catholic priests. As the century advanced Jews also came to share the burdens of chaplaincy in those civil public institutions where their communicants were numerous enough.

Such prompt concessions were significant. Despite the heat engendered by the debate of particular issues, these decades were quite free of expressions of animus against the Jew. There were brief outbursts of nativism—of resentment against foreigners—in the 1830's and 1840's. And between 1854 and 1856 such xenophobia produced the short-lived Know-Nothing Party. But these movements were not directed against the Jews as such; their primary target was the Catholic Church. Indeed, now and then a native Jew took an active part in them.

Throughout the period, the Jews profited by the continuing trend toward secularism in public affairs. They themselves did not see the dangers in the renewed efforts to use the government for religious ends; and they consistently preferred to seek the equal aid of government for themselves rather than to resist these efforts directly. That circumstance would create continuing difficulties for the future. For the time being, however, there were many Americans of all creeds concerned enough with the traditional liberties of the Republic to resist excessive encroachments in this field.

The labors of such Americans, shortly after the Civil War, introduced a new factor of transcendent importance. Concerned with the necessity of giving personal and social security to the freed Negroes, an influential group of Congressmen sought some way of extending the protection the Federal Bill of Rights offered to guard the citizen against arbitrary action by the state. To do so it was necessary by a constitutional amendment to overrule the judgment of Barron v.
Baltimore (1833) which had held that that protection applied only against the acts of the national government.

In an effort to attain that objective, the Fourteenth Amendment, among its other provisions, forbade any state to "abridge the privileges and immunities" of citizens. The clear intent of the framers of that clause was to make the limitations of the First Amendment and of the other articles of the Bill of Rights as binding upon the states as upon the national government. That would have been an important bulwark to religious liberty and would have cut away at one stroke all the perplexities that were yet to arise around the question. The actual development of legal interpretation did not take that simple course, however. In the Slaughterhouse Cases of 1873, the Supreme Court, dealing with altogether different problems, rendered a decision that nevertheless vitiated the intention of the Fourteenth Amendment and, for the time being, left the states as uninhibited as they had been before.

For the moment, however, this was not of paramount importance in the relationship of Jews to their society. The actual development of American life encouraged religious equality. A year earlier, in Watson v. Jones, the Supreme Court had itself proclaimed

In this country the full and free right to entertain any religious belief, to practice any religious principle, and to teach any religious doctrine which does not violate the laws of morality and property, and which does not infringe personal rights, is conceded to all. The law knows no heresy and is committed to the support of no dogma, the establishment of no sect.

And before the decade was over, the Court in Reynolds v. United States had reconfirmed the complete separation of church and state laid down in the First Amendment.

With justice, James Bryce, a perspicacious observer, summed up his impressions a few years after the close of the period. Noting that half the troubles that vexed Europe arose "from the rival claims of Church and State," he concluded, "This whole vast chapter of debate and strife has remained unopened in the United States. . . . All religious bodies are absolutely equal before the law, and unrecognized by the law, except as voluntary associations of private citizens."

**The Positive Approach to the State, 1870–1930**

The conception of equality was not static but dynamic. It proved difficult to anticipate its implications, for concessions that seemed adequate before they were granted often had consequences that opened up whole new ranges of demands.
In some matters, it had already become apparent that equality called for more than a purely negative attitude on the part of the government. The state could not simply abstain and refuse to recognize differences among its citizens. To further their equality before the law and to guarantee the rights of all, government was sometimes compelled to take account of the real differences among the governed.

The problem first emerged in the relations of American citizens with foreign nations. In its intercourse with other countries, the United States had always insisted upon its completely secular and unreligious character. As far back as 1796, a treaty had noted that "the government of the United States of America is not, in any sense, founded on the Christian religion." Consistent with that position it had always held that the interests of its Jewish citizens abroad were to be treated on the same basis as those of all others. That was a source of genuine difficulty in the case of powers which discriminated against Jews, whether resident or foreign.

A long controversy thus arose at the mid-nineteenth century out of the action of certain Swiss cantons that forbade the entrance or residence of Jews, a controversy that long disturbed the relationships between the Confederation and the United States. In 1885, a sharp exchange of notes followed the failure of Austria-Hungary to accept Anthony M. Keiley as minister because his wife was Jewish. Secretary of State Bayard and President Grover Cleveland forcefully defended the American tradition. The most serious dispute however stretched out for two decades after 1890 and involved Russia. The Czar's government refused to recognize the American citizenship of Jews and discriminated seriously against them. It limited their ability to travel through the Russian Empire, in violation of the terms of the commercial treaty with the United States that assured equal treatment to American citizens. After a long, fruitless exchange of notes, the United States took the decisive step in 1911 of abrogating the treaty.

In such actions, the government recognized the unique problems of the Jews and took exceptional action to assure them equality of rights. Indeed, it was often willing to go even further. The government understood that the interests of its citizens abroad were not limited to property or to the right of personal travel but were broad enough to cover the ties of sentiment that linked them to persecuted co-religionists. It was on this account, as well as on general humanitarian bases, that the American government was led from time to time to protest against anti-Semitic actions in Morocco, Rumania, Russia, Turkey and elsewhere.

The nature of these positive measures on the part of the diplomatic arm of the state was well-established by the end of the nineteenth
century. But by then the government was also confronting analogous problems in other spheres at home. Two great changes—in the structure of the Jewish community itself and in the character of American society—brought to the fore the very serious question as to how far the state had to go in recognizing the peculiarities of the Jews in order to assure them equality.

In the last two decades of the nineteenth century, the great mass migration of Jews from Eastern Europe to the United States took form. The flow continued beyond the turn of the century and, after the interruption of the First World War, until 1925. Set off by a great economic and social transformation and stimulated by poverty and persecution, by war and revolution, the movement added substantially to the total Jewish population of the United States, which rose from less than three hundred thousand in 1880 to almost five million fifty years later.

In that fateful half-century, the United States also changed. It grew, at an astounding rate, in population, in wealth, in power. Massive industrial cities came to dominate its life; and agriculture expanded steadily, although at the cost of repeated dangerous crises in the life of the farmers. These changes were often painful. They broke many lines of continuity with the past, unsettled large numbers of people, and left them the victims of personal and social tensions.

Both the change through immigration in the Jewish community and the change in the nation through industrialization and expansion significantly affected the political and social rights of the Jews. The hundreds of thousands of newly arrived Jews viewed the problems of religion from the perspective of the shtetl, the East European village. They were therefore likely to be drawn into actions that came occasionally in conflict with the state. On the other hand, the tensions of social change elicited altogether new currents of thought and new movements that questioned the place of the Jews in American life.

The Jewish immigrants had left a society that was restrictive and discriminatory, but one that recognized the peculiarities and distinctiveness of Jewish law. Indeed, in many parts of Eastern Europe, autonomous Jewish courts had acted with all the force of law, passing judgment on cases touching on every aspect of life. There had been no recognition whatsoever of any distinction between religious and secular subjects; business and family affairs as well as the order of worship could be regulated by interpretations from the Talmud. All were alike guided by religious precepts.

It was natural for the East European Jewish immigrants to expect to transplant the same practices to the United States. Since these were religious in nature, they were assumed to have universal validity and
to be as binding in the New World as they had been in Poland or Spain or Babylonia. In actuality, however, the effort was significant only in the areas of intensive Jewish settlement; elsewhere fewness of numbers compelled an accommodation to existing conditions. But in the large cohesive settlements of New York City, Chicago, Philadelphia, and Boston, there were earnest efforts to reestablish the old ways, and these efforts often led to difficulties with the state.

The success of the effort at transplantation varied greatly. In some cases American soil was completely inhospitable; in others it transmuted the replanted institution; and in still others it proved completely capable of sustaining the alien growth.

For a time, widespread uncertainty arose from the attempt to secure recognition for the Beth Din, the traditional Jewish court of the rabbi. Often Jews, still dubious as to the quality of secular justice, appealed to the rabbinical court in business, family, and personal disputes among themselves. But this institution, accepted in many parts of Europe, had no legal status in the United States where the laws were consistently hostile to such private jurisdictions. A succession of decisions, generally in inferior courts, made that clear; and there were few appeals to the appellate benches, for there was no basis in American statutes or practice for sustaining these religious tribunals.

Since the state refused to recognize the law that many Jews accepted as binding, it could take no cognizance of actions justified by that law but not by the secular codes. The most serious conflicts of law arose from the divergence of regulations with regard to divorce. In Jewish law the marriage contract could be dissolved almost at the will of the husband, who had only to deliver to his spouse a written statement, a get, to terminate the relationship. No formal proceedings of any sort were essential, although in East European practice the divorce had usually been sanctioned by the rabbi who also prepared the get.

In the United States, divorce was a civil proceeding, judicial in nature, that depended not so much upon the will of the individuals as upon a ruling by a competent court that the conditions of marriage—in a manner and to a degree specified by law—had been violated. Only such a ruling justified disruption of the marriage partnership.

Given the high rate of Jewish mobility and the separations induced by migration, conflicts of law were frequent. Men who thought they had freed themselves of old marital obligations by the get and ventured into new alliances found themselves involved in prosecutions for bigamy. Wives shunted aside in the old manner could turn to the civil authorities and secure relief. Often family status remained uncertain for long periods.
In this matter, however, the power of the state was paramount. In time Jewish law and practice steadily yielded to the American. The get alone became invalid and civil divorce was recognized as valid, even in the absence of the get, even when initiated by the wife, and even when granted for reasons not recognized in the religious law. Although a theoretical question of religious freedom may have been involved, the issue was never raised on those grounds. Perhaps the unlucky experience of the Mormons a little earlier was enough to indicate such an appeal would not, in any case, have been successful. Reynolds v. United States (1878), and the later cases that sustained its ruling, had held that the plea of religious freedom could not justify a practice that the law proclaimed contrary to public morality.

The accommodation was somewhat less painful in the case of differences in the marriage law. In the traditional Jewish codes, marriage was in the nature of a contract between two individuals. It was solemnized, according to stated forms, before witnesses, but it required the services neither of a religious nor a civil functionary. Nor did it call for any kind of ban or license. By American law, marriage was a civil agreement, which however had to be solemnized after licensing by a duly appointed religious official or civil magistrate. Conflicts might arise from the assumption of the right to conduct these ceremonies by unauthorized persons or from negligence in adhering to legal formalities. The problem was largely resolved through the willingness of the state to extend the power to perform marriages to every variety of Jewish minister—to cantors and rabbis as well as to others. The only important controversies after 1900 were within the Jewish communities and involved disputes as to who should properly officiate at weddings. But in the relationship to the state there had been ample room for accommodation.

The ability of the state to support religious precepts and its willingness to do so when no conflict of rights was involved was shown more clearly still in the response to appeals for aid to the Orthodox in observing kashruth, or the dietary laws. The difference between the metropolitan life of America and the village life of the Old World, the strangeness and the mechanical quality of food production and consumption, made it impossible to apply the traditional safeguards. Yet the government, which had the power, at first refused to interfere in the matter; the rule here as in other matters was caveat emptor, let the buyer beware. As that doctrine gave way, after 1900, with inspection laws and other provisions to protect the consumer, it seemed more reasonable to take steps also against fraud in kashruth. Explicitly, or through laws against misrepresentation, the law began to take cognizance of offenses against kashruth, although that opened
up other puzzling questions as to who was competent to define and enforce the usage.

This development had shown that the evolving conception of rights was not merely negative, that it did not merely involve the absence of discriminatory treatment and inferiority of status. In time the conception came also to call for positive action by the state to further the religious interests of the Jews as of other citizens. That did not entail a subordination of secular to religious law; indeed, as in the case of divorce, the conflict generally produced the contrary result. But, as in the case of marriage, an accommodation was also possible; and, as in the case of kashruth, the state could support religious injunctions by recognizing their validity, insofar as they did not interfere with the rights of others.

The growing security of Jewish rights in these spheres was particularly important in this half-century; for in the very same years, from altogether different grounds, a massive and dangerous attack was being prepared that threatened the very existence of the Jews in the United States.

ANTI-SEMITISM AND SOCIAL BARRIERS, 1880–1954

During the first two centuries and more of Jewish life in America, the problems of equality confronted by the Jews were entirely religious. They arose from the persistence in the United States of prejudices, habits, and institutions derived from Europe’s medieval past. The course of American development, from the time of the first settlements, had been such as to weaken that heritage and eliminate the inequalities derived from it.

During that whole period the Jews were never regarded in any other light but as members of a religious community. Whatever disabilities they suffered were incidental to their faith, and could be relieved if they chose to change their creed. Although they were occasionally referred to as a “nation” and were endowed with a stereotype as a group, the attribution was figurative. Traditional images attached to the Jews at times produced thoughtless slurs and insults, the most notorious being General Grant’s Order No. 11, that seemed to brand Jews as a group as disloyal. Whether these reflected any genuine hostility or not, they had no deep significance. So long as the Jews were reckoned simply a religious group, the general trend toward religious equality and freedom was one that liberated them and added strikingly to their rights.

1 The order expelled traders from behind the Union lines in terms that held the Jews as a group responsible for dealing with the enemy.
As the nineteenth century drew to a close, that whole struggle seemed to be coming to a successful conclusion. There were still areas of doubt and uncertainty. But viewed in the total perspective of what had already been achieved, these were of small moment. Yet it was precisely then that the battle shifted to an altogether new front. The development of hostility toward the Jews, and then of overt anti-Semitism, created an altogether new threat, based not on religious but on presumed racial differences. These new trends called for a significant redefinition of the rights under attack, and also for a fresh estimate of the goal of equality.

In the next seventy-five years, there would actually be involved not one but four overlapping processes that first put the situation of the Jews in jeopardy, and then showed them, together with other Americans similarly threatened, the way to safeguard and expand their rights.

The source of the first danger was the profound series of changes that transformed American life in the wake of the Civil War. The strains induced by the conflict and by the expansion of the 1870's and 1880's bore heavily upon every group in the society, but particularly upon those who sought some measure of order and stability against the pressure of the constant flux of the times. The poor were helplessly inarticulate and the middling folk found their ends in life clearly defined in terms of dreams of success. But often precisely those whose dreams had become real were most likely to confront blankly the question, for what purpose had they striven.

Many a man having earned a fortune, even a modest one, thereafter found himself laboring under the burden of complex anxieties. He knew that success was by its nature evanescent. Fortunes were made only to be lost; what was earned in one generation would disappear in the next. Such a man, therefore, wished not only to retain that which he had gained; he was also eager for the social recognition that would permit him to enjoy his possessions; and he sought to extend those on in time through his family.

But it was difficult in the new society of the United States to acquire aristocratic attributes. In Boston and Philadelphia a few families could trace their position back to the beginning of the nineteenth century or earlier, and had already acquired the homes and manners that marked their distinctiveness. Elsewhere all these symbols of status had to be created afresh and out of most intractable materials.

The last decades of the nineteenth century therefore witnessed a succession of attempts to set up areas of exclusiveness that would mark off the favored groups and protect them against excessive contacts with outsiders. In imitation of the English model, there was an
effort to create a "high society" with its own protocol and conventions, with suitable residences in suitable districts, with distinctive clubs and media of entertainment, all of which would mark off and preserve the wealth of the fortunate families.

At first, the response of Jews was much like that of other Americans. All men of wealth then were swayed by much the same goals; and Jews were not infrequently among the founders and prominent members of the elite societies and clubs formed in the 1860's and 1870's. But a subtle change in attitude after that period altered their position.

After 1880 the longings for exclusive, quasi-aristocratic status increasingly found satisfaction in associations with an hereditary basis. The stress upon desirable ancestry influenced the character of the prestige clubs, societies, and other organizations that emerged during these years. And generally the definition of proper ancestry stressed Yankee and presumably English antecedents.

Several factors were responsible for the definition of desirable ancestry in these terms. In the economic and social life of most American cities, New Englanders and their children were in fact dominant; and their attitudes and tastes were often decisive. Furthermore, this identification engendered a feeling of possessiveness about the whole country; it seemed, by pushing the roots of the fortunate families back to the Colonial past, to give Americans a greater sense of belonging. Finally, it emphasized the ties to England, whose aristocracy and church were increasingly models for Americans.

Nevertheless, the presumption of common ancestry was not a bond of sufficient cohesive strength. Often these groups found it easier to hold together by excluding an outsider than by discovering a common identity. The most available outsider was the Jew, made so by traits which had almost nothing to do with his religion.

The fact that Americans held a clearly defined, stereotyped image of the Jew made him available as an object of exclusion. In part that image had religious sources, connected with the mystery of Israel's survival. In part it was drawn from the old conception that connected the "Hebrew" with usury and ascribed to him a pervasive concern with money. But these vague general outlines were filled in by actual contact with the millions of new immigrants concentrated in their own ghetto-like quarters in relatively few cities and distinctively marked off, it seemed, by their peddling and pawnbrokering, by appearance, speech, manners and habits, as well as by faith.

But this image was only one of many in terms of which Americans viewed themselves. Alongside it were other stereotypes of the Yankee, the German, the Irishman, and others. No stereotype was intrinsically
hostile, although there were derogatory elements in each one. Yet the Jew was most decisively singled out for exclusion.

He earned that distinction most of all by the exceptionally favorable character of his adjustment to American life. Every element in the background and experience of the Jews combined to draw them to the rising cities and to lead them into trade. Accustomed to the ways of commerce, they were capable of seizing the opportunities presented by American expansion. More than any other large group of immigrants, the Jews succeeded in a brief period in establishing themselves economically. The majority of all American Jews, certainly down to 1930, were still proletarians. But a very large percentage had become a part of the prosperous middle class and a substantial number had earned respectable fortunes. By their excessively rapid rise in one generation or two, some Jews therefore were placed in an economic position that justified the highest social aspirations while all the marks of their foreignness and of their humble origins were still upon them. High society, in the 1890's, was no more willing to take a Negro or an Irish Catholic to its bosom; but it was spared the necessity or opportunity for exclusion because few members of these groups attained the means of demanding admission. In the case of the Jews, however, their high rate of mobility created the need for a systematic policy of exclusion.

To this must be added the consideration that many Jews, even those of great wealth, refused to pay the price of acceptance by cutting themselves off from their antecedents. Faith, or stubbornness, or a feeling of integrity about themselves and their past, made them unwilling to disown their ties to the East Side peddlers and garment workers. The fear that such people might bring the dank air of the ghetto onto the beaches of Newport or into the boxes of the golden horseshoe was further justification of exclusion.

The means of exclusion were at hand through the development over several decades of the conception that large areas of social activity were private, in the sense that they were devoid of public interest and not subject to governmental interference. Earlier, a corporation or an inn or a railroad had been regulated either by general rules or by particular licensing agreements that specified the interest of the community, often with the proviso that such establishments must serve all comers. After mid-century, however, legislatures and courts increasingly held that the owners and managers of such enterprises were alone capable of determining how they should be governed. In the decade after 1873 the Supreme Court confirmed and broadened that trend; dealing with the attempt of the Civil Rights Act and the Fourteenth Amendment to guard the freed Negro against discrimina-
tion, the nation's highest bench ruled decisively against the power
of the Federal government to intervene in these matters and indirectly
encouraged the tendency to consider such areas altogether closed to
government interference.

The way was thus open for the development at the upper social levels
of a policy of exclusion. The famous exclusion of Joseph Seligman
from a fashionable Saratoga hotel was probably precipitated by per-
sonal disagreements with the hotel's proprietor, and it evoked a storm
of protest. But it nevertheless foreshadowed an evolving pattern that
became a particular feature of fashionable resort life. It was after all
at the beaches and watering places that the putative aristocracy was
most anxious to withdraw to itself so that appropriate group feelings
would be cultivated and so that the proper friendships among the
young people would grow into the proper marriages.

As the century drew to a close, the pattern of exclusion spread back
from the resorts to the cities, penetrated the clubs and societies, and
even the philanthropic associations. For all these had among their
functions that of social differentiation and the validation of accepted
standards of stratification.

More was involved in this development than the offended feelings
of a few vain or ambitious families. High society set the standards
for the country; the practices of Bailey's Beach before long governed
also the tastes of Atlantic City. The middle elements in American so-
ciety, anxious to be identified with the self-constituted aristocracy
and fearful of being confounded with the hordes of immigrants about
them, were often dismayed at the number of Jews in their midst and,
in self-protection, fell in with the trend toward discrimination.

Shortly after the turn of the nineteenth century, the pattern began
to cover residential housing. In the rush away from the overcrowded
central districts of the great cities, the desire for respectability was
an important consideration. Families moved not only because they
sought more commodious quarters and pleasanter surroundings; they
were motivated also by the wish to be able to give as their address a
neighborhood that bore favorable connotations. That might well af-
flect the jobs they held, the friends they made, the marriages that
were available to their children. In this regard the Jews were a threat,
in some respects more so than the Negroes, who had not the means
to move out to the better districts. Informal understandings and then
"gentlemen's agreements" and covenants in the deeds of sale closed
off the choice neighborhoods to the outsiders. These, too, were reck-
oned purely private matters that concerned only the parties to the
agreement.

Indeed the scope of private seemed to widen steadily. By the second
ACQUISITION OF POLITICAL AND SOCIAL RIGHTS

decade of the twentieth century it had already come to cover many forms of employment as well. There had always been some measure of ethnic stratification in the American economy, for differences in background, habits, education, inherited capital, and family connections were inevitably reflected in differences in occupation. Like almost every other group, the preponderance of Jews had been concentrated in a relatively small number of callings. But the exceptional individual, attracted by novel opportunities, had encountered no artificial impediments in the way of the pursuit of more advantageous occupations.

After 1910, however, increasingly the Jews came to be discriminated against. Many enterprises refused automatically to consider them for employment, agencies made it a practice not to refer them to openings, and advertisements specified "No Jews Apply" or "White Protestants Only."

A number of factors were responsible. The general odium now being cast upon the group contributed; and the increased competition for desirable professional, managerial, and clerical employment led the established families to resent the intrusion of newcomers. But equally as important was the circumstance that the pattern of exclusion was cumulative in effect. The very fact that Jews did not live in good neighborhoods, or belong to good clubs, or manifest the external attributes of "proper" behavior made them less useful employees.

Discrimination in employment grew steadily. It probably relaxed somewhat under the impact of the manpower shortage during the First World War. But the 1920's saw its revival and intensification. It had by then become characteristic of many of the nation's largest enterprises. Yet, even when these enterprises were chartered by the state or were public utilities, their policies in this regard were accounted purely private.

After 1910, the situation became most critical in the free professions. In the various branches of medicine, in law, in education, and in engineering, the status of the practitioners was to a considerable degree dependent upon public acceptance of their exceptional position. In the nineteenth century access to these callings had been controlled by various requirements: apprenticeship, education, licensing by the state, and membership in professional societies. These had been accompanied by possession of such symbols as the proper dress, residence, and modes of behavior associated by the public with the professions.

These vocations were enormously attractive to American Jews, particularly of the second generation. Such callings seemed free, that is, open to talent. They offered a mode of movement upward in the social
scale that seemed less dependent on ancestral connections than on education; and the Jews had long had a tradition of dedication to learning. Finally, as other forms of employment available to them narrowed, the ambitious and enterprising Jews were increasingly likely to seek this way up the social ladder.

To those established in the professions, the Jews newly crowding in were a threat. To some degree there was fear of competition and uncertainty as to whether there really would be enough room for everyone. But more important was the unwillingness to risk the loss of status that association with the Jews might entail. The pattern of exclusion had already established the undesirability of these people. Would not an undue number of them transfer their odium to a whole profession?

Professional discrimination was most difficult to establish in the case of law; it was not easy to argue the private character of that calling. In law, as in engineering, the most imposing obstacles were placed in the way of the admittance of Jews to employment in the most respectable firms. In education, it was easier to be selective. The standards of appointment to teaching positions were subjective and personal and easily malleable to the prejudices of school boards and trustees. Through the whole period, 1870–1930, only a handful of Jews found places in colleges and in universities; and even the less desirable positions at more elementary levels did not open to them in some cities until after the shortages of World War I.

The most serious forms of exclusion developed in the medical profession. At the turn of the century there were already well-founded complaints that the medical societies and the hospitals were refusing to admit qualified Jewish doctors. Although these societies were generally private associations, membership in them was often essential to successful practice. Before the first decade of the century was over the restrictive policies had spread to medical education as well. The number of medical schools and the numbers of graduates fell steadily, and everywhere the first to be excluded were the Jews. In part, this development grew out of the desire to improve the quality of medical education, particularly after the Flexner Report had revealed its glaring inadequacies. But there was also involved the less laudable intention of restricting the number of doctors for competitive reasons, and of excluding the Jews and other groups labeled inferior to protect the social prestige of the profession. In practice all medical schools devised quota systems to keep the number of their Jewish students low.

By the 1920's the *numerus clausus* had also found its way into other branches of education. Many liberal arts colleges formally or in-
formally adopted the same practice of restricting the admission of Jewish students to a fixed quota. Like a running sore, discrimination and exclusion had come to infect broad areas of American life. And the means of cure seemed limited indeed, for these areas had all come to be considered private, affected by and affecting no interests but those of the fortunate members of the associations involved.

It took time for the Jews themselves to become aware of the nature of this threat to their security, for substantial numbers of them were slow to feel its impact. The majority of the immigrants were still concentrated in working class trades and in the poorest residential quarters. Discrimination and prejudice at first hardly affected them. Those close to the European background accepted occasional manifestations of hostility as a matter of course; they expected nothing better from the Gentile. Those involved in the labor movement or influenced by Socialist leaders saw the whole problem in terms of class conflict; they expected nothing better from the capitalists. It was not until later, when their own children began to suffer, that the immigrants began to feel the hurt.

The first to react were precisely the most prosperous Jews. Living on the margin of their own communities they were most sensitive to the opinions of others; they suffered directly and personally the slurs of discrimination; and they had most fully accepted the American ideals of equality of opportunity that these practices denied. They were therefore quickest to respond and quickest to devise defensive measures.

They countered first with the argument that Jews ought not to be excluded because they had earned a part in American history. Accepting the premises of their antagonists—that a group’s place in the United States was to be judged by the achievements of its ancestors—many earnest Jews set themselves to the endless task of apologia. In 1892, the American Jewish Historical Society was founded toward that end; and a host of enthusiastic pens labored thereafter to reveal the antiquity of the Jews on the continent, their services in the colonies and in the Revolution, and their loyalty in successive national crises.

It did not take long to discover that the prejudicial practices steadily mounting in vigor and broadening in scope did not yield even to the most plausible arguments. The conclusions of the apologists were not refuted, they were simply ignored. After the turn of the century it was abundantly clear more positive acts of defense were necessary.

In 1906, a group of Jews, prominent among whom were Louis Marshall, Cyrus Adler, and Jacob Schiff, formed the American Jewish Committee to protect Jewish rights throughout the world. At the moment, that protection seemed most needed in Eastern Europe where
an outbreak of pogroms and massacres had opened a long crisis in the lives of Russian and Rumanian Jewry. In time, however, the Committee perceived that Jewish rights needed protection in the United States also, and before long it had begun to deal with a succession of domestic problems. In 1914, B'nai B'rith, a national fraternal order, created its Anti-Defamation League, explicitly dedicated to the struggle against prejudice and discrimination. And in the 1920's, the American Jewish Congress also began to work in this field.

The means available to these groups were limited. They could, on occasion, organize protests; and they could through spokesmen make their positions known on issues which had a public interest. But the most critical areas of prejudice and discrimination were precisely those in which a public interest was denied. Since Jews, like their contemporaries, accepted the conception of private as an area of action devoid of public interest, they could scarcely resort to public agitation for relief.

They fell back therefore upon the age-old tactics of intercession. As in Europe, where from time out of mind the Jews had appealed for or bought protection from popes, monarchs, and nobles, so too in the United States, the influential members of the communities attempted to exert personal pressure at strategic points in the interests of their co-religionists. These efforts went hand-in-hand with apologia, as if the argument that the Jews were good and deserved equal treatment might earn that treatment for them.

At most these activities had a preventative effect. They kept the situation from deteriorating even more swiftly than it did. But deteriorate it did; and as World War I approached, the pattern of social and economic exclusion began to mesh in with a still more virulent form of anti-Semitism that attempted to justify all the discriminatory practices of the past decades.

American anti-Semitism began to take form in the 1890's among social groups that were experiencing tensions quite different from those which troubled the would-be aristocracy. The farmers in that decade faced a long process of readjustment, whose harsh effects were compounded by the depression of 1893, by droughts, and by other misfortunes. In their crisis, many were attracted by the radicalism of the Populists and particularly by the financial panaceas associated with the free silver campaign. Generally such people had had few or no contacts with Jews; their impressions were derived from the traditional images that associated the Israelites with mysterious powers, with trade and finance. The current prominence of a few great Jewish banking houses in Europe confirmed that impression. As the decade passed without relief and Populist hopes were consistently frustrated,
it was tempting to find the explanation in the villainy of Wall Street acting on behalf of an international Jewish conspiracy to maintain the gold standard. That theory also found support in those strains of Socialist thinking in the labor movement and elsewhere that associated capitalism with the Jews.

Before 1900 these inchoate sentiments of hostility only rarely burst into overt expression. Anti-Semitism did not find its way into the practical program of the Populists or the reformers associated with them. But after the turn of the century, some of the defeated Populists, striving to save their careers by demagoguery, found anti-Semitism a useful tool. In Georgia, for instance, Tom Watson, for whom the world seemed to be plunging hellward, clutched at one object of hatred after another, turning first against the Negro, then the Catholic, and finally the Jew. Watson did not hesitate to preach open violence; and his inflammatory words led to the lynching in 1915 of Leo Frank, a young Jew held on a trumped-up charge of murder.

Whatever wild emotions Watson and his like stirred up from time to time had only a momentary effect. The cumulative consequences were frightening, but they were not yet bound in with any defined practical program of political action. It was the function of the immigration restriction movement to supply such a program.

The impulse to reverse the traditional policy of free immigration had several sources, and into it were drawn a number of disparate groups, including elements of the Populist and labor movements as well as more conservative citizens worried about order and stability. What drew these incongruous allies together was the desire to halt the processes of change about them. Dismayed by the growing diversity of the American population, they were convinced the national character was fixed and ought no longer to change. They were also inclined to blame the newcomers for the pressing social problems that seemed to overwhelm the nation.

It was, however, difficult to justify a reversal of the attitudes that for two and a half centuries had helped the country grow. No one believed that American expansion had come to a close. Why then should the United States now reduce the volume of immigration or even attempt to be selective about which people should be admitted through its gates?

To answer this crucial question the restrictionists set themselves the long and difficult task of proving that the immigrants then entering the country were different from, and inferior to, those who had come before 1880. The earlier, the "old" arrivals, had sprung from stocks that were close kin to those of the original settlers who had made America what it was. The later, the "new" immigrants, were of an
altogether different breed—alien, and therefore incapable of mixing happily with the existing residents or of living satisfactorily under existing institutions. The demonstration took the form of a persistent stream of arguments that proved not only that the immigrants from Southern and Eastern Europe were responsible for every national ill, but also that their deficiencies sprang from ineradicable traits that originated in the heritage.

Along with the Italians and the Poles, the Jews were prominent in the immigration of the quarter century after 1890; and a good part of the restrictionist argument was directed against them. Outright propaganda and presumably scientific studies alike broadcast the picture of the ghetto Jews, swarming in the slum tenements, unassimilable in their ancient ways, and incapable of conforming to the American manner of life. To the extent, of course, that the spreading pattern of exclusion confined the Jews to separate residential districts and institutions, it seemed to confirm the impression of clannishness and unassimilability.

This explanation of the irreducible differences came from the developing conception of race as a valid biological division of mankind. In their long wrestling with the problem of the Negro some Americans had grown accustomed to thinking in those terms. Others learned to do so from the campaign to exclude the Chinese, and still others from the imperialist writings that justified the permanent subjection of the lands taken from Spain. Many social scientists thought some such classification of humans an essential prerequisite to valid generalizations; and the success of plant and animal breeding based upon the rules of genetics led substantial numbers to wonder why the same rules should not hold for men also. By the period of World War I the belief was widespread that humanity was divided into fixed races endowed with heritable and immutable traits. The Jews were one such race, different from the Anglo-Saxon race which had created America; that accounted for the failure of assimilation in their case. Madison Grant’s much-read Passing of the Great Race (1916) painted in horrific terms the tragic fate that awaited the nation if the Jews and other brutish invaders were not strictly controlled.

The war and the common sacrifices it entailed created for the moment a sense of unity that transcended the group divisions. But the disappointments of the peace stirred up and intensified the old bitterness. The sense of betrayal, the feeling that all the difficulties of the struggle had been in vain, led to a turning inward. Disposed to cut themselves apart from the treacherous world, to seek peace in isolation, Americans turned against all that seemed foreign. That xenophobia was woven into the restrictive immigration legislation enacted
in the five years after the war, and was also responsible for a rising tide of hostility to Catholics and Jews, both groups with international connections.

If the history of Europe was at all a warning, there was indeed cause for alarm. Everywhere in Eastern and Central Europe the old regimes had been pulled down by Bolsheviks eager to destroy established institutions. Was it not possible that identical covert forces moved the wild groups of Anarchists, Wobblies, Socialists and other disturbers of order in the United States? A congressional committee heard evidence that it was the East Side Jews who had created the Russian Revolution; and many a man began to reflect that perhaps it was true, as prophetic novelists had already suggested, that the Jewish conspiracy operated on both fronts, through the international bankers and through the international revolutionaries.

This was the explanation advanced by a vicious little volume that began to circulate widely through the nation in the 1920's. *The Protocols of the Elders of Zion* gave the details of a meeting in Prague at which the whole design had presumably been planned. All the frightening images were present: the mysterious powers of the rabbis, the gold standard, the great bankers, the insidious radicals. The obvious forgery of the *Protocols* had actually been perpetrated earlier in the century by the Czar's secret police. But it was now accepted literally by thousands of gullible Americans along with a vast array of other racist and anti-Semitic writings imported from Europe.

When coping with familiar problems, Henry Ford was as shrewd a judge of facts and men as anyone; his fortune testified to that, as did the extent to which he had become almost a folk hero. He had made good despite his opposition to Wall Street and the bankers. He was not one to be taken in by slickers of any sort.

But the upheavals of the period created new and unfamiliar problems and Ford was taken in. The flimsy charges of conspiracy convinced him and he spread the warnings of its dangers through the columns of his *Dearborn Independent* and through his little book, *The International Jew*. These were read and believed not only because they were phrased in terms of images Americans had already learned to accept, but also because of the enormous popular prestige of their sponsor.

It was not easy to understand what was the proper course of action in the face of these vague, insidious enemies. However rigid the exclusions, they seemed not to solve the difficulties of the time. In the face of disorder and social instability, men longed to draw together, if only to find security in each others' company. A little group formed during the war under the name of the old Ku Klux Klan now bur-
geoned into a great national organization boasting at its peak close to five million members. The Klan proclaimed itself the foe of the Negroes, the Catholics, and the Jews, the defender of 100 per cent Americanism against foreign threats. The local merchants and lawyers donned masks and hoods to meet in secret conclaves. As they exchanged the ritual greetings that gave them unity, they found a momentary satisfaction in the belief that they were assembling the weapons to drive their foes out of American life—by whatever means were necessary.

Against this developing hostility, Jewish defense was almost totally ineffective. How was it possible to prove the nonexistence of a conspiracy? Although Henry Ford was compelled to retract his own accusations, there was no way to halt or counter the flood of false charges; the courts held an individual could not be damaged by libel against a group. Apologia did not quiet the irrational fears of the anti-Semites; it may even have stimulated them. And the tactics of intercession were fruitless against mass movements in which deep currents of emotion were involved.

The most that could be done was to prevent these hostilities from penetrating the law or affecting the action of government. This aspect of the struggle was more successful, partly because long-standing constitutional guarantees protected the freedom of religious groups, and partly because the Klan and similar organizations were themselves confused and uncertain about their practical political objectives. They did help enact the immigration legislation of 1921–24. But, short of complete exclusion of Jews and Catholics, which they hoped to achieve, they had no defined aims; and all this agitation and activity through the 1920's left no significant anti-Semitic imprint upon American legislation or political practice apart from that implicit in the quota system.

In the course of these decades, however, American Jews learned two lessons of momentous importance. They came to recognize, first, that their own security would be best preserved not by seeking to adjust to laws which were generally iniquitous, but rather by struggling for the general liberties of all Americans. The most effective strategy for the defense of Jewish rights, it was clear, was the assertion and defense of the rights of all those threatened with discrimination on re-

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2 The Klan now formed had no connection with the organization of the post-Civil War reconstruction period which had been confined to the South and had directed its hostility against the Negro.

3 In 1927, in a letter to Louis Marshall, Ford deemed it his “duty as an honorable man to make amends for the wrong done to the Jews as fellow-men and brothers . . . by retracting the offensive charges laid at their door.”
ACQUISITION OF POLITICAL AND SOCIAL RIGHTS

Many Jews also came to believe in this period that their own security was linked to the success of American liberalism. That had not been the case before World War I; then, indeed, there had been a pronounced strain of anti-Semitism in the radical fringes of liberalism which alienated Jewish support. But after 1918, the conservative wings of the Republican and Democratic parties had directly or indirectly accepted the support of racial and religious bigots. Those who accepted the support of the Klan could not hope for that of the Jews, who after 1928 were increasingly inclined to think that their only reliable defense was a general ideology of which equality and personal liberty were integral parts.

Armed with these convictions, American Jews were prepared to meet the greatest threat of modern times, the threat of totalitarianism that hung over the United States as it did over the rest of the world in the 1930's. The prolonged depression that left some ten million Americans unemployed for most of that decade had a disastrous effect. The shattering insecurity of the times deprived men of faith in themselves and in the traditional assumptions of their society and left them exposed to the lures of demagogues and the peddlers of panaceas. Scores of movements sprouted, purporting to explain all the ills of the universe and offering quick and easy cures. Many of them built upon the hatreds and racial fears of the previous decades and openly preached a war against the Jews.

The anti-Semites were aided by the German government that took power in 1933. The dynamism of Fascism had, from the first, led the Nazi leaders to envision a long course of conflict and conquest, in which anti-Semitism played a strategic role. Within Germany, agitation against the Jews was to unify the nation in support of National Socialism. Abroad it was to draw the Auslandsdeutsch to support the Fatherland and to give other folk a stake in a Nazi victory.

Hitler's government therefore actively undertook an anti-Semitic campaign in the United States, operating both through the German-American Bund and through organizations of native Americans. Material drawn from the Nazi writings and occasional financial aid stimulated the flourishing anti-Semitic movements that grew steadily in number and membership down to 1939. At the core of the propaganda of these years was still the accusation of conspiracy. First evi-
dence of the existence of the conspiracy had been Jewish responsibility for the depression. After 1939, it became more usual for the anti-Semites to ascribe to the conspiracy the blame for the bloody struggle in which the nation was about to plunge. As the war in Europe started and then grew more bitter, the agitation mounted in fervor and intensity. The fact that Jews opposed Hitler and fought the spread of Nazism was taken as a sign that they wished to involve the United States in war; and some isolationist elements found themselves drawn to a position from which they attacked the Jews as a group. By 1941 clear echoes of the doctrines preached and practiced in Germany were being heard on the floor of Congress.

Significantly, although some of the movements used the term "Christian" in their titles, their anti-Semitism was racial rather than religious. They did not seek the conversion of the Jews but rather their exclusion from national life.

The virulence of this campaign summoned forth the best defensive efforts of American Jews. The experience of Germany, Austria, and Czechoslovakia as the Nazis assumed power was ample evidence of the urgency of the times. The old organizations renewed their efforts and now found support from ever wider sectors of the Jewish community. With the passage of time, the immigrants had come both to see the relevance of discrimination in their lives and in the lives of their children, and also to have a clearer understanding of the ideals of equality that anti-Semitic practices contradicted. The American Jewish Congress, the American Jewish Committee, and the Anti-Defamation League all began, for the first time, to acquire some degree of mass following.

Organized Jewish labor also shed its aloofness. There were still traces of the propensity to consider all questions of prejudice no more than reflections of the class conflict or of economic disorder. But the crisis was so acute and the threat to labor so direct that there was no time to wait for some fundamental social transformation. The leading unions and allied organizations joined, in 1933, in the Jewish Labor Committee, which thereafter worked with the other defense groups against the common enemy.

The tactics of opposition also broadened in this decade. There was still great emphasis upon the prevention of adverse public measures. But this phase of the problem seemed less critical than it had before, since the trend of government policy under the New Deal had diminished the danger of hostile legislation. Furthermore, there was less enthusiasm now than before in the efforts at apologia and at intercession; to many it seemed the experience of Germany had demonstrated the futility of such efforts.
The dominant defensive energies were expended in two different directions. Some Jewish groups considered the foremost need to be public agitation. They regarded the battle against Fascism as primarily political, and to that end sought to win over as many allies as possible by exposing through counter-propaganda and by appeals for wide public support the motives and the operations of the hate-mongers. Other Jews thought that such methods only called attention to the Fascists and their allies and gave them notice they would not otherwise have received. From this point of view, the main task was educational, to be executed through religious, economic, and social groups with the intention of spreading an understanding of the place of the Jews in American life and of the threat of totalitarianism to all free peoples. In actuality, the line between the two positions was not altogether clear-cut; and, since there was no central authority to lay down a single policy for all Jewish organizations, both procedures were followed.

As important as the work of the Jews through their defense organizations were the activities carried forth in active collaboration with other Americans. Efforts to arrive at greater interreligious understanding were already under way in the 1920's; they were pushed more vigorously in the 1930's through the National Council of Christians and Jews and other bodies. On a local basis there were also concerted efforts to reduce the misunderstandings among religious groups.

But the most troublesome tensions of the decade did not have their source in religious differences; they originated rather in hostilities based on racist emotions. It was fortunate, given the circumstances, that the Jews had come to understand the broad basis for their cooperation with other Americans. By the 1930's, they considered themselves one of the "minorities," that is, one of several groups to some degree discriminated against. Along with the Negroes, the Catholics, and many of the foreign-born, they were deprived by prejudice of the equal opportunities of American society. In the elections of 1928 and 1932 most of these minorities had already drawn together under the aegis of the Democratic Party. Thereafter the New Deal offered them the hope of positive action to ameliorate their status, for the enormous expansion of government activity in the public welfare suggested that governmental action might be effective in this area as well.

The legislative achievements of the decade were slim, partly because political alignments limited the effectiveness of the minorities in Congress, and partly because the minorities were themselves still on the defensive, more concerned with delimiting and restraining the spread of racism than with the possibility of taking aggressive action to extirpate the disease. Nevertheless the New Deal alliance was sig-
significant because it set some of the egalitarian goals of the decade that followed, and because it was one of several factors that limited the growth of anti-Semitism. Despite their mass membership, the Fascist movements were incapable of influencing the actions of government.

Indeed, in perspective, the anti-Semitic organizations, for all their furious efforts, seem to have been condemned to total futility. They represented diverse, and often mutually antagonistic, elements, and were therefore never able to unite toward common ends. Each held forth some total panacea, but none was capable of presenting a practical program that might lead to immediate action. Given the American constitutional guarantees, they could ask for total revolution or nothing; and, although their followers found cathartic release in talk of violent revolution, there was no desire to translate the slogans into deeds. Paradoxically, the example of Nazi Germany was of considerable importance for, while it spread anti-Semitism, it also showed the lengths to which such agitation could lead, and it gave pause even to those who practiced the politer forms of discrimination.

**The Effects of Another World War**

World War II made a decisive difference. The global struggle that began in 1941 called for the union of all Americans; at the same time it totally discredited all those who had accepted the assistance of the Nazis and who preached doctrines similar to those that led Germany to destruction. The barbarities that culminated in the extermination camps horrified every sector of public opinion in the United States. Few wished any longer to be associated even indirectly with their country’s foes; and anti-Semitism was now inescapably linked to the tragic events in Europe. The movements of the 1930’s withered away and died.

Nor did peace lead to their revival. This postwar period had enough sources of disturbance of its own; but anti-Semitism was not now one of them as it had been in the 1920’s. The Columbians and similar groups who wished to set up business again under the old slogans were quickly disillusioned. A few agitators wandered unheeded through the country; a handful of scurrilous journals and books circulated among the still zealous; and an occasional man of new wealth was willing to pay for expressions of his own atavistic hatreds. But thirteen years after the start of the war, it was safe to say that the anti-Semitism of the past had disappeared.

The war had the decisive effect it did because the racism on which the hostility to the Jews had rested no longer misled substantial numbers of Americans. A new generation of social scientists and
biologists had demonstrated the falsity of the old assumptions, and a public constantly being educated had become freshly aware of its own heritage of diversity. By mid-twentieth century, it was hard to find any serious defenders of the old ideas.

There remained, however, the hardened patterns of discrimination and exclusion which would not fall away by themselves. Habits and interests created over the years kept them in place even after the reasons that had first called them into being had ceased to exist. Only forceful action could destroy the moldy web of practices that kept some Americans inferior to others.

The growing security of the Jews in the decade of the 1940's enabled them to shift from the purely defensive stance of earlier years and to move actively to the fight for equality of opportunity and equality of rights. They had learned there was a unity of interests and ideals among all minorities, and no longer sought security on their own behalf alone, but rather the affirmation of general rights, the elimination of all ethnic prejudices.

While there was substantial agreement as to objectives, there were still meaningful divisions of opinion as to means. For a good part of the decade of the 1940's the most important Jewish defensive organizations were drawn together in the National Community Relations Advisory Council, a coordinating and clearing organization. But that by no means led to united action. As earlier, counsels were divided. One influential group sought the remedy in political action and hoped through legislation and appeals to the courts to put an end to discrimination by law. Others believed that compulsion could not be effective in these matters and that equality could only be attained through the elimination of prejudice by understanding and education. Action came on both fronts.

The times were propitious. The expansion of the economy all but eliminated unemployment and made room for newcomers in numerous desirable posts. Renewed mobility during the war and afterward freed many individuals from the binding force of old prejudices. And the necessities of the struggle against Fascist and Communist totalitarianism gave the ideals of personal equality critical importance.

The educational activities directed against discrimination, therefore, fell upon fertile soil. The social and psychological factors in prejudice were subject to scientific analysis; and all the tools of social science were brought to bear upon bigoted behavior. Studies in Prejudice and a mass of other literature attempted to arrive at a working theory that would account for both the personal and environmental elements in anti-Semitism. The results of these investigations were employed in practical campaigns to counteract prejudice by spreading
an understanding of its nature. In a more positive sense, serious attention was given the problem of getting Americans to know their own democracy and to remember the place of diverse ethnic groups in it.

It is difficult to estimate the effectiveness of this work. Its results would emerge only over a long term. Undoubtedly, however, it entered into the changed attitudes of the period, attitudes which made it possible to enact laws against discrimination, to begin to enforce them, and, in significant areas, to level the barriers of exclusion even without laws.

The swift advance of government power under the New Deal had begun to undermine the conception of private enterprise in which the public had no concern. Vestiges of the old view lingered, but clear-cut Supreme Court decisions, in *Nebbia* *v.* *New York* (1934) and *N.L.R.B. v. Jones & Laughlin* (1937), had extended the power of the states and of the federal government over industry and had shown a tendency toward a broad construction of those powers. It seemed reasonable to suppose that other entities heretofore considered private might be subject to analogous controls.

There was long precedent for regulation of some kinds of accommodations. In the old statutes for licensing common victualers, innkeepers, and other service establishments, there had often been the requirement that all comers be served equally. During the Reconstruction period and afterward, some states had enacted civil rights laws with the same intent in order to protect the Negro. By the end of the first decade of the twentieth century eighteen Northern states had laws that forbade discrimination on account of color or creed in resorts, places of amusement and refreshment, and transporation. The Jews were affected mainly by exclusion at resorts; and with respect to accommodations at those places, prohibitory laws were almost totally ineffectual. After 1945 there was some tightening of the law, often with powers of enforcement given to the attorneys general or special state commissions, and a steady amelioration of the offensive conditions. Significantly, however, the improvement was marked also in the case of clubs and other associations not subject to regulation by law.

Graver difficulties were wrapped up in the problems of discrimination in housing. In this field, shortages were critical during and after World War II, and here ethnic sensitiveness were particularly involved, for upon access to housing depended the character of the neighborhood and of all the social institutions associated with it. Furthermore, heavy subsidies gave the Federal and state governments direct interests in the conduct of many new projects.
The first successes in the battle against discrimination came in connection with ventures in which use of public funds gave the government a clear right to make its wishes felt. Beginning with New York in 1939, nine states forbade their housing projects to differentiate among applicants on the basis of race or creed. In 1950 the same ban began to be extended to urban redevelopment schemes in which the state interest was less direct. Efforts to incorporate analogous provisions into Federal law failed however.

The Jews welcomed these steps. But such laws did not go far toward a solution of their own problems, which centered in the restrictive practices in the sale or rental of private quarters. The restrictive covenant had been allowed to pass almost unchallenged, although a case might have been made against it as a conspiracy. Only one state, Minnesota, had acted to limit its use (in 1919); and the Supreme Court in *Corrigan v. Buckley* (1926) had appeared to accept its validity.

Signs of change in law and attitudes came after the end of World War II. In 1948 the Supreme Court held in *Shelley v. Kraemer* that judicial enforcement of such agreements was state action prohibited by the Fourteenth Amendment. More important was the general relaxation of hostility. It was quite clear that restrictive covenants continued to be written into deeds of sale on an informal basis. But, increasingly, Americans were finding these barriers against the Jews pointless, and neighborhood after neighborhood saw the dissolution of the old prejudices.

Shifts in law and sentiment also undermined the patterns of exclusion in employment. Again the first steps came in connection with public service. Early measures had occasionally ruled out religious discrimination in appointments to the civil service. In the 1930's a long list of Federal and state laws forbade discriminatory practices on the part of employers whose work was connected with the government: New Jersey in public works, New York in public utilities, Wisconsin in public schools, Pennsylvania in labor unions; and the national government in connection with the defense housing, slum clearance, Public Works Administration, and unemployment relief acts. After 1940, as the volume of defense orders mounted, an ever larger percentage of American industry was tied to Washington and thus subject to similar regulation.

The initiative in securing action was taken by the Negroes, but supported by the Jews and other minorities. A threatened march on Washington led to the issuance by President Franklin D. Roosevelt on June 25, 1941, of Executive Order 8802, which forbade discrimination because of race or creed in government service, defense industries,
and unions. A Fair Employment Practices Committee was appointed to supervise the Order, and it served throughout the war, although with limited powers.

Between 1944 and 1952 efforts to make the fair employment practices permanent through Federal legislation failed; successive bills could not surmount the hurdle of Southern filibusters in the Senate. The battle then shifted to the states. New York and New Jersey took the first steps in 1945, and they were followed by Massachusetts, Connecticut, Rhode Island, Washington, Oregon, and New Mexico in the next few years. Laws were also enacted in Indiana, Wisconsin, Kansas, and Colorado; and in other states similar measures were introduced but not passed. In a number of those recalcitrant states, however, ordinances by municipalities served the same purpose.

The fair employment laws were not a cure-all. Enforcement was difficult and evasion by subterfuge easy. Nevertheless the laws had enormous importance. Overt discrimination became difficult and scarcely worthwhile. Employment agencies and the personnel offices of large corporations were particularly affected, since their records were readily subject to scrutiny. In any case, the fair employment measures helped create a standard of what was legal and just; and since most Americans preferred to act legally and justly, the laws called into question the old unthinking practices based on prejudice. Steadily the prejudices yielded, and Jews found employment, in increasing numbers, in professional and clerical occupations that not long before had been barred to them.

The relaxation of the pattern of discrimination also influenced education, since exclusion in this area had been closely related to professional and social selection. The war and the G.I. Bill of Rights for veterans brought Jews to colleges and schools throughout the country where they had scarcely been known before; and that alone earned them wider acceptance. Three states (New York, Massachusetts, and New Jersey) adopted fair educational practices laws, and although the enforcement power was weak, the importance of the standards thus set was great. The over-all limitation on the number of medical students was still used as a justification for some restrictive practices. But even in this very tense area, there was progress, particularly in the northeastern states.

At mid-twentieth century, American Jews could look back with satisfaction at their recent past. For seventy-five years they had withstood the painful trial of anti-Semitism. The development of the patterns of discrimination and exclusion had subjected them to severe personal and social trials; and for a time organized movements had actually threatened them with violence. The triumph of the healthier
forces in American life offered a release from the tensions of the period that had passed. Jews now acquired a new sense of integration in American life and displayed a fresh confidence in dealing with its problems.

They were able thus to present their views on government policy without the self-consciousness and uncertainty characteristic of the decades after World War I. The challenge of the displaced persons of the postwar era evoked a quite different response from that presented by the refugees of the 1930's. The Jews now did not hesitate to press upon the government the urgency of relief of the displaced persons, and their support was instrumental in securing the enactment of the successive displaced persons acts.

For the first time in many years also the racist features of the permanent immigration law were brought under attack. All during the war, Jewish organizations had been hesitant to reopen the issue. They now led an unsuccessful fight to bring the law into accord with American principles. Speaking for the most representative groups in 1948, the American Jewish Committee pointed out that Jews had a direct valid interest in the fate of their relatives and co-religionists abroad and had a right to act and be heard on their behalf.

An analogous right was asserted with reference to the British Mandate in Palestine, and the subsequent State of Israel. Not all Jews were Zionists; not all were even interested in furthering the settlements in the Holy Land. But Jews could now assert—and their assertion was widely accepted—that expressions of such interest did not diminish their loyalty to the United States or divide their allegiance. They had a right as Americans to use all legitimate means to further the objects of their concern throughout the world.

With the same confidence they would turn thereafter to confront once more the problems of their religious differences. As the critical issue of race receded and lost importance, the Jews could take stock afresh of their situation in the face of new developments in the relationships of church and state in the United States.

THE REMAINING PROBLEMS OF CHURCH AND STATE, 1920–1954

The rise of anti-Semitism had only temporarily obscured the remaining ambiguities in the relationship of church and state in America. The surviving disabilities under which Jews still suffered were, after all, relatively unimportant and did not match in urgency the threats of racism. But the ambiguities nevertheless persisted. Survivals of religious establishment in minor ways still put Jews at a disadvan-
tage. Once free of the major threat, they were free to give these lesser ones their attention.

Both the rising secularism of the 1920's and the 1930's and the re-
vival of religious interests during the war and after complicated the problem. The apparent apathy of the interwar years induced some ecclesiastical bodies to turn to the state for aid in bringing people back to the churches. The widespread growth of church membership after 1940 made other groups belligerently intransigent about any measure that threatened the status quo. By then the more important religious bodies had effectively mobilized their political strength, often maintaining powerful lobbies in the national and the state capitals. It was a rare legislature, or even court, that was willing to take the risk of earning the displeasure of any sect of substantial size. The ecclesiastical authorities could not always have their way when they sought action. But they were almost always able to block action they did not approve; and that tended further to preserve the existing situation as it was.

By now the strategy of the Jews had also been clarified. There was still some evidence of desire to work only in the interest of group security. But the dominant opinion had abandoned that objective entirely. The experience of the past had shown that security was most readily to be reached through a general struggle for the liberties of all Americans. The defense organizations that had conducted the resistance to anti-Semitism were also in the forefront of the fight for religious freedom. The tactics that had succeeded in the one case they hoped would also succeed in the other.

The issue of establishment had long been settled; even the occasional lapses by which officials and public documents had once referred to the United States as a "Christian nation" were not now likely to occur. The Christian Amendment Movement (formerly the National Reform Association) continued its futile agitation to secure the mention of Christ in the constitution, and Senator Ralph E. Flanders of Vermont was led to introduce such a resolution in 1951, and again in 1954. But neither the resolution nor the agitation represented more than local eccentricities.

On the other hand, the period saw the firm limitation of state power in this sphere. Most of the state constitutions had contained provisions for religious liberty and equality, and many also forbade state support of religious institutions. But the Supreme Court of the 1870's and 1880's had frustrated the effort to restrict the states by the Fourteenth Amendment as the First Amendment restricted the Federal government. That damage was mended by a later court. Justice Harlan's dissent in Patterson v. Colorado (1907) pointed the way. In 1923, the
case of *Meyer v. Nebraska* interpreted the clause of the Fourteenth Amendment forbidding any state to deprive "any person of life, liberty, or property, without due process of law" broadly enough to cover religious freedom. Two years later the case of *Pierce v. Society of Sisters* held a state law outlawing parochial schools unconstitutional on those grounds. Thereafter the states were almost as severely restricted as the Federal government, as the Supreme Court made clear in *Cantwell v. Connecticut* (1940).

The practical application of the principle remained difficult however. Some states were now disposed to treat every religious affiliation as if it were fixed and established, in adoption laws, for example. Elsewhere residues of ancient legislation remained in effect. Thus, many state governments retained on their statute books old blasphemy and sacrilege laws that generally remained unheeded but occasionally were the basis of an explosive incident. Maryland did not repeal its law of 1723 until 1920; and it was not until 1952 that the Supreme Court, in the "Miracle Case," supplied a basis from which it might ultimately be possible to attack the constitutionality of such enactments.

The Sunday laws presented a far more serious problem. Earlier development had left them an unreasonable and unprincipled hodgepodge of compromises. Yet most states retained unrepealed complex codes of permitted and forbidden activities. The old distinction between "labor," which observant Jews could perform, and "selling," which they could not, was adhered to by the courts with some rigor, not for its logic but for fear of being set adrift without any guiding precedents at all. In 1951, the New York courts refused, in *People v. Friedman*, to rule afresh on the issue; the legislature was unwilling to act a year later; and the United States Supreme Court evaded the necessity of ruling on the constitutionality of the law. For the time being, in New York State and elsewhere the injustices of the Sunday laws were mitigated only by the general and widespread disregard of their provisions. According to the letter of the law, many Jews could not yet feel that they had attained complete religious equality or the recognition of their rights.

The most serious difficulties, however, have come in connection with old and new aspects of the relationship of religion to the public schools. For more than a century, almost all Jews had been committed to public education, and their rights were seriously involved in any measure that relegated their children to an unequal position there. The practice of reading the King James Bible remained as worrisome as ever. Indeed, as the custom was attacked, state after state between 1913 and 1930 buttressed it by law, sometimes under pressure
from the Ku Klux Klan. Some states barred comments on the part of the teachers; others excused the children of objecting parents; and still others compromised by a variety of expedients. But the unconstitutionality of the whole practice was not seriously questioned until the 1950's, although the highest court of Louisiana in the case of Herold v. Parish Board (1915) had foreshadowed the questionable character of the usage.

In 1950 the New Jersey Supreme Court in Doremus v. Board of Education sketched the outline of a compromise. It ruled that reading portions of the Old Testament without comment was permissible, since that did not favor one sect above another. The same court, in line with that precedent, in Tudor v. Board of Education (1953) held unconstitutional the distribution in the public schools of Gideon Bibles, which incorporated the Protestant version of the New Testament. Nevertheless, in many parts of the country, particularly in the South, the King James Bible continued to be used, whatever the law might be.

Vestiges of other denominational practices persisted elsewhere in the public schools. Thus, in some districts in North Dakota every school was required to display a placard containing the “Ten Commandments of the Christian religion in a conspicuous place.” There were states where teachers could appear in class in religious garb, and where parochial schools were made part of the school system. In many parts of the country the celebration of Christmas and Easter centered in distinctly sectarian services. Such habits proved extremely difficult to overcome, although they remained relatively unimportant in the total picture of church-state relationships.

The most acute problem of all, after 1945, was created by various plans for releasing children from public schools for limited periods for the purposes of religious education. These programs were originally projected by Protestant clergymen at the beginning of the century. Gary, Indiana, was the first city to adopt the method just before World War I. The idea spread gradually through the 1920's and 1930's and then more rapidly after 1940. Various plans differed widely. But their essence was the use of the public school as a means of drawing children to sectarian religious instruction.

The Jewish reaction to these schemes was at first equivocal. Some Reform groups were quick to oppose them; back in 1904 the Central Conference of American Rabbis had made its position clear when it recognized the “absolute necessity of separation of church and state” and condemned sectarian practices in the public schools. Other Jewish groups, however, had themselves long been troubled by the difficulty of supplying adequate religious training to the youth and were
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tempted to think that the aid of the public schools might be a solution. By the same token, and for the same reasons, the Catholics, who had at first opposed the plan, ultimately became its most enthusiastic supporters.

The Jews, however, were quick to see the potentially divisive effects. That they themselves might not suffer was not enough. Their whole experience had demonstrated that their own rights could only be safe behind a bulwark of general principles; and released time, in whatever form, threatened to weaken the wall between church and state that by now was their main safeguard. After 1947, all the major Jewish organizations were united in the view that they opposed these programs.

Difficult problems were involved in the question of the constitutionality of released time laws; it was not at first clear to what extent public funds and facilities could be used to further sectarian ends. In 1947 in *Everson v. Board of Education*, the Supreme Court had permitted a state to supply free bus services to the students of parochial schools on the grounds that these were services to the children and not to the schools. Similar reasoning had already justified Federal and state aid to schools, hospitals, and other institutions, even when conducted under religious auspices.

The court was, however, not willing to allow the public schools to become the instruments of sectarian instruction. In 1948, only a year after the bus-service decision, *McCollum v. Board of Education* not only declared the Illinois version of the released time program unconstitutional, but also in a ringing statement firmly set forth the principles of total separation of church and state. Although the case of *Zorach v. Clausen* (1952) a few years later found a revised form of the released time plan acceptable, it did so without reversing the reasoning of the earlier case on the general principle of the separation of church and state. The continuing agitation to secure public funds for parochial schools seemed blocked off by the clear ruling against any such form of direct aid.

* * *

Such problems remain serious. They are often the cause of personal unhappiness and annoyance and of friction among religious groups. Nevertheless, the struggle to eliminate them from American life will undoubtedly continue.

In the perspective of the three hundred years of Jewish settlement in the United States, however, these sources of friction do not loom large. The general development of American free institutions has created an impregnable bastion within which Jewish political and social rights are secure. A survey of the enormous distance the Jews
have already come toward the acquisition of equal rights can leave only optimistic expectations for the future. They have left far behind the heritage of law and practice derived from the closed society of medieval Europe and have earned the full rights of men and citizens of the New World. In the process, they have also extended the meaning of Americanism.

For a long interlude between 1880 and 1940, the threat to equality came from racist sources. That threat was vigorously met and subdued. But outside that period the inequality of the Jew originated in the religious differences that divided him from other Americans. To level that inequality the Jews had at hand the great discovery of the Revolutionary generation that, religion being a matter of man's conscience, it ought to be entirely free of the state and the state entirely free of religious interference. With that premise, increasingly accepted by their fellow citizens, the Jews have an unassailable claim to rights identical with those of every other American. To make the claim good in practice is a long and difficult task, and one that is still in process. But so long as the principle, long recognized, is not forgotten, the ultimate issue cannot be in doubt.

In the United States, the outcome has been not only to strengthen the Jews, but to strengthen the nation and religion as well. For, as Hayim Greenberg put it, in words that Jefferson and Madison would have echoed:

Religion . . . must not, if it wishes to remain faithful to its nature, source and purpose, employ or endeavor to employ the State and its instrument for its own purposes. Precisely as power and the opportunity to use power for purposes of coercion is the outstanding characteristic of the State, so the characteristic concern of religion is the liberty of the individual. It is impossible to require that any man shall believe in a given faith if he does not "tend to believe" by virtue of his very personality. The position of persons subject to compulsion . . . cannot be regarded as having any religious value and is, indeed, fundamentally anti-religious. The . . . theocratic state is anti-religious, and, in the last resort, a State without God. Army and police as auxiliaries diminish the Divine Authority and do not extend it. Indeed, this aid serves to violate the very concept of Divine Authority over Universe and Man.

In this sense, it was one of the contributions of the Jews, along with other dissenting folk, to have participated in establishing the line between belief and power, between religion and the state. In that process they have demonstrated that men of whatever religion can with equal rights live together as good citizens of the same state.
SUGGESTIONS FOR FURTHER READING

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There are no two people who would agree on the precise meaning of the term "Judaism." Even if we were to limit ourselves to questioning people who claim to be adherents of Judaism, we should find a wide variety of commitments covered by their assertions of adherence. While it is improbable that many of these commitments would be contradictory, some of them would be so widely divergent that it would be difficult to bring them together into any general description that would be at all definitive. It would be possible, of course, to propose a sort of definition of Judaism by enumerating all its varieties. But an enumeration of this sort, a mere listing of variations, would not provide us with a usable criterion of what is Judaism and what is not.

We can account for this difficulty more readily than we can overcome it. For all the millions of words that have been written over the course of the history of the Jewish people dealing with the religious beliefs of that people, Judaism has very little theology. Its doctrinal positions tend rather to be assumed than to be debated. Debate among adherents to Judaism, internal debate, is concerned with matters on the periphery, with matters of practice and not of theory. Therefore there have been widely satisfactory and acceptable codifications of Jewish law for various times and places, but no widely accepted or acceptable statements of Jewish belief. Exception may be made here of the minimum statements of belief contained in Maimonides' Thirteen Articles of Faith, which have been used in lieu of a creedal formulation for many centuries. If this is an exception, it is one that proves the general rule, for it is a minimum statement. It was produced not as an attempt to define Judaism, but as a definition of the rock-bottom minimum that differentiated a Jew from a Christian or a Muslim in an age and at a place where the three sister-faiths, all descended from the faith of Biblical Israel, coexisted in close contact. Indeed, one might say that the Maimonidean Articles are not so much an expression of what it means to be a Jew as a statement of what it means not to be a Christian or a Muslim.
If there is merit in what we have said thus far, the quest for a definition of Judaism is revealed as fruitless and we are thrown back upon a purely descriptive approach. We cannot tell what Judaism is, and we have, therefore, no criterion by which we can reliably judge orthodoxy or heterodoxy among the Jews of any time and place. We are forced to accept the uncomfortably vague formulation that Judaism is the expression of the spiritual life of those people in any locality and at any period who regard themselves as Jews. We must invert our criterion: instead of using Judaism as a standard of Jewish spiritual life we must use the spiritual life of Jews as a standard of Judaism. In effect, this is an abandonment of the claim so often advanced, and nowhere more insistently than in Professor George Foot Moore's classical discussion of Judaism in the First Centuries of the Christian Era,¹ that there is a “normative” Judaism. Instead of making this assertion, we shall make the counterclaim that there is a large number of sometimes widely differing traditions; that to each of these traditions its adherents attach the name “Judaism”; and that an additional confusion is introduced by the use of “Judaism” as a class-name for all of these traditions.

Each of these particular varieties of Jewish spiritual life is produced by the combined operation of a multiplicity of forces. These forces are so many and so heterogeneous that it would not be excessive to say that every force that plays upon the life of the Jews in any of their local and temporary situations has its effect upon the final synthesis. It is not inconceivable that the activity of scholars in this field, prolonged for many centuries, might produce a physics of Jewish history, in which the operation of each of these many forces would be reduced to laws, and reliable predictions of new syntheses made possible. In the absence of such a scientific history (and this is as true of general history as it is of Jewish history), all evaluations and predictions must be largely guesswork, infected by the personal preferences and prejudices of the student.

In the meantime, pending the creation of an historical physics, we can readily see that there is no aspect of life as it affects the Jew that does not enter into his conception of Judaism. So, for example, the Jew either is or is not integrally a part of the economic life of the country in which he happens to live at a particular time. If he is not integrated into the economic life of his place and time, he must nevertheless have an economic life; in this case, his economic activities would be largely, if not exclusively, carried on with other Jews. If the economic activities of Jews are fully integrated into the common economic life of the country, they would be largely carried on with non-Jews. In either case, patterns of Sabbath and holiday observance would
be conditioned by the pattern of economic life. Similar generalizations can easily be made for social, political, and cultural forces. The point that we are making here can be argued either empirically, by examining the actual operations of varying economic, social, political, cultural milieus, or rationally, as a deduction from our descriptive “definition” of Judaism as the expression of the spiritual life of those people in any locality and at any period who regard themselves as Jews. By deduction from our definition we reach the prediction that it will be the case that these forces will be influentially operative in determining the current variety of Judaism. Careful examination of historical situations and the varieties of Judaism that have, in fact, developed in these situations confirms the validity of our prediction.

Granting, now, the general validity of the hypothesis that has been put forward, it is beyond our scope here to follow in detail every aspect of the life of the Jews in America and to determine the effect of each aspect on the spiritual life of American Jewry. Indeed, in the present state of American Jewish historiography, to do so would be impossible. It is to be hoped that one consequence of the focusing of attention on American Jewish life in the celebration of this Tercentenary will be a quickening of interest in the writing of American Jewish history. Thus far the barest foundations have been laid; even in these foundations, great gaps appear; the major work remains to be done. At best, then, this essay can be no more than tentative and generalized. And the major generalization from which we would now proceed may be stated thus: There are, at all times and all places where Jews reside, two chief constellations of forces operating to shape the spiritual life of the Jewish people—one of these is the aggregate of external forces working on the Jews from the host-culture, the other is the aggregate of the internal forces of the varieties of Judaism brought by the Jewish group from its previous places of residence. The resultant of these two constellations of forces ultimately is the new variety of Judaism.2

The word “ultimately” as used in this generalization carries a great deal of weight. The creation of a new variety of Judaism does not take place overnight. We seldom think of the centuries that go into the making of a new synthesis; there is still in our thought a too-magical understanding of the historical process as interpreted by Hegel. The magician combines the ingredients of his magical potion; he gives the cup to his victim, and immediately the beautiful princess is transformed into an old crone, the palace into a hovel, the swarm of attendants into a forest surrounding and hiding the lowly hut. Years, nay, even centuries, may be needed for the unmaking of the spell, but it is made in an instant. So, too, when Hegel’s dialectic of
history asserts that each historical force (thesis) brings forth out of its inner incompleteness a countervailing power (antithesis), and that these two are then merged in a higher unity that comprehends them both (synthesis), we imagine that this life process is instantaneous. The reverse is more likely to be true. The chances of life may destroy in an instant an historical synthesis that has taken centuries to develop; it is the making that is the slow and time-consuming aspect of historical development. Thus the Babylonian Talmud, the major expression of the synthesis of earlier traditions of Jewish life with the particular conditions under which the Jews lived in the Babylonian cultural setting, contains the fruits of at least three centuries of adjustment. Without careful thought, we tend to foreshorten times past; and because we have done so, we tend to be impatient with the slowness of life processes in the present.

In the case of Jewish spiritual life in America there are many and valid reasons why three centuries have not been enough to produce a Talmud. Some of these reasons derive from the nature of the host-culture; others are the result of the way in which Jews of different backgrounds have come to America. American Judaism seemed closer to realization seventy-five years ago than it does today, and part of what we must do here is to try to understand why this is so. The conditions of Jewish life in America are unique in history. America has been for the Jews a land of diaspora, of Galuth, surely; and yet in America, more nearly than in any other land of diaspora, the social conditions have been those of the homeland, of Eretz. In America alone of all the nations in which the Jews have resided Galuth has not meant strangerhood but a broadened conception of brotherhood. In America alone the emancipation of the Jews has not been necessary, since in America alone the Jews have been from the outset of national life free and equal citizens of the land in which they live. We do not mean to deny here the facts of anti-Semitism and discrimination, but merely to assert that these distortions have received no official sanction in America.

The traditional expositions of Galuth (for example, that by Yitzhak F. Baer) seem almost completely irrelevant in the context of Jewish life in America. Although it has been attempted (for example, by Ludwig Lewisohn), no one has successfully interpreted American Jewish life into the dialectic of Galuth and Eretz, because America has proved to be both homeland and land of diaspora for the Jew. Paradoxically, this very fact, so difficult for Jews who have not lived in America (even though they may have resided in America) to understand, has been one factor responsible for the slow pace of development of an American Jewish synthesis. Because the Jew in America
has been of America, he has done his work and lived his life and made his contributions to the American cosmopolis rather than to the Jewish polis. Jewish thinkers in America are for the most part American thinkers speaking to an American audience, and the Jewish background of their thought is thus absorbed into the mainstream of American culture. Louis D. Brandeis, Benjamin Cardozo and Felix Frankfurter, in other times and places, might have made distinguished contributions to Jewish law; Morris R. Cohen, Horace Kallen, Irwin Edman and Ernest Nagel, in other times and places, might have made distinguished contributions to Jewish philosophy; and so we might continue through the list of poets and playwrights, novelists and critics, scientists, scholars, and historians. In any age and any clime, they would have had something to say to their world, but in other times and places it would have been the Jewish world to which they spoke. In America the lines of communication to the larger American world have been open, and in speaking to this larger world these American Jews have, for the most part, been drawn away from the creation of the American variety of Jewish tradition.

The American Cultural Setting

Despite the often-mentioned and indisputable fact that the American form of government may now claim a longer continuous existence under the same instrument than most other governments of the world, America is still a new country. From the Founding Fathers to our own day is but a matter of a few generations. Thomas Jefferson and John Adams lived until 1826; John Dewey, who was born in 1859, did not die until 1952. We need supply but one intermediate link to carry us from the days of the Declaration of Independence to the days of the United Nations and the atomic bomb. In a perspective such as this, the life of America has been very brief. When, therefore, we generalize about the American cultural setting, we must remind ourselves that insufficient time has elapsed to justify any prediction that the trends thus far revealed will continue. American culture may change its direction; some of the evidences of change that we see about us may become permanent marks of American life.

We must talk, then, about what has been true, or what we see in our own times; we must reserve judgment on the future. The most salient of the influences on American development in the past is what has been called the "openness" of American life. Geographically, this characteristic has been associated with the frontier. As a new country, with considerable amounts of virgin land and a population inadequate to bring this land under cultivation, America has been open, in the
sense of "roomy." Until recently, there has always been a spot some-
where on the continent where a newcomer from the crowded lands of
Europe could find a piece of untilled land, at first sufficient only for
his own needs, but gradually able to produce a surplus for the use of
others. While such land existed, America could well afford to be phys-
ically hospitable. Furthermore, in pioneer communities of this sort,
made up of new arrivals, traditions of mutual helpfulness readily grew
up. Each man came with nothing but his hands and a few primitive
tools. Without mutual aid, adjustment would have been slower and
productivity delayed. The ability to make a contribution to the grow-
ing community was all that was demanded of a new pioneer. No one
asked—indeed it might have been unwise and even dangerous to have
asked—what his life had been before he arrived in America. No one
asked about family backgrounds, for most of the migrants would have
had little to tell, and those who might have told more often had good
reason to keep silent.

True, few of the Jewish immigrants became pioneers; their Euro-
pean experience scarcely prepared them for such a life. Only after
1881 was there a conscious and deliberate attempt to settle Jews on
the land, and then it was not so much under the conditions of pioneer
life as in planned agricultural settlements, which were not too suc-
cessful. But although he was rarely an agricultural pioneer, the Jew-
ish immigrant was nevertheless well-known in pioneer life. For, in his
role as peddler, he provided a first link between the actual pioneers
and the towns they had left behind. Almost as soon as the pioneer
family was settled in its first sod hut or log cabin, the Jewish peddler
appeared with his pack on his back ready to supply the small needs of
the new settlers and to bring them news of the world they had left
behind to build a new world. Frequently, even with his small knowl-
dge, he was the literate in an area of illiteracy; when letters came, he
read them, and when letters had to be sent, he was the scribe. He per-
formed a number of services for the newly formed communities and,
in that open society where the worth of a man was measured by his
deeds, the Jewish peddler was always a welcome arrival. Small wonder
that as the community grew and flourished and became a town, the
Jewish ex-peddler settled into it and became, often, its leading mer-
chant. He had earned his right to that status in the same hard school
in which the pioneer farmer had become the agricultural leader. Long
before political cynicism in the large cities had smelled out the pos-
sibility of a "Jewish vote" and established the practice of trying to
catch that vote by placing a Jewish candidate on the party ticket, the
faith of their neighbors in the Jewish merchants of frontier towns had
brought the Jews into local political notice, in elective offices ranging
from dogcatcher to governor. Truly, American pioneer society was an open society, hospitable alike to any man, Jew or non-Jew, who could make a contribution to its on-going life.

The openness of the frontier, important as it was in eliminating from the social life of the immigrant Jew the keen sense of strangerhood and difference, was only a special and dramatic case of a form of openness that might better be called inclusiveness. Inclusiveness was a mark left upon the American spirit by the cosmopolitan ideals of the age of reason and enlightenment in which the United States was born. Until that age, with rare exceptions, societies had regarded themselves (as most still do today) as exclusive groups. Many of the names by which peoples called themselves, even in primitive times, symbolized this exclusivism. Ruth Benedict and other anthropologists have pointed out how frequently a tribal name means “human beings” or “mankind.” 7 Anyone misguided enough to be born outside the tribe could not be regarded as fully human. Far later, the highly civilized Greeks made the same sort of distinction between themselves and the “barbarians,” and even in recent times we have witnessed a similar relegation of the non-Aryan to the level of the non-human. To the everlasting credit of the Enlightenment be it said that it recognized no such distinctions. The enlightened mind could not have debated, as the Spanish colonizers of America had but two centuries earlier, whether the Indians had souls. All humanity was included within the enlightened use of the word “man.” Thus when Thomas Jefferson drafted the Declaration of Independence, he did not say that “all white Protestant Americans are created equal,” but that “all men are created equal.” It is in the context of this enlightened use of the term “man” that we must understand not only much of the American tradition, but also such expressions (so often glibly and unintelligently criticized) of Jewish enlightenment as J. L. Gordon’s “Be a Jew in your own house and a man outside it,” or the later comment of Isaac M. Wise, “For our own part, we are Israelites in the Synagogue, and Americans everywhere.” 8

It was, then, as a man with all the rights of man that the Jewish newcomer was officially welcomed into American life. In some local situations, more especially as the impact of enlightened ideas on the American mind faded, individual Jews had to struggle for the realization in practice of the official attitude. Until the twentieth century and the experience of World War I brought in its train a restrictive immigration law that differentiated between man and man on the basis of ethnic origin, the official attitude of welcoming Jews as men rather than rejecting (or, for that matter, accepting) them as Jews was unchanged. It is interesting to note that even when an untraditional
attitude toward unrestricted immigration began to be noised about, one virulent attack on immigration took special and favorable note of the Jews:

The day has long since passed when men come to America with the intelligent and moral purpose of seeking freedom in religious faith and political institutions. The only exception to this statement is the case of the Russian Jews who have come to our shores by the thousands since they were expelled from Russia. Ignorant as these Jews are, they belong to the most literate class of Russia. . . . However clannish the Jews may be in their religious faith, their religion has no tenet in it that may not harmonize with any government; and in whatever country they find a home, they adopt the national language and patronize its best schools and universities. . . . Whatever may be said on minor questions, on the vitally important question of the adaptation to and power to assimilate with our political and civil institutions, we have less to fear from the Jews than from any other class coming to us from continental Europe.9

But we should note that although this statement is not anti-Jewish, it is anti-enlightened because it talks of Jews as Jews, not as men.

In addition to such features of American life as its openness and inclusiveness, this host-culture has certain characteristics that have special relevance to the development of the spiritual life of American Jewry. We are convinced that, with certain minor exceptions like the Mennonites who have segregated themselves from the currents and cross-currents of American life, these characteristics have equally affected the spiritual life of every religious minority in America; moreover, we are convinced that there is no religious majority in America. We are suggesting, therefore, that these characteristics of American life are basic to the understanding of any religious development in the United States and thus applicable to the interpretation of Jewish spiritual life. We shall call attention to three characteristics of American religious life: its pluralism, its voluntarism, and its moralism. Before treating of them, however, we shall make brief mention of the political situation that is, in part, their cause and, in part, their effect.

This political situation, broadly, is the accepted view that the government as such has no religion, and, as a supplement, the view that the religion of the citizen is of no concern to the government. We state this broadly; there are wide differences of opinion about the meaning to be given to these general principles in particular situations. The Supreme Court has drawn fine lines of distinction (compare, for example, McCollum v. Board of Education, 1948, with Zorach v. Clauson, 1952).10 Different national and local administrations have understood the limits placed upon them by these principles
in different ways. But, for all these differences, it can be stated that the American political system is marked by a sharp break with the tradition of an established church and an equally sharp break with the principle of *cuius regio, eius religio*, that is, the principle that the ruler of a country has a right to determine its religion, at whatever inconvenience to the citizens. It is within a framework provided by the treatment of religion in the American political system that pluralism, voluntarism, and moralism are characteristic.

Religious Diversity

If there is any large generalization about American life that can be supported by careful and close analysis of the details of American history, it is that the multiplicity of races, creeds, ethnic groups, and cultural antecedents that have entered into the composition of the background of its population have also entered into the foreground of American experience. Nothing is done quite the same in America as its analogue in any other single country. Every activity of any group in America is modified not only by the specific conditions of life in America but also by the opportunities that are forever at hand to see how other groups handle the same activity. Furthermore, this very plurality of alternatives makes the success of any one traditional way of doing things seem less important; if the way one's forefathers did something doesn't work, there are many other ways, and one of the others may work. The fluidity, flexibility, or experimentalism that observers have noted in American life flows from the variety of alternatives open to adoption in all the affairs of life.

We are accustomed to taking this diversity for granted in most of the aspects of secular life in America. Our government is a mixture of elements drawn from various antecedent forms of political organization; its machinery operates rather ponderously and it creaks sometimes; but over a century and three-quarters, with minor modifications, it has worked. Our social organization combines egalitarian and aristocratic elements almost ludicrously, but it works. The structure of our economic life is a hodge-podge that has produced a standard of living such as the world has never known. We might continue to bring forward illustration after illustration to show how the fabric of our national existence has been produced by the interweaving of many strands that often seem hardly congruous. To add to the list is, however, unnecessary, since it is not with these secular matters that we are here concerned.

What is important, and is less often realized, is that the same sort, if not the same degree, of diversification is a central feature of religious life in America. The importance of religious diversity cannot be told
merely in terms of the co-presence, on a more or less friendly and occasionally cooperative basis, of four major religious traditions: Judaism, Roman Catholicism, Protestantism, and Humanism. Indeed, even if one were to break these major traditions down into sects and denominations and to attempt to interpret the spiritual side of American life in terms of the more than 250 organized groups, the effort would be a failure. It is not only through organized religious groups that spiritual values are propagated under the conditions of pluralism in American society. Social, political, or economic organizations may, in part, express the spiritual aspirations of their members; “religious” organizations may, in part, express the social, political, or economic motivations of their members. There is a wide variety of spiritual “outlets” through any of which, or any combination of which, Americans express and expand their spiritual horizons. At no time and place, perhaps, is it completely accurate to identify spiritual values with religious faith or spiritual life with religious organization. In the United States, such an identification would be completely inaccurate.

Another way to say this would be that religious organizations in the United States are not only in free and open competition with other religious organizations, but are also in covert competition with other organizations not generally thought to be religious. William Leggett, the brilliant editorialist of the New York Post a century and a quarter ago, called the American system as it applied in the spiritual area “free trade in religion.” The expression is shocking; but it is even more accurate than Leggett intended. He meant, we take it, that each church had an equal chance with every other church to offer its interpretation of religion, its mode of salvation, to the public; that no governmental agency would seriously restrict or minimize that opportunity; and that the success of any church would depend upon the attractiveness of the brand of religion that it was presenting or upon the appeal of the presentation. Neither Leggett then, nor any clear-eyed observer today, had any doubt that there would be some who would pass by all the open church doors, finding nothing in any of them to appeal to their natures. But we think that Leggett failed to realize that among those who passed the church door there would be many who found, in some other and “non-religious” activity or organization, some social, political, educational, economic, artistic, or even recreational foundation, a satisfaction of the same spiritual needs that others satisfied in the churches.

To look at the possibility of religious affiliation as a “shopping about” for the best values in spiritual life throws the emphasis upon a voluntary selection by the individual from among a plurality of
possible affiliations. Thus "the voluntary system," or voluntarism, is the concomitant of pluralism. Each loses the best part of its meaning if the other is denied. If many religious groups are permitted to exist, but no one is allowed to change his affiliation in order the better to meet his own spiritual needs, the interests of the churches or other religious bodies are preserved and protected, but not the interests of the individual. If the individual is in theory free to follow the dictates of his conscientious choice, but only one religious organization is allowed to flourish, then not only are the interests of alternative faiths disregarded, but also the individual is not given a genuine right of choice. Neither pluralism without voluntarism nor voluntarism without pluralism can be just to all interests. American religious life has been both pluralistic and voluntaristic, and it must, therefore, be pronounced just by all who pronounce judgment without prejudice.

What we have said thus far leads to a very difficult question, one the very posing of which rouses all sorts of emotional problems. It is a question that, ultimately, each faith must answer for itself. Every religious faith is an institutionalizing of a program for achieving a good life. Each, however, places a different degree of emphasis upon the institution and upon the program. When institutional values are stressed more than program, we have what we may call priestly religion, or ecclesiasticism; when program is stressed more than institutional values, we have what we may call prophetic religion, or moralism. Among the "high" religions of our world, none is completely an ecclesiasticism, none completely a moralism. Yet there is tension in each between priestly and prophetic emphases, and at different times and places one or the other tendency seems to gain the upper hand. Ecclesiasticism has as its supplement ritualism or formalism; moralism has as its supplement pietism. Rarely has any religious movement struck a balance between the two tendencies, and when such a balance has been achieved it has lasted but a brief time. Although each religious movement determines for itself its own place on the spectrum of moralism and ecclesiasticism, the nature of the cultural setting in which the religious movement flourishes affects the determination. Characteristically, until the end of the nineteenth century and perhaps slightly after, the effect of American life on the various religious groups was to incline them towards moralism. From Increase Mather and Jonathan Edwards to Pope Leo XIII's apostolic letter Testem Benevolentiae of 1899, ecclesiastical leaders fulminated in vain against the moralistic influences of Americanism. To the extent that Judaism tends to fall towards the moralistic end of the spectrum, the American tendency has reinforced the characteristic pattern of Jewish religion in America. More recently, however, a counter-trend has set in.
More and more American life seems to bring out the formalistic and ecclesiastical characteristics in the religions to which it plays host. What the ultimate effect of this recent change will be it is too soon to say; it is impossible even to say whether there is really a significant change or whether this is just a slight reaction to three centuries of moralism in American religion.

Let us now turn to see how the Jews have fared in the atmosphere of pluralism, voluntarism and moralism that has pervaded the American cultural setting.

SYNAGOGUE AND COMMUNITY

Under the conditions of Jewish life in Western Europe until the end of the eighteenth century and in Eastern Europe into the twentieth century, the basic Jewish institution was the community, the agency for Jewish self-government. The Jewish community was primary; synagogues, schools, cemeteries, orphanages, almshouses, slaughterhouses, ritual bathing establishments—all the organizations of Jewish life were secondary and dependent upon the community for their existence and their maintenance. There were good historical reasons why this should have been the pattern of Jewish life. The Jews were an anomaly in medieval Christian society. They, or at least some of them, had to be kept alive as evidence of the unfortunate lot of those who had been given the opportunity to gain eternal blessedness by accepting the revelation of God in Jesus but who, through stiff-necked and stubborn contumaciousness, had refused to avail themselves of the opportunity. At times in European history it fell to the lot of the popes to remind the Christians of Europe of the necessity for leaving the Jews alive; for much of the time, the safest place for a Jew to live was in the shadow of the Vatican. At the same time, however, in the corporate structure of European life in the Middle Ages, the Jews had no real place; since they were not Christians, they could in no way be integrated into a wholly Christian society.

The dilemma was resolved in practice by granting the Jews a corporate life outside of the corporate structure of society. The administrative agency by means of which this neat trick was managed was the Jewish community. The community and its officers became vicegerents for the rulers of the country. Within a framework of “Jewry law,” that is, of special national or imperial law granting status to the Jewish community, the internal affairs of the Jews were administered according to traditional Jewish law. Under this traditional law the community's officers, lay and rabbinical, superintended all the affairs of Jewish life. They established whatever subordinate agencies were
needed for particular purposes. They served as a link between the government and the Jews and helped to maintain the uneasy and often awkward situation in which the Jews were forced to live. It is important to remember that, except in terms of Christian theology, the situation was not of the Jews' making, and that the Jewry-law was as little of their making. The Jews did not choose this way of life, nor could they avoid it.

And yet this situation, which was not developed with the interests of Jewish life in view, had many advantages. It virtually guaranteed, even where the express terms of the law did not require it, that all Jews would live in the same quarter. In this way it reinforced the social compulsion on Jews to live as Jews. The alternative to living as a Jew was to become a Christian; the road of indifference was not open. Furthermore, under these conditions, to live as a Jew meant to follow in every detail the traditional patterns of the community. No individual could determine for himself what he would observe and what he would not without leaving the community. Any adjustments of the tradition to altered conditions, any allowances or modifications, could be made only by the rabbinical leadership of the community and were made for all members of the community. Over the centuries these adaptations might add up to a considerable difference between community and community, but at no time would they break the inner unity or the sense of continuity within any single community. The synagogue was the subordinate institution in which certain activities of the community took place, not an independent, self-governing congregation. The rabbi was not a professional employee of the synagogue; he was an expert on Jewish law maintained (in part or entirely) by the community. Similarly, teacher, shochet, mohel were communal officers, and neither free enterprises nor synagogal positions.

An altogether different situation developed in the New World and, to an extent, in the Old World after Emancipation. Even after Emancipation in Europe the traditional preeminence of the community in Jewish life was maintained, partly because of satisfaction with it and partly because of the inertia of institutions. In America, however, not the community, for in the European sense there was none, but the synagogue became the basic institution of Jewish life. As long as the Jewish population in America was small, and especially in the Colonial period, the full impact of the shift from one primary institution to another was not particularly noticeable. The synagogues assumed as many of the functions of the community as became necessary. Indeed it is possible that if the Colonial situation had continued unmodified for another century, the original synagogue-community might have been transformed into something that closely resembled the European
Jewish community. The remaining difference would have been an important one. The Jewish community in Europe represented officialdom to the Jews, whereas any Jewish community that developed in America would have required the voluntary support of the Jews. The authority of any Jewish community in America would be limited to what the Jews themselves would be willing to grant to it, unless, at any time, American law were to become, in the older European sense, the law of a Christian community, excluding Jews from status.  

The first Jews in New York City (then, of course, New Amsterdam), who arrived in 1654, were not permitted by the Dutch authorities to establish a synagogue, and in the absence of records before 1728 we can only guess at their religious life. They probably worshipped in private homes from the very beginning. Public services may have been held as early as 1673, and were certainly held by 1682. The first synagogue building of which we have record was the Mill Street Synagogue, built in 1729, but an earlier map of New York, drawn by John Miller in 1695, shows the site of a "Jews' synagogue" on Beaver Street. The official life of the group may be said to have begun still earlier, however, when in 1656 reluctant permission was granted New Amsterdam Jews to purchase land for cemetery purposes. The first official act of the group, the provision of a Jewish cemetery, was communal rather than synagogal. Permission to purchase the burial-ground must have been granted (July 14, 1656) very soon after Governor Peter Stuyvesant had received from the directors of the Dutch West India Company in Amsterdam a letter (dated March 13, 1656) repeating earlier instructions that Jews in New Amsterdam were to have the same privileges as those of Amsterdam "only as far as civil and political rights are concerned, without giving the said Jews a claim to the privilege of exercising their religion in a synagogue or a gathering." There would scarcely have been time for Stuyvesant to have received the letter of June 14, 1656, which spells out the measure of religious toleration to be extended to the Jews, who

shall not be employed in any public service . . . nor allowed to have open retail shops; but they may quietly and peacefully carry on their business as before said and exercise in all quietness their religion within their houses, for which end they must without doubt endeavor to build their houses, close together in a convenient place on one or the other side of New Amsterdam—at their choice—as they do here.

It should be noted that in this letter the assumption was made that the Jews would voluntarily, but under the inner compulsion of religious need, live close together—that is, that a voluntary ghetto would develop.
Again, the New York synagogue, by now known as Shearith Israel (Remnant of Israel), acted as a community in the European sense when, from time to time, it made arrangements for the building of ritual baths (for example, in connection with its Mill Street Synagogue). It must be said, however, that Shearith Israel was by no means consistent in making provision for ritual baths, and that, generally speaking, this custom was one of the first of the religious practices to lapse in the American environment. The supervision of ritual slaughtering, too, was a communal function that Shearith Israel exercised until the beginning of the nineteenth century. The _shochet_ was a synagogue functionary, subject to control by the officers of the synagogue. He was independent of the butchers, who had to gain his favor. Later, after 1812, this situation broke down. More than one _shochet_ was practicing in New York and there was no authority to decide which of them, if any, was failing to fulfill the ritual requirements in every detail. Ultimately, after about 1840, the _shochetim_ became employees of the butchers, operating under virtually no control. Similarly, in the early days, the synagogue acted the part of a community in arranging with a particular baker for the provision of _matzot_ for Passover, and, having made the arrangements, the synagogue authorities supervised the baking process to make sure that all requirements were met. This communal function, too, broke down by the middle of the nineteenth century, and _matzot_ entered the arena of competitive business.

One of the major areas in which, for a time, Shearith Israel exercised the functions of a community was that of education.23 Prior to the establishment of public secular schools—generally a nineteenth-century development—all education had of necessity to be carried on either by private, usually denominational schools (chiefly in the South) or by congregational schools. By 1755, and possibly earlier, the conception of education had been so enlarged that the school maintained by Shearith Israel taught “secular” subjects as well as Hebrew—Spanish, English writing, and arithmetic. At least as early as 1790 the Shearith Israel school was coeducational. A bequest by Meyer Polony in 1801 led to the school, previously called Yeshibat Minhat Areb, being renamed the Polonies Talmud Torah, and to the revision and expansion of the curriculum of secular studies. The _chazzan_ of Congregation Shearith Israel carried on the duties of teacher in the school with some extra compensation, variously arranged, for his extra work. After 1822, the Talmud Torah became a Hebrew school only, supplementing other educational facilities. Once again we see that the synagogue failed in its attempt to fulfill the work of a community.

Similar experiences, differing from that of Shearith Israel only in
detail, may be found in the histories of the other pre-Revolutionary
Jewish groups: Newport, R. I., where Jews settled in 1658; Philadel-
phia, Pa., where the Mikveh Israel synagogue was founded about 1745;
Beth Elohim, Charleston, S. C., 1750; and the Hebrew congregation
in Savannah, Ga., founded perhaps as early as 1734.\(^{24}\) In every case,
there was an attempt to build Jewish life around a synagogue without
the legal status of the European Jewish community, and in every case
the attempt ultimately failed. In part, perhaps in major part, this
series of failures must be attributed to the absence of sanctions. Ex-
communication was a major threat to the European Jew, even in
relatively liberal Holland, in the seventeenth century. A Jew who was
excluded, like Spinoza, from Jewish community life, and who would
not become a convert to Christianity, was virtually without a place to
rest his head. He was, if not quite stateless, at least “status-less.” In
the open society of America, the threat of excommunication was all
but meaningless. Shearith Israel tried to make it a vital force; in 1758,
the number of known violations of religious laws had so increased
that it was decided to expel every culprit from the synagogue.\(^{25}\) There
seems to have been no significant decrease in the frequency with which
the laws were violated.

Perhaps one reason for the disciplinary failure of the early syna-
gogues was that (with Newport after 1773 as the sole brief exception)
they had no rabbinic authority who could state the law and make what
minor adaptations were necessary in the new situation. For Jewish
law has traditionally been modified by rabbinic adaptations. Shearith
Israel in the earliest days might inquire of the Amsterdam Jewish
community, or, later, of the London Jewish community, for rabbinic
guidance; but such an inquiry took much time going and coming, and
before an answer had arrived the urgency of the case had passed. The
religious leader in the eighteenth century American synagogues was a
chazzan, who had no official authority in matters of Jewish law and
whose congregation knew that he had none. In fact, few of the
chazzanim of the time had even a limited knowledge of Jewish law.
Perhaps we may attribute to this lack of knowledge not only such
incidents as the burial with religious rites of an illegitimate infant,
to which Kohler refers, but also the prominent role played by laymen
in the congregations. Jacob Marcus points out that an avowed deist,
like Solomon Simson, could and did become president of Shearith
Israel.\(^{26}\) Perhaps this prominence of the layman is rather part of the
inheritance that the synagogues of Colonial America derived from
their Sephardic background. Whatever the explanation, had the lay
leader—called the parnas or presidente, or sometimes even both, parnas-
presidente—been a qualified scholar, had he been capable of supplying
the deficiencies of the chazzan, the general situation might have been somewhat better. But, again, if the parnas was a man of learning, in any one instance, this was a fortunate chance.

For better or worse, the pattern of lay control established in the Colonial period of American Jewish religious life has remained characteristic of the American synagogue in more recent times. It is a fact with which every professional worker in the Jewish synagogue has to reckon. Some nineteenth- and twentieth-century rabbis, by sheer force of personality, have been able to wrest temporary leadership from the laity, but they could never be sure that the reins would remain in their hands, nor, if they were fortunate enough to retain control, could they transmit the new alignment of forces to their successors. One of the greatest figures in twentieth-century American Judaism, Rabbi Stephen S. Wise, founded his own “Free Synagogue” in New York City in order to break through the dominance of the laity; originally the freedom of the Free Synagogue was a freedom of the pulpit. Another important twentieth-century leader, Rabbi Abba Hillel Silver, proclaimed his declaration of independence from lay control at the celebration of the twenty-fifth anniversary of his coming to his congregation. When such dominant rabbinical personalities had to struggle to avoid the cramping effects of lay control, it should cause no great surprise that the greatest problem of the run-of-the-mill rabbi is to establish some modus vivendi with his congregation. Before we can understand how the rabbi has come to this pass, however, we must consider the post-Revolutionary developments of synagogue and community.

Post-Revolutionary Developments

We have seen that the characteristic eighteenth century organization of Jewish life was as a synagogue attempting to perform for its members the functions of a community. Because the synagogue was a voluntary organization; and because the openness of American life made it possible for a Jew to get along without the synagogue, it was only a stop-gap substitute for the European Jewish community, only partially successful in maintaining its extended functions. The one measure of control that the synagogue could use to keep its members in line was its ownership of the cemetery. However little a man might care to live as a Jew, and however the conditions of American life might serve his desire to be free of the responsibility of living as a Jew, somehow a faint relic of ancestral piety led him to want to die as a Jew and to be buried in consecrated ground.

Two factors conspired to break down the communal aspects of American Jewish life after the Revolution. The first of these was
that even the older synagogues, whose organization preceded the new government, were rechartered under the new laws of the state in which they chanced to be situated. These state laws were drafted by legislators who did not know the specific conditions of Jewish organization, and who, if they had known, might have been unwilling to introduce special provisions for the incorporation of Jewish religious bodies, serving a very small fragment of the total population. State laws for this purpose were written in the light of the general situation and the needs of American Protestant churches, and these were, by and large, organized as independent congregational bodies. A congregationalist order was, as it were, unintentionally imposed upon the Jewish group. That this legal prescription proved, at least at the time, desirable to the Jews themselves was the result of another factor, the character of the Jewish population in the United States.

The leading group in the oldest stratum of American Jews consisted of Sephardim, Jews of Spanish, Portuguese and Mediterranean ancestry. Some of them were of Marrano families, and the New World, whether at Recife, in Brazil, under the Dutch, or in the British West Indies, or in New Amsterdam, or in Rhode Island, meant for them the opportunity to return to the open practice of Judaism. In the main, they were not a scholarly group; their very readiness to undertake the venture of going to a new land suggests that they were men of action rather than of thought. They had a simple piety, however, and a great desire to maintain the traditional forms. Among older writers on American Jewish history the belief formerly prevailed that the Sephardic group retained numerical predominance in America until after the Revolution. More recently it has become clear that, perhaps as early as 1730, there were more Ashkenazic Jews than Sephardim in the colonies; the Ashkenazim came from England and from Germany. Although Ashkenazim thus early began to outnumber Sephardim, the leading position of the Sephardim is proved by the fact that all the seventeenth and eighteenth century synagogues followed the Spanish and Portuguese minhag, or ritual, in the conduct of their services. The two groups intermarried, to some extent, and Ashkenazic officers appear in the congregational lists, but there was no compromise with the Sephardic minhag.

After the Revolution, as immigration in general increased, and Jewish immigration with it, the Jewish newcomers were overwhelm-ingly Ashkenazim who wished to follow an Ashkenazic order of service. As early as 1802 the Rodeph Shalom German Hebrew Society was organized in Philadelphia, and this society became officially a religious institution in 1810. In New York City, the first Ashkenazic break with Shearith Israel came in 1825, when a group of members
whose leaders, at least, were of English descent, established Congregation B'nai Jeshurun. At this time the Jewish population of New York City was about 300. Secession bred secession; not long afterward, in 1828, the German, Dutch, and Polish Jews in the membership of B'nai Jeshurun formed their own congregation, Anshe Chesed. In 1839, Polish Jews in Anshe Chesed and those who had hitherto remained in B'nai Jeshurun banded together to form a Polish congregation, Shaarey Zedek. Dutch Jews left the older synagogues in 1847 to form Congregation Bnai Israel. Schisms in the older congregations for other reasons bred still other synagogues: the short-lived Ohabey Zedek in 1835; German Rodeph Shalom in 1842; Polish Beth Israel in 1843; German Emanu-El in 1845. Each group, whatever its motivations may have been, asserted its independence of centralized control, until by mid-century, Sabato Morais’s comment on the pluralism of Philadelphia Jewry may serve as an apt characterization of Jewish synagogue organization all through the United States:

No ecclesiastical authority existing in this country [among the Jews], matters were allowed to shape their own course—each Congregation doing as it saw fit, without referring its action to any other but its own minister, and even he, at times, was overruled by the laymen who composed the membership or the Board of Trustees.29

Thus, the inner tendency of the Jewish groups to fragment on grounds of ritual, or of the country from which they had migrated, of political factionalism in the synagogue, of real or fancied slurs on one group by another, or simply the desire of a newly prominent clique to achieve prestige the quick way by holding synagogue office, even if they had to form a synagogue in order to do so—thus, inner reasons of this sort reinforced the general American tendency to religious pluralism. In its small way, the American Jewish population echoed the fragmentation that was taking place among the American Protestant denominations in the first half of the nineteenth century. The same sort of duplication took place in communal functions. The multiplication of shochetim and of bakers of matzot has already been mentioned in passing. As far as cemetery property was concerned, Shearith Israel itself began the trend by refusing to allow the burial of members of B'nai Jeshurun in what had till then been regarded as the burial-ground for all the Jews of New York. Each synagogue established its own religious school, and in doing so each proclaimed the failure of its predecessors to do a good job, only to be criticized in turn by its successors. Furthermore, where welfare and charitable agencies had been set up, originally under synagogal auspices, but later as independent organizations, they tended to follow the lines of
synagogue divisions rather than to see the welfare problem as a unitary one to be solved, if solved it were to be, only by united effort and centralized administration.

By 1850 the tide had begun to turn. More and more the leaders of American Jewry, both lay and religious, saw the need for organization either for greater efficiency or for the remedying of undesirable effects of disunity. It was fully recognized that no compulsory union could be enforced, either on a local or on a national basis. Whatever plans were suggested were, therefore, of a voluntary nature. Most of these, too, followed the pattern of the American government and of many American Protestant bodies in being plans for federation rather than amalgamation. It was regarded as possible that independent congregations would be willing to federate for a particular purpose without giving up any of their powers of self-determination in any other respect. Thus, three German-Jewish synagogues in New York City, Anshe Chesed, Rodeph Shalom, and Shaarey Hashamayim, joined together in 1845 to hire Dr. Max Lilienthal, who had recently come to New York, as their rabbi. He was expected to direct the schools of the three synagogues, but Anshe Chesed backed out of the school merger, and did not join it until 1847. By this time the move for a German Jewish community had lost its vitality, however, and the union school dissolved along with the communal union.30

Among the early and powerful advocates of some measure of unity the name of the Reverend Isaac Leeser of Congregation Mikveh Israel of Philadelphia should be noted. Leeser, who came to Mikveh Israel in 1829, was a well-educated literary figure and scholar, although he had no rabbinic ordination. As early as 1830 Leeser established a regular pattern of preaching in English at the Sabbath services. He seems to have recognized the need for a conscious and selective espousal of American cultural elements into Jewish life, lest the unconscious, unthinking, and unselective acceptance should go too far. The Occident and American Jewish Advocate, the journal Leeser inaugurated in 1843, had a strongly traditional orientation.31 By the issue of January 1844, Leeser's editorial, entitled "The Demands of the Times," was calling for unity of religious observance under a universally accepted religious law. Although he asserted that he favored "municipal autonomy of each separate synagogue," he urged the development of a feeling of unity and community, if not actual union. Returning to the same theme, under the same title, a month later, Leeser demanded "a FEDERATIVE union," to be formed in spite of the "many inveterate prejudices among our people" which, he thought at this time, had no religious basis, but were founded on differences in wealth, nationality, and degree of reform.
Even before *The Occident* had been started, Leeser and his Philadelphia colleague, Louis Salomon, *chazzan* of the Ashkenazic congregation Rodeph Shalom, had drawn up a plan for a federation of synagogues. The proposal to create a union was broached by Lesser and Salomon in 1841. In 1845, an elaboration of the original program, now including suggestions from leaders of Beth Israel, Philadelphia's third synagogue, founded in 1840 by German and Polish Jews, was published in *The Occident* and with it a call for a national congress to make the union a reality. But the synagogues of the country were not ready for such an action. Leeser's plan was rejected out of hand. It seemed that the Philadelphia plan would die a-borning.

When support for Leeser's project came, it was from an unexpected source. Rabbi Isaac Mayer Wise, "master architect of Reform religious institutions," no friend of the traditionalism that Leeser expounded, nevertheless felt as keenly as Leeser the need for a federation of American synagogues. Unlike others among the German rabbis, Wise believed with Leeser that conscious adaptation of Judaism to the American scene was desirable and necessary, although, as later events demonstrate, Wise and Leeser differed sharply about the nature and extent of adaptation that should be undertaken. Now in 1848 Wise prepared, for publication in *The Occident*, a call "To the Ministers & Other Israelites" for a grand association of Israelitish congregations in North America.

Wise argued for national Jewish union on grounds of utility, but it was *religious* rather than *practical* utility that was his chief concern:

Now in order to fulfil our sacred mission, to send our important message to mankind, it behooves us to be united as one man; to be linked together by the ties of equal views concerning religious questions—by uniformity in our sacred customs, in our forms of worship, and religious education. We ought to have a uniform system for our schools, Synagogues, benevolent societies—for all our religious institutions.

He commented, most revealingly, on the founding and current leadership of American Jewry, asserting that the majority of American Jewish congregations

are generally composed of the most negative elements from all the different parts of Europe and elsewhere; they have been founded and are now governed for the greater part by men of no considerable knowledge of our religion, and generally of no particular zeal for our common cause. The consequence of all this is, that many congregations have no solid basis, no particular stimulus to urge on the youth to a religious life, and no nourishment for the spiritual Israelite.
Finally, Wise indicated his feeling that the unity for which he was pleading should follow the lines of a moderate reform. He called especially for the German rabbis in the country to join him in his plea for concerted action among the Jewish congregations of America.

In his editorial comment on Wise's "call" Leeser indicated that he endorsed the idea of meeting but did not agree with all of Wise's views. He tied his sense of the need for meeting to the revolutionary events that were then (1848) taking place all over Europe. The tone of Leeser's statement was moderately anti-emancipationist:

In the present whirl of passions which have been let loose over the world, the Jews are running the danger of losing themselves in the agitation of public affairs, and forgetting that they are men who have other duties to perform, besides voting at elections, and fighting in battles. . . . The present actual or approaching freedom of mingling as a Jew with the masses, does not of right empower him to cast away his privilege of being one of God's chosen people.

In May, 1849, under the title "Shall We Meet?" Leeser again endorsed the idea of a meeting of all American Jewish congregations, but specifically rejected the view that the meeting should envisage a general reform of religious practices as one objective:

We should regard a general reform by the authority of a convention as the greatest evil which could by possibility befall our people. In using the word reform, we employ it in the sense which it usually bears in the present age,—a violent change and a substitution of new notions in the place of well-established customs and opinions. . . . But there is another reform, which looks to the removal of municipal abuses, as we may term them; . . . we see no reason why German and Portuguese Jews could not unite in one common effort to establish a better state of things, without yielding in the least their peculiarities, or their independence.

Thus it is clear that although Wise and Leeser were able temporarily to subordinate their different views of what had to be done in their common eagerness to hold a nation-wide convocation of representatives of the Jewish congregations of America, the differences would have come to the surface and prevented constructive action if a meeting had actually taken place.

But the meeting did not take place. Only eight congregations indicated their willingness to participate, and of these eight, New York's large Jewish community supplied but one, Congregation Shaarey Tefila. Shortly after the date at which the meeting was to have taken place (June 11, 1849), an editorial in the Asmonean, a new weekly paper, edited by Robert Lyon of New York, urged Wise not to be discouraged by his failure to achieve union on the instant. This edi-
torial is especially interesting because it indicates that Lyon was aware of the influence of the American cultural setting on Jewish life.

In the Old Countries where the few govern the many, make an impression on the heads and you carry the whole body, but in America—where every congregation is independent, and every city a multitude of little independencies, it is necessary to Americanize your system, win the many and the few must be drawn into the vortex. . . . Therefore we say to the Rev. Dr. Wise, proceed—propound your principles, lay them bare to the world, disseminate your doctrines, quietly yet urgently, adopt the American rule—Be sure you are right, and then go a-head.35

Lyon's support of union had a multiple base. He saw union as one method of raising the status of Jews in the esteem of non-Jews,36 and also as a means of raising funds more efficiently.37 But his advocacy was also based upon well-thought-out religious considerations. His view interestingly combined the traditional Jewish conception of a synodical authority with a belief in popular sovereignty. "The power of legislation in religious matters should be vested in a DULY CONSTITUTED AUTHORITY, and the people, without a doubt, have the right to nominate and create that authority." 38

We have reported the failure of this first attempt to establish a national authority for American Judaism in some detail; its failure was unfortunate, but rooted both in the nature of American institutions and in the variety of the Jewish population in America. Every subsequent attempt to achieve complete Jewish unity on a nationwide basis has also met with failure, for the same sort of reason. One important factor in leading to the failure we have barely suggested here—the difficulty of achieving any rapprochement between spokesmen for traditionalism and advocates of reform. There will be more to say about this major split in another place. Another basic reason was that each fragmentary group, whatever its origin, cherished above all its congregational independence and resented having to work with others who were considered inferior in some respect or, for that matter, with others who considered themselves superior in some respect.

These factors operated with special force in the American environment because of the constant arrival of new immigrant groups. The older account tells of three large waves, the smallest a Sephardic wave in the seventeenth and eighteenth centuries, then a somewhat larger wave of German and German-Polish Ashkenazim in the first half of the nineteenth century, and, finally, a tidal wave of East European Jews between 1881 and 1914. This older account stands in need of correction in detail. Its broad outline is, however, correct. From our
standpoint here, what is important is that each newly arrived group brought from its homeland a conception of the nature of Judaism and tried to impose this conception upon American life. Each new group regarded its predecessors as little better than apostates. For a few years—the number depending upon the size of the new group, where its members settled, and how long their distribution among the population took—the little nucleus managed to transplant its life in Europe almost intact. Sooner or later, however, often without awareness of what was happening, the process of adjustment to the American cultural scene began. The now not-so-new group became the target of scorn for its successors, and the cycle was repeated.

Adjustment moved more rapidly at first in the early period when the immigrants came as individuals or in family groups; it moved more slowly during the period of East European immigration when the Jewish inhabitants of a whole town came into America together, settled in the same area of some large American city, established a little synagogue perpetuating the name of the town from which they came, and thus served as a social brake on one another. But even in the later period, though it might take two generations for the process of Americanization to get its start, start it ultimately did, leaving, perhaps, a handful of the oldest members of the group clucking their tongues and wondering whether they had done wrong in leaving their homeland fifty years earlier. Again, adjustment moved more rapidly in the case of Jews who migrated from countries where emancipation had already taken hold or where the general pattern of life was closer to that of the United States. Thus the Americanization of English, German, and German-Polish Jews proceeded more rapidly and with fewer hitches than the Americanization of Rumanian and Russian Jews. It should be said, in this connection, that the earlier group of migrants, because of the widespread commercial opportunities at the time of their arrival, tended to disperse through the country more rapidly than later comers, and that this widespread distribution hastened the process of their adjustment.

Whatever nascent trends toward national federation had developed before 1885, by which time the impact of the new migration was beginning to be felt, were destroyed by the fact that the recent arrivals soon constituted a majority of the Jews of the United States and saw no reason for a broader unity than that of their own congregations. Had they been willing to participate in a conference, there would still have been no unity, because the conferees would have split irrevocably into those who favored a controlled adaptation and those who would have no truck with adaptation whatsoever. Then each of these major groups would have broken down into sub-groups,
and these into still smaller groups until, once again, each congrega-
tion was asserting its own particular point of view against all comers.

There has been rather more success in federating Jewish agencies
in the field of welfare activities than in the religious field. But even
in education, welfare, or Zionist activities there has never developed
among American Jews, despite repeated attempts, a permanent na-
tional organization crossing all lines. An American Jewish community
seems, on the basis of the history of these attempts, to be a Utopian
dream. Yet there has been one major attempt in recent American
Jewish thought to set forth the conditions of community organization
in full awareness of all the factors operating to prevent such organiza-
tion. Mordecai M. Kaplan, founder of the Reconstructionist move-
ment and professor at the Jewish Theological Seminary, is its author.
This program for developing American Jewish communities is the
social aspect of Kaplan's broader philosophy, but it has gained the
attention and support of many who do not accept Kaplan's theo-
logical views. 39

Kaplan's program rests on three basic principles in which he at-
ttempts to plan for centralized organization without abandoning dem-
ocratic diversity. His first principle takes care of theological diver-
gencies by proposing that eligibility for membership shall be extended
to all who desire to aid in fostering Jewish life, however they may
understand the form and content of Jewish life. In various later ex-
pansions of this principle, it has been made clear that Kaplan means
to include here not only those affiliated with Orthodox, Conserva-
tive, or Reform synagogues, but also the unsynagogued, the "secular
Jew." The relative importance (for Kaplan, though not necessarily
for all who have followed his general position on the making of a
community) of different types of organization within the pattern of
the community is indicated by the second principle, assigning primacy
to organizations whose chief function is to heighten Jewish conscious-
ness—synagogues, cultural organizations, schools—over those whose
services to Jewish consciousness are secondary, like the welfare organ-
izations of all sorts. Samuel Dinin has pointed out that in the com-
munity councils that have thus far been established, there has been
widespread failure to observe this second principle, especially in re-
gard to the synagogues. Kaplan's theories of the nature of democ-
racy 40 lead to his third principle of community organization: each
group that is engaged in the performance of a specific task shall con-
tinue what it is doing but shall also be represented in the deliber-
ations of the community council. The intent of these three principles
is that
Every organized Jewish community will have a general membership, a democratically representative governing council that shall determine its policies, an administrative committee and executive officers to supervise the execution of these policies, various functional bureaus to direct the day-to-day activities of the community under the control of the council, and organizations for specific Jewish purposes such as already exist.\(^{41}\)

Within this inclusive organization, the constituent groups are to be entitled to full autonomy except for administration of property and allocation of budget. Kaplan recognized that granting this much of self-determination might hamper the community program, but he held that this was a lesser evil than “unwise regimentation.” In Kaplan’s thinking the vital point is that these community councils should not be representative of every Jew, in total disregard of the intensity and variety of his Jewish concerns, but that they should be representative of “every Jewish interest or tendency which is manifest in the community.”

One great problem that arises in considering this plan is the ambiguity of the role assigned to the synagogue as the primary agency of Jewish spiritual life. For followers of the Reconstructionist position, this may not be the problem that it is for others, since Reconstructionism regards Judaism as a civilization and asserts that within that civilization the Jewish religion is essentially the heightened consciousness of the interests and values of the group. Because of this view, Kaplan has insisted on a revival of cultural nationalism, in which all aspects of Jewish experience and culture are integrated with the Jewish religion. With conscious paradox, Kaplan has held that it is in the best interest of Jewish religion to stress Jewish secular culture: “The spiritual regeneration of the Jewish people demands that religion cease to be its sole preoccupation.” But it is precisely at this point that many thoughtful and concerned Jews cannot accept a definition of the nature of Jewish community that seems to them to invert Jewish values by making communal life the source of worship instead of making worship the inspiration of communal life.

It would be well if the Jews of America could borrow from their Protestant neighbors the conception of an ecumenical movement, providing for collaboration on specific matters across lines of difference. It is voluntary and limited association rather than catholic unity that should be sought. It is in this area of voluntary cooperation that a better spirit is evident. Organizations of more limited scope and membership have proved more viable. So, in various localities, rabbis of widely differing positions have been able to unite on a common pro-
gram. Support of institutions of higher Jewish learning has come from all camps. But despite such scattered successes as these, our summary must be that the American Jew is a jealous congregationalist.

If so, what has he made of his congregation? Here the distinctive institution of American Jewish life is beginning to emerge. The typical Jewish congregation houses a wide variety of non-religious and semi-religious activities, as well as serving religious functions. Sabbath and holiday services are held there; there may also be weekday services. There are study groups in which Jewish learning on various levels is pursued. There is a Sunday school; there may be a weekday Hebrew school. There is a men's club and a women's club, a younger members' group, social and athletic groups for teenagers (perhaps a gymnasium!). There are sewing groups and card-playing groups, boy scouts and girl scouts. Local Zionist activities may center in the synagogue building. Dances, at Purim, or more recently at the conclusion of Yom Kippur, may take place there. Here, then, in epitome is the American synagogue today. It serves a great many worthy purposes and requires efficient programming and administration.

As an unconsciously evolved phenomenon of American Jewish life, the synagogue-center can certainly be traced back to the early years of the twentieth century and may even have begun to take its characteristic form at the end of the nineteenth century. As a conscious program, however, the concept of the synagogue-center was formulated by Mordecai M. Kaplan in an article that appeared in the American Hebrew in 1918. Kaplan did not think that the Jewish center that he proposed would become a focus for the conflict of "religious" and "secular" forces in American Jewish life; yet it has, in fact, become so. Its most ardent proponents have been the secular welfare groups, especially the National Jewish Welfare Board (JWB). Opposition has most often come from leaders of rabbinical thought. Rabbi Israel Goldstein, for example, speaking before the Rabbinical Assembly in 1929, caustically criticized the synagogue-center:

No doubt there is much to be said in its favor, but it is true, as has been repeatedly stated by its critics, that whereas the hope of the Synagogue Center was to Synagogize the tone of the secular activities of the family, the effect has been the secularization of the place of the Synagogue.

To the same effect, Rabbi Abba Hillel Silver wrote in the American Hebrew, "The crowding of many secular activities in the life of a congregation frequently causes men to lose sight of the real purposes of a religious organization." More recently, talking to a different JWB proposal, in 1949, Rabbi David Aronson, then president of the Rab-
binical Assembly, echoed the earlier comments that have been quoted when he said, "A community that accepts the philosophy that a gymnasium is as essential to Jewish life as a synagogue, and a Jewish basketball team as conducive to Jewish survival as a Talmud Torah, is on its way to Jewish extinction."  

On the other hand, Kaplan has maintained that the difficulties stem from the failure of the rabbis to utilize the synagogue-center properly, and not from the nature of the synagogue-center itself.

Opportunity has brought to the Rabbi the institution of the Jewish Center. If he had only known how to utilize it, he could have made of it the means to a Jewish spiritual and cultural renaissance. But lacking the training in the human sciences, he regards it merely as a means of inveigling the young people to the synagogue.

A social worker, Harry L. Glucksman, director of the JWB, thought that it was the non-synagogal functions that suffered in the synagogue-center. They were, he said, "shunted to an insignificant location and frequently relegated to the position of an annex to the Synagogue." This happened because "the Synagogue proper and its accessories had prior claims on the building funds," so that the amount available for center facilities was inadequate.

While the "secular" and "religious" doctors have thus disagreed in their diagnoses of the nature of the ailment, the synagogue-center movement has met a need in the life of the Jewish people of America and has therefore kept on growing. More and more congregations have invested in new buildings and transformed themselves into Jewish centers. Whether the rabbis supported the move or not, they have been compelled to go along, even while they may have been wondering whether, in attempting to do and be all things, the American synagogue has not allowed its major functions to lapse into relative insignificance. Whatever the rabbis may like, the dominant laity likes the synagogue-center. Since the American synagogue is lay-controlled, it becomes what the laity makes of it. In the eighteenth century, they strove to make the synagogue a community; in the twentieth century they are proud to have made it a community center.

**Traditionalists All: Innovators All**

"I have heard frequent use," said the late Lord Sandwich, in a debate on the Test Laws, "of the words 'orthodoxy' and 'heterodoxy'; but I confess myself at a loss to know precisely what they mean."

"Orthodoxy, my Lord," said Bishop Warburton, in a whisper, "orthodoxy is my doxy; heterodoxy is another man's doxy."

Any student attempting to face, frankly and honestly and without
preconceptions, the Jewish religion comes up against the problem that Lord Sandwich confessed his inability to solve, and a prolonged attempt to discover Jewish orthodoxy leads to no better formulation than that ascribed to Bishop Warburton. There are groups that call themselves Orthodox; a comparison of these groups reveals that they differ in ritual and practice. Other groups call themselves Conservative; again observation leads to a realization that there are at least as many differences as similarities among these groups. Indeed, if observance of traditional *mores* in both synagogue and home be one criterion, some of the so-called Conservative groups show a higher degree of traditionalism than some of the so-called Orthodox groups. Finally, there are groups that call themselves Reform (or Progressive or Liberal). These, too, differ widely and some of them are, apparently, more traditionally oriented than some congregations that call themselves Conservative. If, instead of using traditionalism as our criterion we shift to innovation, we find in all these groups, regardless of how they name themselves, a degree of readiness to accept novelties—as we have put it before, to make more or less reluctant adaptations to the conditions of Jewish life in the United States. And, again, the series in which we can arrange the various groups in terms of their reluctance to adopt innovations is only approximately coincident with the classifications into which they place themselves. The Reconstructionist movement, which describes itself as Conservative, has been far more productive of novelty in the last generation than many a Reform group would tolerate.

Indeed, this is how it should be. It may be frustrating for the student, who comes to the study of Judaism fresh from the study of a creedal religion like Christianity, where orthodoxy can be measured by adherence to a creed, but where there are many creeds available and hence many orthodoxies. But Judaism comes before the world as a different type of religion because its norm is change; it is a religion whose dynamic principle is written into its very constitution. Robert Lyon was expressing something of this sort when he wrote of Judaism, “Although its principles are immutable, its customs are not.” The difficulty that Lyon did not face, and that, as a matter of fact, few have ever faced, is this: Where there is no creed and no central authority, who is to determine what are “principles” and what are “customs”? Kaufmann Kohler was unquestionably on sound historical grounds when he asserted that “the Jewish religion has never been static, fixed for all time by an ecclesiastical authority, but has ever been and still is the result of a dynamic process of growth and development.” But a dynamic process of growth and development cannot be understood except in terms of a fixed point from
which growth is recorded and a regularly formulated law of change. Here it is, in the demand for both a point of departure and a method of change, that we can begin to detect a basis for differentiating the three major varieties of Judaism that coexist in America, and also the reason why each of these varieties reveals the inconsistency to which we have alluded earlier. For as Professor Gotthard Deutsch of Hebrew Union College once wrote, “Inconsistency is the result of the unavoidable conflict between tradition and the requirements of the age.”

The fixed point in Judaism, the point of departure, is not so much a set of principles as a tradition. The method of change is adjustment to the requirements of the age, where by “the age” it must be clear that we mean not only “the time” but also “the place.” For while Rabbi Isaac Elchanan Spector of Kovno said that one of the talmudic laws had lost its meaning in the era of telegraph and daily newspapers, the world, and even the Western world, varies in the rapidity with which it introduces the telegraph and makes the daily newspaper available. The “requirements of the age” differ from country to country. The laws of the Torah cannot be enforced with uncompromising rigor.

Reform, Orthodox, Conservative, all recognize the force of tradition, all recognize the need for change and innovation. They are traditionalists all, innovators all. Deutsch’s summary, though written a generation ago, still has force:

The orthodox of modern type while adhering to the traditional principle in religious observances, as far as the ritual and the dietary law demanded, has quietly abandoned the stand-point of his fathers who condemned secular education and social life of the modern type. He loves instrumental music, he even tolerates vocal music, he no longer believes in the necessity of keeping up the tradition which demanded that the Jew should be distinct from his neighbor in appearance. The conservative quietly permits the infringement of the most rigorous Sabbath and dietary laws. He will carry and open an umbrella on the Sabbath, which once was a mortal sin. He would eat the bread of non-Jews, drink their wine and their milk. The liberal, the so-called reformer, will insist on the retention of [some] Hebrew in the worship, he will not miss the scroll of the Law written on parchment, he will retain the ancient formula of marriage and the Kaddish for the dead. Even the most radical stops at the Jewish calendar and avails himself of the religious force which ‘the days of awe’ carry with them.

Thus there is much of innovation in the most traditional; much of tradition in the most radical of innovators.

Having now paid homage to the similarities of Orthodox, Conserva-
tive, and Reform Judaism, we must attempt to indicate wherein they
differ. It would be pleasantly simple if we could say that nineteenth-
century Reform Judaism is twentieth-century Conservative Judaism
and probably will be twenty-first century Orthodox Judaism. For
certain matters this easy generalization would hold; for example, one
phase of the Reform movement in nineteenth-century America was
the attempt to overcome non-attendance at Sabbath services. Various
devices were tried; some have been continued, some dropped. The
service was shortened; some of the piyyutim, or elaborate medieval
poems, were dropped; some of the prayers were reworded to avoid
unpleasant expressions of Jewish particularism. The prayer book was
translated, first into German, then into a rather Teutonic English. A
German or, later, English sermon was made a central feature of the
service. Attempts were made to introduce more decorous behavior
into the synagogue. Some synagogues substituted a Sunday morning
service for the traditional Sabbath service; others supplemented Satur-
day by Sunday services. None of these devices proved particularly
effective. Then Reform congregations introduced the "late" Friday
evening service, a full service which became rapidly the most widely
attended of all save the holiday services. The proper combination had
been found: late Friday evening service in a tasteful and decorative
synagogue, a sermon by a rabbi who spoke English as well as—even
occasionally better than—the members of his congregation, some
parts of the prayers in English, some congregational singing, a trained
choir, an organ. What matter now if Saturday morning attendance was
small, a bane of synagogues in America since the middle of the eight-
eenth century? The synagogue was reaching its membership on Fri-
day evening, and to reach the membership is to retain significance in
their lives.

At almost every step in this process anguished howls came from Con-
servative and Orthodox camps. Isaac M. Wise and his moderate mid-
Western group of rabbinical confreres, or David Einhorn and his
more radical Eastern group, were declared to be destroying the her-
itage of the faith. Sometimes the criticism was formulated in general
terms and the specific application left up to the reader. So, in the
Jewish Messenger, a bimonthly newspaper edited in New York by the
Rev. Samuel M. Isaacs, a paper that announced itself in its first issue
(January 2, 1857) as devoted to principles of "the strictest orthodoxy,"
there appeared (March 13, 1857) an editorial that declared, "If our
religion be anything, it is as unchangeable as its source is eternal." 
True, only God can "fathom the belief. . . . But society requires some
standard by which to judge its members. Hence various regulations
have been attached to Judaism, obedience to which has ever been
considered a test of man's religious consistency." Again, half a year later, the *Jewish Messenger* (October 23, 1857) asserted that reformism leads to "deism and infidelity." Sometimes the criticism took the form of a personal attack on one of the leaders of Reform, like the March 2, 1860, editorial in the *Jewish Messenger* directed against David Einhorn—an ugly and distressing piece of writing. Einhorn had written an article in the *New York Herald* asserting that the then recent meeting of the Board of Delegates of American Israelites should not be regarded as representing all Jews. Isaacs' *ad hominem* reply said, in part:

Though [Einhorn] lives in America, his heart is evidently still in his native land on the other side of the Atlantic. He has no allegiance for anything American. . . . Having no nationality as an American citizen, it is not surprising that he should have none as an Israeliite, and that he cannot elevate himself to that point which confidently looks forward to the fulfillment of the promise of a temporal as well as a spiritual restoration at the coming of the Messiah.

But it is interesting to note that in spite of this avowed and explicit opposition that is to be found in the Conservative Jewish press of the mid-nineteenth century, virtually every move that the reformists successfully introduced was taken over by the Conservative group and is today a feature of Conservative Judaism. It is only fair to say, at this point, that preaching in English, to which reference was made earlier, was not started by the Reform leaders. Isaac Leeser at Mikveh Israel in Philadelphia and Samuel Isaacs at B'nai Jeshurun in New York had preached in English before the Reform movement adopted the practice. In fact, the credit for the introduction of English preaching, though not at regular services, must be given to Gershom Mendes Seixas, *chazzan* of Congregation Shearith Israel in New York, who delivered English addresses on days of special assembly like Thanksgiving and the various fast days and days of mortification proclaimed by officials of the government of the United States or that of New York State.

**Reform**

There was an abortive attempt to develop a native American Reform movement in Charleston, S. C., in the 1820's. A group of forty-seven members of Congregation Beth Elohim petitioned the trustees of that congregation in 1824 calling for a reform in ritual. It is noteworthy that this petition referred to the stirrings of Reform in Germany, although German Reform was at this time barely ten years old, and although the rabbinical conferences held in Brunswick (1844),
The principles of Reform, which were still far in the future. Little came of the Charleston Reformed Society of Israelites; it was not until the 1840's, paralleling the German development, that Reform in America became a movement. It must be remembered that, prior to 1840, the spiritual leaders of American congregations were chazzanim, not ordained rabbis, and that by long-standing tradition only ordained rabbis could authorize changes in Jewish law and practice. Then, when a few ordained rabbis (and some others who claimed ordination but whose claim has never been validated—Isaac M. Wise himself was one of these) came to America, they were migrants from Germany or its immediate neighbors; they came from Jewish groups that had already felt the first stirrings of Reform. The principle that changes must have rabbinic authorization is important; there may have been a considerable lay demand for changes in some of the Conservative synagogues, but in the absence of both a central rabbinical "synod" and a rabbi in the particular congregation, there was no way of making any but the most superficial of changes. An English sermon might be introduced without rabbinical sanction; rules to produce more decorous behavior during the services might be promulgated without rabbinical sanction; but major changes required rabbis to authorize them. This was a stumbling-block welcomed by opponents of Reform.

Isaac Leeser was well aware of the difficulty. He, too, wanted “improvements,” but he expressed his “desire that nothing should be done hastily, or contrary to law.” His reasons for desiring improvements were those of the reformers, “to bring the backsliders and the luke-warm back to the pale of religion.” He praised leaders of English Jewry for cutting the length of the services, asserting that this would restore order and decorum and calling it the “duty” of directors of synagogues to do what is necessary to produce improved order in the synagogue. But in 1856 he was faced with a charge, levelled at him by Max Lilienthal (holder of a doctorate from the University of Munich and of ordination by Rabbi Hirsch Aub of Munich), that “it is the sincere wish of the editor of The Occident, that all should remain in statu quo; that a synod should be convened to declare innovation unlawful, and to sanction the status quo by their vote.” Leeser’s reply to this attack asserted that reform of the ritual and services was all right, but that only ordained rabbis could legitimately reinterpret Jewish law. Thus far Leeser’s answer is both just and becomingly humble. Now, however, the tone changes, and he insists that even rabbis cannot show that changes have been made in Jewish law “not by the decrees of the Most High, but by the silent action of the age.” He refers to changes based on the specious ground that the
laws of the country supersede divine legislation whenever the two come in conflict. Proper reform would be to return to the just standards of old Israel. No other reform is legitimate—or, at least, Lilienthal could not prove any other reform to be authorized by law.\textsuperscript{55}

Samuel Isaacs, in the \textit{Jewish Messenger}, held back even more than Leeser when he wrote, "We want REFORM, not in the service, but within ourselves." Isaacs' statement came, however, at the end of an editorial that began by pointing out the need for more decorum during synagogue services. It would be better to leave children at home than to have them running in and out of the services.

It really appears to us that many of our co-religionists imagine God's house to be a place to see and to be seen, to exhibit the last fashions, to listen to the news of the day, and to traduce the character of their neighbors. . . . Far better to remain in our own dwellings than to be an attendant at the house devoted to religion and to tarnish its purity by our earth-begotten ideas.

But even if the reformers have better order in their buildings, "we have the means within ourselves to remedy the evil, without an endeavor to improve by destroying."\textsuperscript{56} Clearly the jeremiad, the stock in trade of New England's second generation of preachers, had fallen into the hands of worthy successors.\textsuperscript{57}

The relative predominance of Reform rabbis was helped along in the latter part of the nineteenth century by the opening, in 1875, under the leadership of Isaac M. Wise, of the Hebrew Union College in Cincinnati. The significance of the opening of the school, of its midwestern location, and of its leadership cannot be exaggerated. Advocacy of a school for higher Jewish studies and the development of an American ministry had been one of the constant features of the editorials in both Leeser's \textit{Occident} and Isaacs' \textit{Jewish Messenger}. So, in the January 1847 issue of \textit{The Occident}, Leeser called for education of English-speaking scholars for the ministry; a school should be established, "whether in England or America, whence may issue men of ample religious and literary endowments, known to the congregations, and therefore likely to be chosen with a full knowledge of their personal history, in addition to that of their acquirements." The hint implicit here was made explicit later in the editorial, when Leeser reproved the practice of importing German scholars whose personal background was unknown. Isaacs, as we have noted earlier, called for the foundation of a "Jews' College of America." Meantime, Wise had announced a plan in 1854 in the \textit{Asmonean} for a Zion Collegiate Institute; a start toward fund raising was made, but the project did
not mature. In Baltimore, a group of young men, representing an association of Hebrew literary societies, called for the establishment of a National Hebrew College. In 1866, Benjamin Peixotto, the Grand Master of B'nai B'rith, tried to finance an American Jewish university by voluntary contributions from members of his order. In 1867 Leeser and a group of lay and ministerial co-workers established Maimonides College in Philadelphia, but it closed for lack of support in 1873. It was the Reform group that finally succeeded where all these previous suggestions had failed. Furthermore, both the midwestern location and the dominance of Isaac Wise determined that the Hebrew Union College was to be an expression of the more moderate wing of Reform; tradition was not to be cast overboard as completely as Einhorn and others in the Eastern group wished. Even in the sessions called to discuss the founding of the College, Wise's more conservative approach was manifest; he did not invite the leaders of eastern, radical Reform, but he did ask such members of the Conservative ministry as Marcus Jastrow and Leeser's successor, Sabato Morais. Wise succeeded in gathering a fine faculty for the Hebrew Union College, and under his successors, Kaufmann Kohler, Julian Morgenstern, and Nelson Glueck, the College has maintained high standards of scholarship and instruction.

By 1885 the Reform impulse had grown sufficiently, especially in the Midwest, to justify the calling of a rabbinical conference to formulate a program. Kaufmann Kohler took the lead in issuing a call to "all such American rabbis as advocate reform and progress and are in favor of united action in all matters pertaining to the welfare of American Judaism." 58

There were fifteen rabbis in attendance when the meeting was called to order, others arrived at later times during the three-day session, and messages of regret were received from eighteen additional rabbis of Reform congregations. The keynote of the meeting was struck in a paper read by Kohler after the first formalities had been completed. Kohler spoke of the diversity that had been exhibited in Reform opinion and practice.

Looking at the various standpoints of progressive Jews individually or as represented in congregations, people only see that we have broken away from the old land-marks, but they fail to discern a common platform. . . . To many, Reform appeared the name for deserting the old camp and standard, while others beheld in it only anarchy and arbitrariness. Indeed, most of our so-called enlightened Jews welcomed the watchword of Reform as long as it meant emancipation from the old yoke of Law, but when it demanded positive work, the up-building of the new in place of the
torn-down structure, they exhibited laxity and indifference. . . . It is high time to rally our forces, to consolidate, to build.\textsuperscript{59}

Kohler presented ten propositions to serve as a foundation for the deliberations of the meeting. These propositions became the nucleus of the platform finally adopted by the conference.

The platform contained eight sections, each of which attempted to clarify the standpoint of Reform Judaism on one major issue of belief. (1) The sanctity and sincerity of other religions was acknowledged, at the same time as Judaism was described as presenting "the highest conception of the God-idea as taught in our holy Scriptures and developed and spiritualized by the Jewish teachers in accordance with the moral and philosophical progress of their respective ages." (2) The Bible was "the record of the consecration of the Jewish people to its mission as priest of the One God." The concept of literal inspiration was not mentioned; by implication it was abandoned and the value of the Bible was founded on its use as "the most potent instrument of religious and moral instruction." In discussion, Kohler's motion to amend this section by including the words "divine Revelation" was defeated, because of the ambiguities in the interpretation of the idea of revelation. With the quiet abandonment of the doctrine of literal inspiration, it was possible for the platform to deny any antagonism between Judaism and the scientific discoveries of the nineteenth century; it was Darwinian evolution that was the issue at the time that the platform was composed. (3) Only the moral law in the Bible was to be regarded as binding; of the other parts of the Mosaic legislation, the group accepted "only such ceremonies as elevate and sanctify our lives, but reject all such as are not adapted to the views and habits of modern civilization." (4) Dietary laws and regulations concerning priestly purity and dress were explicitly rejected. (5) The traditional Messianic concept was transformed into a universal hope "for the establishment of the Kingdom of truth, justice and peace among all men." This change was combined with the rejection of the idea of Jewish nationhood; the Jews were "a religious community." (6) Judaism was declared "a progressive religion, ever striving to be in accord with the postulates of reason." Interfaith cooperation with Christianity and Islam was welcomed. (7) While retaining the doctrine of the immortality of the soul, the rabbis rejected the belief in bodily resurrection and of punishments in the life after death. (8) "In full accordance with the spirit of Mosaic legislation . . . we deem it our duty to participate in the great task of modern times, to solve on the basis of justice and righteousness the prob-
lems presented by the contrasts and evils of the present organization of society."  

It seems strange to us that this platform, since known as the Pittsburgh Platform, did not contain a section devoted to presenting the educational viewpoint of the group. True, Reform leadership had already made it clear that it regarded religious education as supplementary to general education carried on in the public schools. The battles of the mid-nineteenth century for the complete elimination of Christian denominational teachings from the public schools had been fought, and at least temporary victory had been won. No longer was it necessary for Jewish congregations to sponsor all-day schools for the negative purpose of preventing their children from being subjected to sectarian teachings. On this point, then, there was no need to speak. The synagogues were carrying on, however, to some extent, a program of Jewish education, even if it were being done, as Engelman suggests, by farming out the schools "to the sexton, the rabbi, chazzan or a private melammed, who conducted the school as a private business, charging the parents what the traffic would bear."  

The explanation for the inattention of the conference to educational matters probably is that, despite the urgency with which the need for Jewish education was being emphasized in the American Jewish press of the time, neither the congregational lay authorities nor the rabbis conceived of Jewish education as a problem, even on the level of preparing young people to take their places in the life of the synagogue in later years.  

The force that was to break down the trend to Reform leadership and thence, in all likelihood, to offset the developing trend to Reform dominance of the American Jewish scene was in the making at the very time that Reform was chalking up this great success. By 1883, when the first class of rabbis was graduated from the Hebrew Union College, the vast migration from Eastern Europe that followed the pogroms of 1881 and that was not to abate until World War I and the subsequent restrictions on immigration, was already on the march. The new arrivals brought with them a type of orthodoxy and Jewish piety that previous Jewish settlers in America had never known, not even in their western European homelands before migration. The newcomers brought with them their own communal traditions, their own men of learning—in some few cases, men of broad learning, but in most cases, unfortunately, docta ignorantia, men of an exceedingly narrow and unipolar learning. They brought their own semi-sacred language, Yiddish, just as their German predecessors had insisted as long as they could on preserving German and as the original Sephardic settlers had tried to preserve Spanish or Portuguese. There was
a difference between the earlier linguistic conservatism and the later, however, and the difference was vital. With the new arrivals, Yiddish was not merely an ancestral tradition to be preserved out of reverence. It was a touchstone of Jewishness, and it served as a temporary barrier to Americanization. The use of Yiddish in daily communication, the publication of newspapers and magazines in Yiddish, the carrying on of instruction in the schools and preaching in the synagogues in Yiddish, insulated this group of immigrants from the currents of American life for a far longer period than had been true of any previous group of Jewish migrants to America. It is only right to note that after this period the use of Yiddish lost its value as a barrier. In fact, Yiddish became a potent force for Americanization, especially in the labor movement. Even today, in 1954, there are Yiddish schools, unaffiliated with the synagogues, maintained by Jewish workers' organizations. These schools are, however, cultural rather than religious in their emphasis and represent not the orthodox East European Jew but his free-thinking brother. Even in the restricted atmosphere of the homeland, this type of immigrant had been a rebel in religion as well as in politics. In the free air of America, he would have nothing to do with Judaism, and, dogmatist in reverse that he was, he would permit his children no religious training. For the religiously orthodox Jew, Yiddish was a stronger barrier; it is only today, in the third and fourth generations, that the separation of the Jew from the American population is breaking down among the masses, although among the leaders it began to break down a generation ago. It has taken this long to naturalize Orthodox Judaism in America.

The coming of the East European group is not only important on its own account, but even more important as introducing into American Jewish life a new sense of the relation between tradition and innovation. We may describe the Reform group as one leaning toward innovation and limiting rather sharply what it regarded as authentic and essential tradition. The older Orthodoxy, which we have been calling the Conservative group, originally inclined toward the preservation of traditional Western European patterns and demanded that any innovation justify itself in terms of this tradition. Now the newer Orthodoxy added to this pattern a strong leaning toward literalism in the acceptance of the traditional Eastern European patterns and, for many years, at least, a reluctance to admit of any innovation at all. America was a double exile: not only the traditional Galuth from the land of Israel but also Galuth from the only place in the world outside of Israel where a true Jewish life could be lived. It had already been clear to Leeser that there were two groups in American Jewry and that their reconciliation was not likely. To those who
followed Leeser, in the newer immigrant groups as well as in the older strata of American Jewry, it became clear that the "severance" had to be threefold; that the new Orthodoxy was as little their ideal as was Reform. The coming to self-consciousness of the Conservative group is, paradoxically, one of the greatest contributions that Orthodoxy has made to American Jewish life.

Conservatism

Just as the coming-of-age of Reform may be symbolized by the founding of the Hebrew Union College, the coming-of-age of Conservatism was expressed in the development of the Jewish Theological Seminary of America. The original founding of the Seminary was spurred on by Sabato Morais in reaction against the 1885 Pittsburgh Platform of Reform Judaism, enunciated under the guidance of more radical elements among the reformers. By 1887 the Seminary was struggling to maintain a foothold as an anti-Reform institution. It is only a slight exaggeration to say that its positive program was swallowed up in this negative objective of counteracting the Reform movement. With the coming of Solomon Schechter to the presidency of the Seminary, in 1902, emphasis shifted to the development of the positive program of Conservative, historical Judaism, and the earlier negative approach was forced into the background. This may have been, at least in part, the result of an accession of strength to Conservative ranks from the more Americanized segment of the Eastern European immigration. By the beginning of the twentieth century, it is no longer accurate to describe the Conservative group as mainly composed of Jews of Sephardic and Western European ancestry. Schechter himself came not merely of Eastern European, but of Chasidic background, and he retained a great deal of traditionalism in his thought and in his observance, although "he was not punctilious in every detail."

As late as 1913, Schechter retained in his thinking both the negative, anti-Reform element in Conservative Judaism and a peculiarly ambivalent attitude toward Eastern European Orthodoxy. In addressing the founding meeting of the United Synagogue of America, he asserted that the Eastern European group "by the mere virtue of their numbers again brought the Conservative tendency into prominence"; here he was using the term "Conservative" to mean exactly the same as "Orthodox." However, he also noted this "drawback":

Coming from a part of the world where . . . any adherence to the "Intelligenzia" is almost tantamount to throwing off the yoke of the Torah and the Law, they still insist, or a large influential body among them insists, that secular education and modern methods in
school and college are incompatible with Orthodox principles. . . . They have, further, also this in common with at least the first reformers in this country: that they dread the English sermon just as those reformers did, the only difference being that the latter gave the preference to German and the former to Yiddish. Unfortunately they differ from the reformers in that they have never succeeded in creating proper order and decorum in their places of worship and have, besides, shown very little ability in the art of organization, which is the great strength of our Reform brethren. These our brethren are, undoubtedly, much stronger in numbers than the Reformers. But chaos reigns supreme among them. . . . To object to strict order and decorum in our places of worship, means to expel our children from the synagogue, and to point out for them the way leading to the Ethical Culture hall and similar un-Jewish institutions.

There was something of an uneasy compromise between traditionalism and modernism in Schechter's thought. He was, however, decisive in action, and it was under his leadership that the Seminary faculty reached a level of competence comparable to that of the Hebrew Union College. When Schechter died, Cyrus Adler succeeded him, and Louis Finkelstein followed Adler in the presidency of the Jewish Theological Seminary. Adler and Finkelstein have maintained and strengthened the positive program and the excellent faculty of the Seminary.

As the program of the Conservative group, expressed through the Seminary, became richer, there was developed a union of Conservative congregations, the United Synagogue of America (1913), to serve the Conservative wing as the Union of American Hebrew Congregations (1873) had served Reform. The Rabbinical Assembly (1919) united Conservative rabbis, chiefly graduates of the Seminary (it had originally been the alumni organization of the Seminary), as the Central Conference of American Rabbis (1889) brought together the Reform rabbis, increasingly graduates of the Hebrew Union College. Other collateral organizations were formed in the course of the years, and in almost every case the duplication of Reform and Conservative forces was maintained.

Although the Conservative movement had a growing number of adherents and was rapidly achieving organizational stability, it can scarcely be said to have achieved definition of its position either on ritual or on legal questions. Some indications of the variation in ritual in Conservative synagogues about twenty-five years ago may be derived from the report of a survey committee of the Rabbinical Assembly. Congregations that reported the use of a uniform prayer book for Sabbath services used nine different prayer books, including
the prayer book developed by the Reform movement; fifteen congregations reported that no uniform prayer book was used. Of the 110 congregations reporting, 95 had late Friday evening services; 23 of these had only the late service, having abandoned the traditional early service. In some cases, the congregations that had adopted late Friday evening services included no prayers, "but hymns, a review of Jewish Current Events, reading from Yiddish current literature, a lecture followed by a discussion." Special account of patriotic occasions (Lincoln's Birthday, Thanksgiving Day, etc.) was taken by 21 congregations by means of prayers incorporated in the Friday night services preceding these patriotic holidays. Congregational reports on the Sabbath morning service noted the elimination of some of the Hebrew prayers and the reading of others in English. In some cases an English explanation of the reading from the Torah was inserted either before or after the reading. Some reported that the reading of the Haftorah was in English. There were comments that the service was over-long, and rabbinical objections to "cantor idolatry." One rabbi wrote that "the Torah reading is a bore which disrupts the service and has little real benefit."

Junior congregations had been developed as an expedient for taking care of the religious needs of children without disrupting adult services in 78 congregations, but there was considerable difference in the way in which the junior congregations were organized, their services conducted, and their work integrated with that of the adult congregations. Many changes in the traditional bar mitzvah ceremonies were noted, including the transfer of the ceremony to Friday night. A few congregations had introduced the bas mitzvah ceremony. Confirmation exercises, again revealing considerable variation, were reported by 81 of the Conservative synagogues.

The place of the so-called Yizkor-Jew is evidenced by the fact that in the approximately one-third of the congregations that had dropped daily services, several reported that these services were occasionally restored, "when members have Yahrzeit." Many synagogues said that Yizkor services on the holidays had been transferred to the very end of the proceedings, because otherwise "Immediately after the Yizkor services on the festivals there is a general exodus from the Synagogue. . . . In spite of exhortations by the rabbis, people come just in time for Yizkor and leave immediately after." Other divergences both from traditional practice and from the practice of other Conservative synagogues were; a few synagogues held Sunday morning services; 28 synagogues had organs, and 15 of these used the organs at Sabbath and holiday services.

Similar discrepancies can be noted in the Conservative approach to
Jewish law. A resolution of the United Synagogue of America sent to the Rabbinical Assembly and read at the 1931 convention of the Rabbinical Assembly included the following definition of the Conservative attitude to Jewish law:

Let it become known once and for all that we stand firmly on the rock of Jewish tradition and Jewish law,—but let it also become known that we are the *mekilin* and not the *machmirin*,—that we seek the lenient view, the liberal view, if you will, and not the severe view in Jewish tradition.\(^66\)

But at the joint convention of the United Synagogue of America and the Rabbinical Assembly in 1948, Rabbi Morris Adler, the keynote speaker, said:

American Judaism, if it is to enrich the lives of Jews, must be inextricably related to the conditions and circumstances of our society. . . . No gradual and slow process of interpretations will suffice to evolve a Judaism compatible with our needs. . . . In such spheres of Jewish law as Sabbath, dietary law, laws relating to the problem of the *agunah*, we cannot any longer be content with revisions by the strict, slow process of law.\(^67\)

At the Rabbinical Assembly conference on Jewish Law held in 1948, with special reference to the problem of the *agunah*—the presumptive widow whose status cannot be established by adequate testimony (as when her husband is reported missing in action during a war) and who is therefore traditionally prohibited from remarrying—the discussion centered on the question of where there was to be found in American Jewry adequate authority to make changes. The consensus of the meeting was that, pending the establishment of a “Jewish Academy” with authority to resolve areas of conflict between present-day needs and traditional Jewish law, the best that could be done was to interpret the law leniently. Not until 1954, under the constant pressure of the laity, did the Conservative group find a satisfactory resolution of the problem of the *agunah*.

In view of these wide areas of inconsistency of statement and practice in Conservative Judaism, it may be of interest to record here the preamble to the constitution (1913) of the United Synagogue of America, “a union for promoting traditional Judaism,” and the action branch of the Conservative group:

Recognizing the need for an organized movement for advancing the cause of Judaism in America and maintaining Jewish tradition in its historical continuity, we hereby establish the United Synagogue of America, with the following ends in view:
To assert and establish loyalty to the Torah and its historical exposition,
To further the observance of the Sabbath and the Dietary Laws,
To preserve in the service the reference to Israel’s past and the hopes for Israel’s restoration,
To maintain the traditional character of the liturgy, with Hebrew as the language of prayer,
To foster Jewish religious life in the home, as expressed in traditional observances,
To encourage the establishment of Jewish religious schools, in the curricula of which the study of the Hebrew language and literature shall be given a prominent place, both as the key to the true understanding of Judaism, and as a bond holding together the scattered communities of Israel throughout the world.

It shall be the aim of the United Synagogue of America while not endorsing the innovations introduced by any of its constituent bodies, to embrace all elements essentially loyal to traditional Judaism and in sympathy with the purposes outlined above.

Except for the clause concerning Jewish education, this program seems to have been more honored in words than in works in the later history of the Conservative movement.

But it is in the Conservative ranks that there has been the keenest realization that, for better or worse, Jewish education in America has become the responsibility of the synagogues. Perhaps the reason for this awareness is that among the Conservative Jews in the larger cities especially there has been a breaking away from the older Jewish residential areas in the last few decades. The older neighborhood Talmud Torahs, which long served well the needs of both Conservative and Orthodox Jews for weekday supplementary Jewish education, fell victim to this decentralization of Jewish living. It is in the Conservative camp that the most intensive effort has been made to replace neighborhood Talmud Torahs with congregational Talmud Torahs, often in connection with synagogue-centers. Some Conservative synagogues are content merely to maintain Sunday schools, but most try to go further in weekday supplementary classes of varying levels of comprehensiveness and varying degrees of success. The Rabbinical Assembly has held conferences on Jewish education, rightly recognizing that if religious education is to be sponsored by the synagogues, it is imperative that the rabbis accept the role of educational statesmen, and that, in some cases, they will have the role of educational administrators thrust upon them. Keynoting the Second Annual Rabbinical Assembly Conference on Jewish Education, in December 1947, Rabbi Israel M. Goldman, president of the Assembly, said:
We must . . . affirm our belief in the Synagogue as the major educative force in American Jewish life. . . . It is one of the primary functions of the Synagogue in Conservative Judaism to disseminate the maximum of Jewish knowledge to all age groups and through every method and medium known to the science of modern education.  

These were brave words, bravely spoken, but it has not always proved possible for the rabbis to persuade their congregations to adopt the kind of budget that is needed to carry out so ambitious a program, nor is it always possible to get an adequate supply of well-trained teachers.  

It is also interesting to note that one suggestion, for overcoming the lack of teachers by importing them from Palestine, was not at all well received by the attendants at the conference. It was the contention voiced in the discussion that when teachers had been thus imported, they subordinated their teaching to the aim of inducing the pupils to go to the Holy Land as settlers there. Despite the strong affirmation by the Conservative rabbinate of the need for building up the land of Israel, Rabbi Goldman spoke for the large majority of those attending the conferences when he said:  

We must profess the ideology of the mehayyeve ha-golah, affirming the positive Jewish values of the Diaspora and believing in the continuous importance of Jewish community life in America—as in the rest of the world—even after the Jewish State in Palestine is established. . . . We in Conservative Judaism are rearing our educational structure on the convictions, which to us are foundation stones, that American democracy will endure, that America will be the home for countless generations of Jews and that American Jewish life has a great future both culturally and spiritually.  

Only the future to which Rabbi Goldman appealed can tell whether the high aims of Conservative Judaism in religious education can be realized. Certainly the Conservative weekday schools have not as yet demonstrated their ability to hold their pupils long enough to provide the sort of educational program that their leaders envisage.  

Orthodoxy  

Meantime, what had the new Orthodox party been doing that led the Conservative force to transmute its opposition to Reform into a positive program for historical Judaism, to import Schechter, and to improve the Seminary faculty? In 1896, the Orthodox group founded the Rabbi Isaac Elchanan Theological Seminary, named in memory of Isaac Elchanan Spector of Kovno in Lithuania, one of the greatest of the nineteenth-century Eastern European scholars, who had then
but recently passed to his reward. This Yeshiva became the nucleus (after merger with Yeshiva Etz Chaim in 1915) of Yeshiva College (1928), and later Yeshiva University. In its first form the Rabbi Isaac Elchanan Theological Seminary was an Eastern European Yeshiva on American shores. It did not (in the western sense) educate its scholars; it was a training school in Talmud and rabbinic literature. After 1915, under the presidency of Bernard Revel, the program of studies was expanded and a real effort made to transform the Yeshiva into an educational institution.

Yeshiva College (now Yeshiva University) not only expanded its educational activities on the collegiate and graduate levels, but it also developed a secondary school of good quality and helped to raise the level of Jewish all-day or parochial high schools throughout the country. Yeshiva College thus became a strong force for the realization of the educational program of the Union of Orthodox Jewish Congregations of America, which insists that the education of the Jewish child must be religious; that the Jewish boy or girl in America must be trained in the knowledge of the Torah and in Jewish practices. It is most emphatically opposed to any system of Jewish education which eliminates the religion of the Jewish people. Hebrew is the language of the Jewish people, but more than anything else it is the language of the Torah.72

Thus, of the Jewish group in America, the Orthodox group alone records its official dissatisfaction with the combination of public secular education and supplementary religious instruction, especially if the premise of that supplementary education is cultural rather than strictly religious. In practice, Orthodox Jews throughout the country still overwhelmingly send their children both to the public schools and to a congregational or neighborhood Talmud Torah for their Jewish schooling. Indeed, some Orthodox congregations go as far as to maintain Sunday schools for those children who attend neither the Talmud Torah nor the all-day Jewish parochial school.

In 1898, an Orthodox Jewish Congregational Union was founded; the move was largely under the sponsorship of the Conservative group, which still regarded its position as Orthodox. In the activities of this union, it soon became clear that the balance of power rested with the new Orthodoxy, and that the Conservative group did not really belong with the Eastern European Orthodox party. As Moshe Davis has said:

The clash was not in religious orientation; it was in spiritual backgrounds and cultural proclivities. A variety of obstacles, seemingly conquerable in individual relations, but impassable in the aggre-
gate, separated the two groups: the differing attitudes toward form and behavior during the service; the latent “snobbism” of the Westjuden, the insular attitude of Russian Jew toward the American environment; the deep love of the East European Jew for Yiddish, and the manifest disdain of Yiddish by the others. These deeper and virtually unexpressed disparities were symbolized in two words which the respective groups used for Jewish study: Lernen (learning) and Jüdische Wissenschaft (the science of Judaism). The East Europeans scorned the baggage of Western civilization; the Western-oriented Jews considered such knowledge their passport to civilization.  

The uneasy association was clearly proved impossible of maintenance when the Union resolved that graduates of the Jewish Theological Seminary were not to be regarded as having the authority of rabbis in Israel. The Eastern European group made it clear by this action that the standards and goals of the Conservative group were not tolerable and would not be considered Orthodox. Thus the responsibility for bringing the Conservative movement to self-consciousness and of creating a third party in American Jewry may be ascribed directly to the new Orthodoxy. It is interesting to note that this very rejection of westernization and Americanization was itself an expression of American pluralism.

When the Orthodox Jewish Congregational Union was thus proved unviable, it was replaced by the Union of Orthodox Jewish Congregations, which has remained the action group of the Orthodox party. The quest for national Jewish unity which we have discussed earlier was thus pluralistically resolved by the founding not of one overarching federation, as envisaged by Leeser and Wise, but of three denominational federations, representing Reform, Conservative, and Orthodox factions in American Jewish life. Again, just as Reform and Conservative rabbinical associations came into being, the Orthodox rabbis developed their own association, the Union of Orthodox Rabbis of the United States and Canada (Agudath ha-Rabbanim), in 1902. Although this organization is still in existence, it no longer speaks for a united Orthodox rabbinate; by the mid-thirties a new generation of Orthodox rabbis, born and trained in America, no longer saw eye-to-eye with their elders. Unable to negotiate a workable compromise with the Agudath ha-Rabbanim, the younger and largely American-bred Orthodox rabbis formed (1935) the Rabbinical Council of America.

Orthodox leaders prefer to designate their movement as “Torah-true Judaism” or to refer to it simply as “Judaism” and to use “qualifying or designating adjectives to define its dissenting branches.”
The concern of Orthodoxy as an organized movement is "to advance the interests of positive Biblical, Rabbinical, Traditional and Historical Judaism and we affirm our adherence to the authoritative interpretation of our Rabbis as contained in Talmud and Codes." Commenting on this statement, Rabbi Herbert S. Goldstein, president of the Union of Orthodox Jewish Congregations in 1927, remarked:

Judaism in America must form a link in the unbroken chain of Jewish tradition, the first link of which was formed at Mt. Sinai. It [The Union of Orthodox Jewish Congregations of America] is opposed to any compromise that will weaken the foundations of the faith, upholds the principles of the unalterable truths of the Torah, and declares against any substitute in Judaism.\(^75\)

With the exception of rhetorical statements of this sort, there has been no attempt on the part of the Orthodox group to develop a manifesto. Indeed, there is little need for programmatic formulations, since the theoretical foundations of Orthodoxy require no statement of the mode of adjustment to modern conditions.

This does not mean that Orthodox Judaism is unchanging, but that all changes are to be made by traditional methods of interpretation. Leo Jung, the quantity of whose writings makes him the outstanding spokesman of American Orthodoxy, regards the process of interpretation as a perennial revitalizing of Jewish law:

Even among Jews we find some who consider orthodox Judaism as out of touch with modern times. Never did they err more profoundly. Jewish law develops through application of precedent to new conditions, exactly as English or American law does. The Responsa of the rabbis, dealing with modern questions . . ., keep the Jew in rapport with changes in his environment, and with the problems of today and tomorrow. These Responsa accompany Jewish life all through history, and help the Jew to live with the Torah as with a law which is ever alive, fresh and clear with every new question and answer.\(^76\)

In practice, however, the method of precedents makes for neither a rapid nor an adequate adjustment to local and temporary conditions, and it amounts virtually to a resting in the status quo. The authoritative code of Orthodox Judaism is the sixteenth-century Shulhan Arukh of Joseph Caro. All responsa of later rabbis are founded upon this codification of Jewish law. "Thus, for instance, modern means of transportation, which could not have been considered in the Mishnah, are dealt with in the Responsa upon the same principles which governed the primitive traffic of Roman days and the affairs of a caravan in the time of Palestinian independence."\(^77\)
"New" Reform Tendencies

The large immigration of Eastern European Jews after 1881 has, then, succeeded in establishing an Orthodox faction in American Jewry, and it has also resulted in a clarification of the positive program of the Conservative faction. One more important contribution of the Eastern European group to the spiritual life of the Jews in America should be noted at this point, and this is the strangest of all. As the Jews who came from Eastern Europe and their descendants became acclimatized to American life, some of them found satisfaction in affiliation with the Reform movement. Some of the sons and grandsons of Eastern European immigrants entered the Reform rabbinate. These "new" reformers brought with them a keener insight than the nineteenth-century German founders of the Reform faction had had into the sort of spiritual and esthetic satisfactions that a more traditional approach to ritual could bring. Under the stimulus of the younger group of Reform leaders, Reform Judaism in America has moved far closer to a Conservative orientation than would have seemed possible thirty years ago. While the shift is particularly noticeable in the ritual of the synagogue and in the return to some traditional home ceremonies (lighting of the Sabbath candles, some reversal of the trend to the institutional Seder, etc.), it may also be observed in the platform of Reform. The 1885 Pittsburgh Platform, despite some dissatisfaction, was retained by the Central Conference of American Rabbis for just over half a century. It was not until 1937 that the program was completely reconsidered, and the 1937 program reveals the renewed regard for the customary and the traditional that we believe to be one of the fruits of Eastern European influence on the thinking of the Reform faction in American Judaism.

Reform Judaism's 1937 program showed the immediate effect of the half-century that had elapsed since the Pittsburgh Platform by announcing itself merely as a set of "Guiding Principles of Reform Judaism," rather than as a creedal platform. The Guiding Principles, while maintaining some of the self-conscious universalism of the older Platform, introduce a note of particularism by defining Judaism as the "historical religious experience of the Jewish people." After an affirmation of strict monotheism and transcendence, and a statement that man is a being with free will and an immortal soul, the Guiding Principles go on to assert that Torah is revealed truth, not in the sense of literal inspiration, but in terms of the belief that "revelation is a continuous process." However, "each age has the obligation to adapt the teachings of the Torah to its basic needs in consonance with the genius of Judaism." This is a far more traditional approach
than that of 1885 and verbally differs but little from the sort of statement that would be acceptable to a Conservative or even an Orthodox group. In the next section, the Guiding Principles reaffirm the distinctively Reform position that Judaism is a religious community. The Jew who has become estranged from Judaism is something less of a Jew than the convert to Judaism. A neutralist plank on Zionism and a statement of principles of social ethics follow; these will be discussed later.

The clearest indication of Reform Judaism's renewed regard for tradition comes in the third major section of the Guiding Principles, dealing with religious practice. Here it is asserted that Jewish life "calls for faithful participation in the life of the Jewish community as it finds expression in home, synagogue, and school and in all other agencies that enrich Jewish life and promote its welfare." A few words are devoted to expanding on the conceptions of home, synagogue, and school. Then a paragraph is devoted to prayer, "the voice of religion, the language of hope and aspiration." It is asserted that "to deepen the spiritual life of our people, we must cultivate the traditional habit of communion with God through prayer in both home and synagogue," a view that the elders in 1885 felt it unnecessary to record. Toward the close of the section on religious practice, there appears the following paragraph:

Judaism as a way of life requires in addition to its moral and spiritual demands, the preservation of the Sabbath, festivals and Holy Days, the retention and development of such customs, symbols and ceremonies as possess inspirational value, the cultivation of distinctive forms of religious art and music, and the use of Hebrew, together with the vernacular, in our worship and instruction.

The differences between this program and the Pittsburgh Platform are so many and so extreme that the two documents seem scarcely to proceed from the same movement.

For many years the Sunday school was the only instrumentality for Jewish education that was fostered by the Reform synagogues. Even now, despite the greater concern of Reform for "Judaism as a way of life," only a few Reform congregations have felt the need for adding weekday classes. Thus "the yoke of the Law" falls more lightly on the shoulders of the child of Reform parents than on those of Conservative or Orthodox families. One reason that Reform Judaism finds so little need of additional time is that its educational sights are fixed on more modest objectives. The function of the religious school is "to prepare children for congregational life, for understanding the synagogue service and for meeting the problems intelligently which American Jewish life brings." Of recent years, the Central Con-
ference of American Rabbis has become increasingly concerned to gain the maximum advantage out of the brief time children spend in the Sunday school rather than adding more time to be used in-differently. Like Conservative education, Reform Jewish education tries to learn as much as possible from modern theories of education and from modern educational practice. Since the amalgamation of the Hebrew Union College with the Jewish Institute of Religion in New York in 1950, the Reform group has developed a more active program for teacher training, and it may well be that by keeping their objectives within reason, the Reform congregations will achieve them.

Other Groups

In sketching the development and programs of the three major synagogal groups that have blossomed in American Jewish life, we must be careful not to assert too much for what we have done. We have not exhausted all possible variations on the theme of tradition and innovation. There is the small movement of Jewish Science, founded more than twenty-five years ago, that defies classification. Its only importance for our theme is that it is available to at least a few American Jews as a way of satisfying their spiritual needs. As a faith-healing cult, it stems from a tradition far older than any other living variety of Judaism and has a solid biblical foundation; on the other hand it has carried ritual innovation to a point far beyond any other Jewish segment. Alone among American Jewish religious outlets, Jewish Science has recognized the changed position of women in the modern world by having a woman, the widow of its founder, as its spiritual leader.81 Again, we have not discussed the new Sephardim, who represent still another “Orthodoxy” on the American Jewish scene, a group that came to this country in the latest years of unchecked immigration from parts of the Turkish Empire. This group has preserved its distinction from the Ashkenazic orthodoxy of Eastern Europe, and has also kept from being absorbed into the remnants of the original Sephardic settlement. We have not mentioned the Hassidic groups, with their special variation of the Eastern European tradition, who have not merely found a haven of refuge but, surprisingly, have also gained recruits in America. Finally, we have taken no notice here of the unsynagogued, many of whom gain deep religious satisfactions from their participation in other activities of Jewish life outside of organized houses of worship.82

Indeed, there is far more that we could have said under this head. We have, we hope, said enough to justify the generalization that there is and should be no Jewish orthodoxy; that the only heterodoxy in
Judaism is that of denying to others the right to be heterodox. If, by conventional agreement, we use the term Orthodox of one major group, Conservative of another, and Reform of still a third, let us be clear that these terms are merely proper names, not evaluations. A proper name has a meaning, but we do not attach that meaning to every person who bears the name. Not every Abraham is an ab raham; nor is everything called Orthodox necessarily of superior sanction. There are good traditions and poor traditions; to call oneself a traditionalist is to beg the most important question, the question of value. There are wise innovations and foolish innovations; to call oneself an innovator is to beg the most important question, the question of value. "Everybody talkin’ about Heaven ain’t goin’ there," says the folk wisdom of the spiritual.

A strict adherence to every detail of ritual and personal practice may be an expression of profound piety and of a keen spiritual sense of the sanctity of every experience of every day. It may equally well be the husk that remains when the kernel has rotted. A complete disregard and distaste for the entire apparatus of ceremonial and usage may be merely the line of least resistance and a prelude to assimilation. It may equally well be (as it was in the case of the ex-communicated Spinoza) an expression of a set of spiritual values far in advance of one’s contemporaries. The danger of pride is ever present in measuring orthodoxy, and it is more than ever present in a relatively creedless faith like Judaism. For where there is no creed there is no standard, no norm, no “doxy.” Then one can measure the orthodoxy of others only by comparison with one’s own beliefs, and this is pride. Far better to recognize that Judaism is many roads, all of which combine in some measure older regulations with the needs of the new day.

**MORALISM IN AMERICAN JEWISH LIFE**

Earlier, in discussing the pattern of American culture as it seems to have affected religious life, we have called attention to the tendency of religious groups in America to develop along moralistic lines. A complete moralism would involve the attempt to live entirely without religious institutions, and this is, except for a few people and for a limited time, impossible. In the more modest sense in which we shall use the term here, moralism will mean either the assertion that the primary expression of spiritual energies is the living of a moral life, or the assertion that spiritual energies may best be expressed through the channels of agencies and institutions that are not generally regarded as religious. It is clear that historically Judaism has always been close to moralism: greater emphasis has been placed upon
the moral law than upon ceremonial or ritual law. The institution of the priesthood lapsed into all save sentimental insignificance with the destruction of the Temple. Even the synagogue, central as it has been in Jewish life through the ages, has been regarded more as a house of study than as a house of ritual. Echoing through Jewish life down the centuries, the words of Micah, "He hath shewn thee, O man, what is good; and what doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?" (Micah 7:8) stand as the noblest expression of a deeply religious moralism. With other prophetic utterances of like character, it has served to place limits on the possibilities of ecclesiastical development in Judaism. In the second sense given above, Judaism may be said to have been moralistic too; for its community organization gave ample opportunity to Jews to express themselves spiritually in what others might regard as a non-religious way.

In America, where men of all faiths have tended toward moralistic interpretations of their own traditions, Jews have followed the pattern in various ways. Before considering these, it may be of interest to note that in at least one respect, Jewish life in America has had an opposite effect. Judaism has never supported a clerical caste; its predecessor, the religion of Israel, did have such a class, and many biblical passages attest to the difficulty of maintaining it. When the rabbi replaced the levite, clericalism faded out of the Jewish picture. In America, clericalism in a modified form reentered Jewish life in the guise of the rabbi as a professional minister. We should also note, however, that lay control of the synagogues has precluded the emergence of a true clerical caste; the rabbis, professional or not, remain the servants of the people, not their masters. On the balance, it seems likely that as long as lay control is maintained, a professional rabbinate is more beneficial than harmful to American Jewish life.

The opposite, moralistic trend has shown itself in the number of American Jews who, whether or not they retain membership in the synagogue, regard themselves and are regarded by their neighbors not only as Jews, but also as good Jews by virtue of the time and energy that they devote to doing good. For the most part their beneficent activities are carried out and their spiritual concern manifested through organizations devoted primarily to the interests of their fellow Jews. In many cases, however, the concern may be far more universal; it may be a concern for victims of muscular dystrophy, or for mentally retarded children, or for victims of fire or flood, or for the rights of appellants before the bar of justice. Whatever the worthy cause to which the individual devotes himself, it becomes moralistic when his devotion to it replaces devotion to religious institutions,
and specifically to the synagogue, at the center of his life. That this should occur is not unusual; that it should be so readily accepted as an appropriate medium for expressing Jewish spirituality is remark-

able.

To a certain extent, the prevalence of moralistic Jewishness in the United States seems to have come about as an incidental result of the bilateral character of the traditional American concept of freedom of religion. The first side that we think of when we mention this con-

cept is that the government has no right to infringe upon the reli-

gious beliefs of citizens, or upon their religious practices except in-

sofar as these practices are offensive to public morals or infringe upon the rights of others. The second side, though of equal importance, is less rarely mentioned; it is that religious groups as such should not participate directly in political activity. One result of this tradition has been that various religious groups, including the Jewish groups, have developed what may be called "secular arms." Jewish religious organizations do not directly urge policies or activities on local, state, or Federal government. Special and separate committees, councils, boards, or organizations are set up to bring Jewish views before these governmental agencies. It is clear that the work of these special or-

ganizations is, at least in part, an aspect of the spiritual life of Amer-

ican Jewry. When work for one of these organizations is the dominant spiritual factor in the life of any individual, his Jewishness has be-

come, as we are using the term, moralistic.

Of course this is not to suggest that every person who is active in the work of the American Jewish Committee or of the American Jewish Congress consciously or unconsciously regards this activity as his primary expression of Jewishness. Many are also active in their synagogues and meticulous in their adherence to ritual, ceremoni-

al, and custom. It is perhaps only a very few for whom this type of or-

ganizational activity becomes a spiritual end in itself. When, how-

ever, we add those whose Jewishness is exclusively expressed through the many non-political yet non-synagogal groups that abound on the American scene, the number grows larger. There are those whose need for spiritual affiliation is met through active membership in cultural or scholarly organizations—the American Jewish Historical Society, the American Academy for Jewish Research, the Conference on Jewish Relations, or local Jewish study groups and literary socie-

ties. Others find the same measure of satisfaction in working on behalf of Jewish hospitals, settlement houses, welfare organizations, charity funds—a myriad of good causes, each separately organized, and independent of synagogal affiliation or control. It would be a bold statistician who would attempt to estimate the number of moral-
istic Jews or their percentage in the total Jewish population. Indeed, if this were a sociological survey, the entire class might be negligible; in a survey of Jewish spiritual outlets, it cannot be overlooked.

The completely unsynagogued or those whose synagogue membership is purely nominal, involving perhaps little more than attendance at High Holy Day services and the observance of Jahrzeit, may perhaps be considered in this context. They have always been an element in the American Jewish population. It is difficult here to come by information; “the synagogue authorities, for example, rarely mention the unsynagogued in their records.”

It seems probable, however, that this group was already to be found in the mid-eighteenth century. Among the immigrants from Germany in the first half of the nineteenth century there were undoubtedly many whose rationalism had led them to partial or complete disaffiliation from the synagogue, and others who abandoned synagogue membership less on grounds of rational conviction than for minor social or personal difficulties. The existence of the unsynagogued and the unobservant was taken cognizance of in the American Jewish press. The Occident and the Jewish Messenger, from time to time, carried editorials and correspondence on the subject. A most revealing comment, probably exaggerated, appeared in 1888 in the American Hebrew:

Among our Christian friends, a man who remains unattached to a religious organization loses caste in society, unless he claim enrollment at once amid the corps of illuminati and free thinkers. Not so, unfortunately, with us; petty congregational broils, the heated partizanship of reform and orthodoxy, and, in America especially, the keen and all-absorbing passion for wealth, have all contributed to make the unattached, or the “unprofessing,” almost the rule, and the stated attendant at religious service, or the one affiliated with religious bodies, the exception.

Samuel Isaacs, in the Jewish Messenger at an earlier time, seemed to be directing his fire more against the unobservant than against the unaffiliated when he wrote of the Jew who goes by the name of Orthodox:

He would be pleased to see crowded Synagogues every day whilst he himself is actually absent. He yearns to behold colleges of learning where our youth might be taught how to live, how to die, and how to renew their existence, whilst he himself would make no exertion to bring about that happy period.

Inevitably the later nineteenth- and early twentieth-century immigration increased the number of the unsynagogued disproportionately. The very rigidity of the Eastern European pattern led many, as soon
as they were able in an atmosphere of freedom, to abandon completely a faith they felt as a burden. For many Eastern European immigrants Socialism, labor unionism, and Yiddishism provided faiths to replace Judaism as vital foci for their spiritual energies. Their rejection of Judaism, unlike that of the earlier types of which we have been speaking, was categorical and dogmatic. The earlier group, while leaving the synagogue, nevertheless continued to regard themselves as Jews; the later group, if they did acknowledge Jewishness, did so entirely in terms of a Yiddish-Jewish proletarian culture. Not until the second or third generation after immigration did the animus against Judaism fade; today we are witnessing the return to the synagogue of the Americanized children or grandchildren of the Eastern European unsynagogued. Yet we should note that even this group, so dogmatically anti-religious in their views, did not live without a faith; they replaced a traditional faith with a new moralistic one, and, in doing so, they were taking advantage of the pluralistic and voluntaristic American milieu.

Again, the various outlets that have so far been suggested do not account for the activities of all the unsynagogued, nor is it likely that all of the unsynagogued sought or even felt the need for spiritual activity, any more than it is likely that the synagogue occupies a place in the spiritual life of the majority of its members. For while the philosopher or the psychologist may generalize about the need that all men have for spiritual exercise, it is at best dubious whether the majority of men feel the need that savants ascribe to them. Probably for most people day-to-day social contact with their fellow humans provides a sufficient degree of spiritual uplift and self-transcendence to satisfy their needs. The life of fraternal and social orders satisfies this requirement especially well, because it is enhanced by a modicum of exclusiveness and secrecy and accompanied, in many cases, by an attractively designed ritual. From pre-Revolutionary days to our own times the fraternal (and, latterly, sororal) orders have provided for some a supplement and for others a substitute for synagogue activities. To estimate the degree to which the orders have been a supplement and the degree to which they have been a substitute would probably be impossible; for our purpose it is unnecessary.

In their earliest days in the United States, Jews were attracted to Freemasonry, perhaps because of its wide conception of brotherhood. Moses M. Hays of New York and Boston was the leading figure among the early Jewish Masons in America. He is credited with having introduced Scottish Rite Masonry into the United States. In 1768, he was appointed Deputy Inspector General of Masonry for North America, and was himself responsible for appointing other Jews to high
posts in Masonic circles. Hays was Master of King David's Lodge, founded February 17, 1769, in New York City. "This Lodge appears to have been composed entirely of Jewish Brethren." Later, about 1779, the all-Jewish Lodge moved to Newport. Moses Seixas, one of the leaders of the Newport Jewish community, was Grand Master of the Grand Lodge of Rhode Island. Thus, even from these few examples, it is clear that Jews took part, and in some cases a leading part in early American Masonry. Jews have continued to be active in the Masonic movement until today. Increasingly, in the larger communities, all-Jewish lodges have been established. These all-Jewish lodges are likely to have rabbis serving them as chaplains. Although in its origins the Masonic appeal was to a universal brotherhood of all men, in its practice Masonry today has become a semi-segregated fraternity.

In 1843, a new departure in Jewish organizational behavior in the New World was made when a group of the leading German Jewish citizens of New York City founded the Independent Order of B'nai B'rith. From this time on Jewish activity in fraternal orders was increasingly in Jewish orders. In addition to elements of ritual and organization that paralleled those of the Masonic lodges, B'nai B'rith took over some of the functions formerly exercised by burial societies and mutual aid groups among the Jews. Although the order was founded by German Jews, it occasionally welcomed into fellowship those of other backgrounds and spread widely and rapidly in the Jewish centers of population in the United States. Over the years, most of the secret ritual has been dropped, more democratic control introduced into the order, and a wide variety of worthwhile cultural and welfare programs sponsored. Other fraternal orders soon arose: the Independent Order of Free Sons of Israel (1849), B'rith Abraham (1859), Kesher Shel Barzel (1860). Later orders include B'rith Sholom, B'nai Zion, and a major sororal organization, the United Order of True Sisters. As the later Eastern European immigration felt a need for like organizations, especially of a working-class orientation, the Workmen's Circle and the Jewish National Workers Alliance came into being. For most of their members, these fraternal orders serve a merely social function; there are others whose total Jewish consciousness is expressed in their fraternal membership, and for these the various orders must be reckoned a phase of the spiritual life of American Jewry.

It is interesting to note that B'nai B'rith originally intended to "banish from its deliberations all doctrinal and dogmatic discussion and by the practice of moral and benevolent precepts bring about union and harmony." Thus in the very terms of its foundation
there existed a basis upon which those who chose to identify themselves as Jews solely by morality and benevolence and to allow their ceremonial and ritual attachments and synagogue affiliations to lapse could build a moralistic Judaism. Once more it is impossible to say how many have done so. A Christian writer in 1871 saw B'nai B'rith as an agency for the transformation of Judaism into a social morality: "The order of B'nai B'rith, the Sons of the Covenant, is to the Jewish Church what the Christian associations are to the Christian Church, a liberalizing influence, as it turns the people from forms and rites and from speculative questions to works of practical reform and charity." 90 For our purposes it is enough to say that for some of its members the order may have done so, and may still do so.

**Zionism As a Moralistic Cause**

By far the greatest of the moralistic causes that Jews in America have espoused, whether in addition to their synagogue affiliations or as a replacement for membership, was that of the establishment of a Jewish National Home. To such an extent is this true that one would not err greatly in saying that, at its peak, some form of Zionism was the living and dynamic factor in American Jewish life. An overwhelming majority of America's Jews, perhaps as many as 90 per cent, supported Jewish settlement in Palestine.91 Of the opponents of establishing a Jewish National Home, the American Council for Judaism, it can be said that their opposition was the most vital factor in their spiritual life.92 On both sides there was an intensity of devotion and a depth of feeling that amply justifies the assertion that this moralism served a religious function in their lives. The ecstatic comment of Rabbi Israel Goldstein represented a large part of American Jewish feeling during the peak period of enthusiasm, a period lasting about a dozen years:

Palestine is the heart of Jewish hope and promise. Zionism is the spiritual dynamic of the Jewish people. It helps to give spiritual content to Jewish life everywhere. Zionism offers the guarantee that when democracy will triumph in the world, Judaism will not melt away under the sun of freedom. It is the supreme expression of the mystic will to live which is the stubborn fact of Jewish history.93

Zionism is not an American creation, and, despite the leading role that many American Jews have taken in the world Zionist movement, it is only right to point out that there have been tension and friction between American Zionism and world Zionism, friction that at times has led to temporary hostility. Harsh and unjustifiable words have been said on both sides, reconciliations have followed, only to be
followed in turn by new resentments and new quarrels. At bottom, the reason for these differences seems to be inherent in the situation, and therefore the differences seem to be unavoidable. To the American Jew, no matter how ardently he talks of Israel as the "homeland," it is the United States that is really his homeland; Israel is to be the homeland for Jews from other lands, in other parts of the world. For him America is Eretz, though technically still Galuth. In the mass, the American Jews have never thought of themselves as potential settlers in Israel; that is for the Jews in lands of oppression. The Jew of free America supports the settlement in Israel with his devotion, his time, his labor, his money, but not with himself—save as an occasional visitor, a tourist. There are, of course, individual exceptions; we speak of the great body of American Jews. The American Jewish Zionist, who does not have to live with the day-to-day political, social, and economic problems of Israel, does not understand the background of some of the policies that are followed in Israel, cannot comprehend certain compromises, grows impatient, duplicates in the microcosm of world Zionism the errors of tactics of American foreign policy. Meanwhile, world Zionist leaders and officials of the Israel government, face to face with very delicate internal and international situations, understandably resent the attitude of their American associates. War looks different to those in the front lines and to those who experience it in the newspapers.

Although modern Zionism was not made in America, it has an American pre-history. Zionism represents a fusion of the land of Israel of the millennial messianic hope of Judaism with the land of Israel as a practical political commonwealth, a land of refuge and of hope. Orthodox opposition to Zionism for many years (and, to the extent that such opposition exists, even today) was a resistance to giving a secular and practical turn to a religious concept of supernatural redemption. In the American pre-history of the Zionist idea, Israel remained the focus of millennial hopes and messianic dreams, while the practical political commonwealth was envisaged sometimes in America and sometimes in Palestine. To a greater or lesser degree, the two ideals now fused were kept apart. Devotion to the messianic ideal was demonstrated by support of the small groups of poor Jews who lived in the Holy Land. As early as 1759, Moses Malki was received in both New York and Newport and donations were entrusted to him. A series of later messengers (meshullachim) came to the United States, and at least two societies were founded before 1860, the Hebrah Terumat Hakodesh, the American branch of a British-Dutch organization (1832), and the North American Relief Society (1853). There was some difference of opinion in the American Jewish
community about the desirability of this sort of contribution. It was felt that the recipients of this form of charity were being encouraged to persevere in their "indolence."

An extreme statement of this hostile attitude can be found in the Jewish Times for February 10, 1871. The writer comments on the appeals from Jerusalem:

We have no doubt they are starving there, and the hungry is entitled by right of nature to receive his bread from those who can give it. But have the majority of these people any business to be there and starve? . . . . Had they employed the same amount of energy to reach a place where they could find work and employment and a proper sphere for their physical and mental energies, they would, without a doubt, be dispensers instead of receivers of alms.

As long as these pious fanatics are encouraged by other pious people, who merely lack the intensity of purpose and the courage to follow their example, they will continue to flock there. Starvation in their eyes is one of the steps to heaven. . . . That will not deter them as long as contributions pour in to alleviate their misery.

This most unsympathetic attitude towards those for whom the return to Zion was exclusively an expression of messianic hope was not in the least unusual in nineteenth-century America. The virulence with which it is expressed is the unusual feature.

On the other hand, the Jews of America, who had found their own resettlement (or their parents') in a land of freedom and opportunity an escape from the restricted life of European Jewry, were hospitable from the beginning to resettlement schemes for their fellow-Jews. They, who had for the most part entered commercial life, were especially prone to approve of schemes that would resettle other Jews in agricultural pursuits. True, there was no particular stir in Jewish circles when Mordecai Manual Noah proposed his grandiose plan for a Jewish colony on Grand Island in the Niagara River near Buffalo.94 But, after all, Noah was a man who took himself far more seriously than he was taken by anyone else, and his proclamation to the Jews of the world in 1825 was a pretentious absurdity that, one hopes, even Noah himself came to regret. When, later in the century, serious proposals for Jewish agricultural colonies in Palestine, in the United States, and in South America were made by responsible people or organizations, the American Jews were ready with their support.

Even Isaac Leeser, who of all the more prominent American Jews of his day might have been most expected to sympathize with the messianic view, took his stand with the advocates of practical agricultural colonization, in two strong editorials in The Occident. After
recalling to his readers the frequency with which he had brought appeals for Palestinian Jews to their attention, Leeser continued:

We need not be reminded that at present the hills are naked, stripped of the soil which once rendered them fertile. But we have read in a late publication, that they are limestone rock, and that it would not require overmuch labor, by breaking them up with spade and plough, to make them pay the husbandman's toil with plentiful crops of all kinds of farm produce. This is said to be the case even with the naked hills; but what shall we say of the fertile valleys, which now lie desolate, because there is no farming population to plant them? Other lands suffer because the population is too dense for their productiveness; but here is a spot situated in the centre of the courts of commerce, between the east and the west, weeping, so to say, because there are too few to satisfy its craving to nourish them. And who more than the Israelites have a claim on the soil of Palestine to obtain therein their support? Who, more than we, are better calculated to draw the full benefit of Nature's bountiful gifts in our ancient patrimony? Many nations have borne sway over it; but it has not responded with its healthful products to their desire. Many people, Leeser went on, had questioned why it was that Jews still clustered about the shrines of the ancient land where once they had been lords but now were little more than beggars. Leeser asked where in the world, with the exception of America, Holland, Belgium and France, the Jews were better off.

Let us go where we will . . . the badge of political slavery and degradation is still ours. . . . Oh! what a freedom this is! What a state that is, to satisfy the longing of the Jewish patriot for happier days—for a time when the land of Israel is again to be ours, to be occupied by the sons of freedom and industry, sitting each under his own vine and under his own fig-tree, with none to make him afraid! Whatever others may do, we do not blame the oppressed, not even the free, in all lands, who look toward their ancient home as the true country of Israel.

Leeser thought Russia, Germany, Hungary, and similar lands of oppression the proper source of colonists for Palestine. He envisioned the Jews of America as a source of financial support for the establishment of agricultural colonies that would ultimately become self-supporting. Thus he anticipated by a century the present situation. Warder Cresson, formerly American consul at Jerusalem, had been converted to Judaism and, from 1850, had been attempting to found an agricultural colony "near Jerusalem in the Valley of Rephaim." The Occident for January 1854 contains a prospectus for another colony, sponsored by the "Agricultural Committee at Jaffa," and nam-
ing Leeser as "chairman of the Central Committee in America . . . empowered to nominate committees in every town where Israelites live." Commenting on this prospectus, Leeser said he could not decide whether to support this newer plan, Cresson's older plan, or both. He was certain, however, of the excellence of the idea of establishing permanent stability and prosperity among the Jews in Palestine, "to restore . . . an honorable feeling of self-dependence and self-support, and . . . to do away with the necessity of constantly appealing for alms to feed starving thousands in our ancient patrimony."

In the 1880's and early 1890's several more or less successful attempts were made to form organizations in imitation of the Russian Hoveve Zion (Lovers of Zion) movement. Many men who were later to become active leaders of American Zionism served their apprenticeship in these groups. The comment made by Bernard Richards sums up this trend:

The ultra-orthodox would have nothing to do with what seemed to them a contravention of Messianic belief. The radicals and laborites had nothing but scorn for . . . Jewish nationalists who merely sought to regenerate the Jewish people when socialism heralded the early arrival of universal human brotherhood and redemption for all humanity. Between these divisions and the indifference of the large masses absorbed in the immediate economic struggle of new immigrants to gain a foothold in a strange land, the early pioneers here of Hibbat Zion had innumerable obstacles to contend with.  

The activities of Joseph I. Bluestone, physician, Hebrew scholar, and editor of early Zionist publications, deserve to be singled out for special mention in this period.  

Very soon after the publication in 1896 of Theodor Herzl's Der Judenstaat, American interest in the "new" Zionism began to grow. For years the Eastern European Jewish immigrants supplied whatever "mass" interest there was in Zionism in America, although among the leaders were Jews of Western European ancestry. Progress was slow in all sections of the country, but steadily the Zionist movement gained adherents. Perhaps the most important forward step before World War I was the establishment (1912) of Hadassah, the Women's Zionist Organization of America; Henrietta Szold, daughter of Rabbi Benjamin Szold of Baltimore, was its creator and built well. Hadassah mobilized American Jewish womanhood behind the Zionist movement, and its corps of devoted members worked not only in the community but also in their own homes to gain recruits to the Zionist cause. The Balfour Declaration of 1917 was an important crossroad for Zionist history in America. Prior to the Declaration, the Zionist minority was on the defensive, forced at every step to explain its
raison d'etre. After the Declaration had been enunciated, although no great number of American Jews became adherents of the Zionist cause, the situation was altered. Now the neutralist or the anti-Zionist was the one who was forced to explain himself and his stand.

It was not, however, until the 1930's that Zionism achieved its greatest foothold in American Jewry. The rise of Hitler in Germany, the spread of Nazi racialist doctrines beyond the confines of the Third Reich, and the development, under the spur of world-wide depression, of a revived anti-Semitism, should be noted as the most telling reasons for the increase in Zionist feeling in America. Again, the feeling was moralistic; here were the millions of European Jews who were being subjected to policies of restriction, discrimination, and even extermination. Something had to be done for them, and that as rapidly as possible. Zionism seemed to be the answer; if not the final answer, it was at least worth the trial. And the moralistic zeal of the American Jew, whether synagogue-attending or unsynagogued, poured forth service and money in full measure for the relief of his fellow-Jews of stricken Europe. For a time, the Zionist wave had about it a revivalistic quality. It became a form of hysterical identification. Social pressure operated to make Zionists as it had never operated in America to make adherents to any interpretation of Jewish tradition.

Although the Reform, Conservative, and Orthodox groups have all gone through similar stages in the acceptance of the Zionist hope, they have passed through the stages at different rates of speed. Zionists were, first, a small party within each group. The great bulk of each group was either indifferent or opposed to Jewish nationalism. Within the Conservative group, the shift to a Zionist majority came most rapidly and with least disruption. For a time there was some difficulty felt about the problem of dual allegiance, to America and to Zion, but once this difficulty was resolved by showing that the two forms of nationalism did not conflict, members of the Conservative group had little trouble accepting Zionism. In both the Reform and Orthodox groups, the difficulty was a more complicated one and less easy of resolution. Reform Judaism had deliberately eliminated from its thinking the conception of the Jews as a nation. "We have warmly, and earnestly enough, held that the Jews are not a nation. In accordance with this view, we have allowed the purely national holidays of Judaism to drop into the background and have expurgated the prayers for return to Jerusalem from the ritual of others." 99 Despite this elimination of the idea of Jewish nationhood, explicitly set forth in the Pittsburgh Platform, many of the older generation of Reform rabbis, including Gustav Gottheil of Temple Emanu-El in New York and Bernard Felsenthal of Chicago, as well as younger men like
Stephen S. Wise, had early found a vivifying faith in Zionism. There are still two camps in Reform Judaism, but in 1943 the Central Conference of American Rabbis adopted a resolution declaring the compatibility of Zionism and Reform Judaism. The Union of American Hebrew Congregations, in a carefully phrased resolution in 1937, affirmed "the obligation of all Jewry to aid [in building Palestine] as a Jewish homeland by endeavoring to make it not only a haven or refuge for the oppressed but also a center of Jewish culture and spiritual life." While these actions removed the official agencies of Reform Judaism from the anti-Zionist camp, it has been left to each congregation to determine what its positive stand shall be. Orthodox Judaism was split between those who were prepared to accept a "political" return in lieu of a "miraculous" return, the Mizrachi organization, and those who were unwilling to give up supernatural messianism, the Agudas Israel movement. The official Orthodox rabbinical council, Agudath ha-Rabbanim, endorsed both movements. As the younger generation of Orthodox laity matured, their support went overwhelmingly to the Mizrachi movement, and today (1954) Agudas Israel has scant support in the United States. As an Orthodox group, however, the Mizrachi organization has maintained its separateness; it will cooperate but not affiliate with the Zionist Organization of America.

As recently as 1948, the strength of the Zionist movement held together. To the shocked horror of some segments of American Jewry, rabbis went so far as to devote their sermons on the holiest of occasions to promoting support for Zionist activities or to making appeals for funds to be used in the building up of the Jewish National Home. Whatever the formal religion of the Jews may have been, for a time it was support of Zion that was their living religion. So intensely was this the case that in 1948, when the partition plan for Palestine was a major issue in the politics of the day, virtually the entire Jewish population of the United States was turned into a gigantic pressure group for the achievement of Zionist objectives. The Synagogue Council of America, an organization representing both rabbinical and lay groups in Orthodox, Conservative, and Reform camps, called for a day of prayer, April 8, 1948, "to give expression to the shocked conscience of America at the inexplicable action of our Administration in reversing its Palestine policy" by abandoning the partition plan, "to demand the fulfillment of the plighted word of this country and of the nations of the world, and to pray for God's help." 100

But the force of Zionism as a vital unifying factor in Jewish life in the United States did not last. While it did, completely "secular" Jews, of the Labor Zionist wing of the movement, were able to work side by side with Mizrachi Orthodox Zionists, subordinating their
many differences of opinion to the discipline of a common hope and a common ideal. Community of Jewish experience, which in earlier days in America was sought in the unity of synagogal life, was, in the heyday of American Zionism, found in the struggle for realization of Jewish nationhood. Suddenly, however, to the surprise of observers and the dismay of Zionist leaders, the driving force of the ideal of nationhood no longer operated in the mind of American Jewry. Organizations on whose active sympathy Zionist leaders relied were no longer to be counted upon. Individuals dropped out of Zionist activities, and collections for Zionist purposes declined considerably. We shall not presume here to attempt to explain this change of heart, but merely to record it. From the middle of the decade of the 1930’s to the early 1950’s, there was a vital Jewish community in America founded not in religious faith but in a moralistic hope. This was the nearest that the American Jewish community has ever come to complete unity. What will replace Zionism as a focus of unification—indeed, whether there will ever arise another focus of unification—only the future can tell.

Moralism in the Synagogue

Our emphasis thus far has been placed on moralistic activities and causes centered outside of the synagogues, or involving the synagogues only secondarily. This should not lead to the conclusion that moralism had no place in American synagogue life. Quite the contrary; a moralistic concern for social justice has been a continuing force in synagogal life in America from at least the beginning of the nineteenth century. This emphasis is nothing new in Judaism. The passionate pleas of the prophets for a world ordered by justice were reinforced in the Talmud and later codes by regulations that were aimed at the more limited but, realistically, more realizable end of achieving a Jewish community ordered by justice. Tenuous as was their own position, the early Jewish settlers in America maintained explicitly the tradition that no Jew should become a public charge, but that his needs should be met by his fellow-Jews. In the first instance, the institution through which this concern was expressed was the synagogue, and despite the later development of specialized Jewish welfare agencies and the professionalization of Jewish welfare workers, the synagogue is still a vital link in supplying the needs of individual Jews.

On a more formal and generalized level, synagogue councils and rabbinical associations have taken the lead by adopting programs of guiding principles of social justice. These programs and pronouncements, revised from time to time to take account of changing circum-
stances, have in all cases been represented by those who drafted them as continuous with earlier Jewish tradition. The Program of Social Justice adopted by the Central Conference of American Rabbis in 1928 begins with the words, “Deriving our inspiration for social justice from the great teachings of the prophets of Israel and the other great traditions of our faith and applying these teachings concretely to the economic and social problems of today, we . . . make this declaration of social principles.” The 1934 Pronouncement of the Rabbinical Assembly of America on Social Justice makes the same point:

Judaism has always recognized certain basic principles for social organization and has endeavored to apply them to the changing social situation. The authors of this pronouncement believe that its essence is traditional. For its general principles, historic Judaism is the sanction. Only its specific applications to contemporary social problems are their own.

To assure the continued application of the principles set forth in these manifestoes to matters of current concern, the Central Conference maintains a Commission on Social Justice, and the Rabbinical Assembly a Committee on Social Justice.

There is a striking similarity of content in the Reform Program and the Conservative Pronouncement. Both speak out frankly and freely on the major issues in our age of collective insecurity. Both accept the general principle of private ownership, with reservations concerning the use that is made of private property. Both argue for the maintenance of the rights of individuals in an era of over-organization. Both advocate social security and the increase of cooperative enterprise. Both manifest a deep concern for international peace. There are differences, of course. The Reform statement makes specific reference to women and children in industry and to the reform of prisons and penal institutions. The Conservative statement includes a specific paragraph expressing antagonism to both Communism and Fascism, and support of democracy as a third way. The dates of these statements may go far toward accounting for the differences. The similarity needs no other explanation than that the fundamental background of both is traditional Judaism, the Reform group emphasizing the prophetic writings, the Conservatives the historic tradition. Nor should the absence of an official statement by Orthodox spokesmen lead us to believe that there is less social concern among the Orthodox; it is perhaps differently expressed but it is actively present.101

The pronouncement of the Rabbinical Assembly affirmed that “questions of politics and economics are legitimate and necessary subject
matters for treatment from the pulpit by ministers of religion." The Reform rabbis, too, have held that the pulpit is not fulfilled unless matters of this sort are freely discussed by the preachers. It is, however, far easier to maintain this position in an assembly of rabbis, or, for that matter, in a convention of synagogue representatives, like the Union of American Hebrew Congregations or the United Synagogue of America, than it is for the individual rabbi or synagogue leader to realize it in practice in a local synagogue situation. Not a few of the conflicts between rabbis and laity in American congregations have arisen because of resentment in the pews of economic, social, or political comments from the pulpit. It is impossible to estimate the extent to which this fact of life has vitiated the bold declarations of rabbis in convocation assembled.

It should be noted, however, that very frequently the original form of the criticism is that the rabbi is not preaching on "religious" subjects. Part of the problem of the rabbinate and part of the reason for the wide circulation of even the most general declarations of principles is to educate the laity to the recognition that when a rabbi discusses social themes he is preaching religiously. Nowhere has this been better stated than in the Guiding Principles of Reform Judaism, adopted by the Central Conference of American Rabbis in 1937:

In Judaism religion and morality blend into an indissoluble unity. . . . The love of God is incomplete without the love of one's fellowmen. Judaism emphasizes the kinship of the human race, the sanctity and worth of human life and personality and the right of the individual to freedom and to the pursuit of his chosen vocation. Justice to all, irrespective of race, sect or class, is the inalienable right and the inescapable obligation of all.

Nowhere has this been better justified than in the Pronouncement of the Rabbinical Assembly of America on Social Justice:

It is the duty of religion . . . to ally itself with those forces that make for social education and the fostering of a social conscience. . . . We who profess to dedicate ourselves to the advancement of Jewish religion must bring it into the arena of social life as a force for reconstruction and rebirth. . . . Only to a society which aims to realize these ideals can we give our complete moral assent, for only in such a society will the doctrines of the divinity of God and the brotherhood of men be translated from theological abstractions into the applied principles by which the communities of men may order themselves.

To the extent that the ideals of the Jewish faith can be realized in America, the rabbis seem to say, America, too, can be a holy land, not only for American Jews but for all mankind.
NOTES


2. Although the formulation of this principle is my own, its content represents my understanding of the teaching of Professor Salo W. Baron.

3. As we have recently and unhappily seen in the destruction of the centuries-old Jewish syntheses of Germany and Poland.

4. Cf. Yitzhak F. Baer, Galut. New York, 1947. “All modern views of the Galut ... are inadequate. ... [They] fail to do justice to the enormous tragedy of the Galut situation. ... The Galut has returned to its starting point. It remains what it always was: political servitude, which must be abolished completely. ... We went among the nations neither to exploit them nor to help them build their civilizations. All that we did on foreign soil was a betrayal of our own spirit.” p. 117, 118, 122.

5. Cf. Ludwig Lewishohn, The American Jew: Character and Destiny. New York, 1950. “One thing is clear to all except the self-stupified [sic] laggards of a perished age: we cannot remain in freedom and dignity on the terms of the old pseudo-liberalistic emancipation. ... It is the post-emancipation Galuth that must be negated in its essential character. ... Dispersion becomes Galuth when the Jew unresistingly yields to environmental pressure; when he consents to alienation from the sources of his being. ... Galuth in that precise and unescapable sense is self-created, created by Jews with a sub-conscious drive to Jewish death.” p. 6, 13, 34, 45-46.

6. Although today there are about 100,000 Jewish farmers in America.

7. Cf. Ruth Benedict, Patterns of Culture. New York, New American Library (Mentor Books), passim, for such tribal names as Zuñi.


11. According to the 1947 census of religious bodies.


14. It seems to us that there is this much of general and universal truth in the old and arbitrary distinction of priests and prophets.

15. For Increase Mather, see Perry Miller, The New England Mind: From Colony to Province. Cambridge (Mass.), 1953. passim. Miller quotes Mather’s insistence that by 1674 a new generation had arisen “who give out, as if saving Grace and Morality were the same.” (p. 34.) For Edwards, see Joseph L. Blau, Men and Movements in American Philosophy. New York, 1952. p. 17-27. For the story of the Apostolic Letter of Leo XIII, see The Catholic Encyclopedia, which also gives
translations of excerpts from the text of the letter. It is interesting to note that
the view we have been presenting here is partly anticipated by one of American
Protestantism's most subtle (and hence least-read) theologians, Henry James the
Elder, father of the novelist Henry James and the philosopher-psychologist William
James; the distinction between moralism and ecclesiasticism, and the struggle of
each religious group to achieve a balance is suggested in two of James's titles:
Moralism and Christianity; New York, 1850; and The Church of Christ not an
Ecclesiasticism; London, 1856.

16. This is, of course, because Judaism derives from the Pharisaic tradition. The
Sadducees were the party of ecclesiasticism. For a full-scale discussion of the
sociological backgrounds of Pharisaism making clear its relation to prophetic re-
ligion, see Louis Finkelstein, The Pharisees. 2 volumes, Philadelphia, 1938. It is
especially noteworthy that Finkelstein asserts a continuity between ancient Pharisa-
ism and such a (relatively) recent moralism as the Musar (ethicist) movement of
Israel Salanter. See, too, R. Travers Herford, "The Law and Pharisaism," in Erwin
1938. Note here Herford's statement: "My purpose in this lecture is to present
to you one system of belief and practice in which the sense of obligation is brought
into the closest possible connection with religion, so close that religion and morality
(which is based on the sense of obligation) are inseparably blended and hardly to
be distinguished" (p. 92; italics ours). Here is a statement of moralism differing
in language but not in meaning from Increase Mather's statement, quoted in note
15, above. Noteworthy instances of moralism in American Jewish life are to be
found in group pronouncements on social justice. For a discussion of this, see
section on "Moralism in American Jewish Life," p. 149 and f.

17. A full scale discussion is available in Salo W. Baron, The Jewish Community;
Its History and Structure to the American Revolution. 3 volumes, Philadelphia,
1942. Baron emphasizes the internal influences in the development of the "Diaspora
community," which we necessarily slight in this brief discussion.

18. See the careful studies by Guido Kisch, especially The Jews in Medieval
Germany: A Study of Their Legal and Social Status. Chicago, 1949. See also the
documents collected by Kisch, Jewry-Law in Medieval Germany. Laws and Court
Decisions Concerning Jews (American Academy for Jewish Research, Texts and

19. In some ways the threat of this seems greater in the mid-twentieth century
than at any earlier time in American national experience.

20. Details of the Jewish community of New York are drawn chiefly from Grin-
stein, op. cit., passim. Supplementary information in Israel Goldstein, A Century
of Judaism, 1825-1925. New York, 1930; Taylor Phillips, "The Congregation
Shearith Israel," in Publications of the American Jewish Historical Society (hence-
forth PAJHS), no. 6; M. Kohler, "Jewish Life in New York before 1800," PAJHS,
no. 2; Albion M. Dyer, "Points in the First Chapter of New York Jewish History,"
PAJHS, no. 3; Peter Wiernik, History of the Jews in America. Second edition,
revised and enlarged, New York, 1931. An extended discussion of the problems of
Shearith Israel in administering its cemetery properties is available in the intro-
ductive section of David de Sola Pool, Portraits Etched in Stone. Early Jewish


22. Text as given in Wiernik, ibid.

23. In addition to the sources listed above, valuable information, especially con-
cerning the curricula of the early schools, is to be found in Alexander M. Dushkin,
Jewish Education in New York City. New York, 1918.

24. For Newport, see Morris A. Gutstein, The Story of the Jews of Newport:
25. For this decision, see M. Kohler in *PAJHS*, no. 2, p. 90. Other writers are in general agreement on the extent of laxity in religious observance in the eighteenth century. This makes all the more startling the declaration of Moshe Davis that “Jewish life maintained its traditional character. Religious life and practices were traditional in every respect.” “Jewish Religious Life and Institutions in America” in Louis Finkelstein, ed., *The Jews.* New York, 1949, p. 357. Davis himself indicates considerable “community disintegration and laxity in observance” (p. 358).


27. Davis, *op. cit.*, p. 358 tells of the perpetuation of lay control in 1862. “Dr. Morris Raphall, the rabbi of Congregation B’nai Jeshurun, was compelled, in accordance with his congregation’s ruling, to request permission from the *parnas* to officiate at the wedding of his own daughter!”

28. In 1821 the young Jewish community in Cincinnati (first services held in 1819; Congregation Bene Israel organized 1824, incorporated 1830) acquired cemetery property in order to bury a man who confessed on his deathbed that he was a Jew, although he had never lived as one. See Lee M. Levinger, *A History of the Jews in the United States.* Cincinnati, 1944, p. 152.


31. So, for example, Leeser’s editorial on “The Jewish Creed” in the July, 1843 issue insisted on the teaching of the literal coming of the Messiah.

32. Typical of the opposition to union is the following resolution, adopted by Congregation Beth Elohim of Charleston, S.C., August 10, 1841: “Resolved that all conventions, founded or created for the establishment of any ecclesiastical authority whatever, . . . are alien to the spirit and genius of the age in which we live, and are wholly inconsistent with the spirit of American Liberty.” Quoted from the minutes of Congregation Beth Elohim by Joseph Buchler, “The Struggle for Unity: Attempts at Union in American Jewish Life, 1654-1868,” in *American Jewish Archives*, vol. II, no. 1 (June, 1949), p. 27.


34. *Occident*, December, 1848.

35. *Asmonean*, November 2, 1849. The phrase quoted at the end as the “American rule” was Davy Crockett’s motto in the War of 1812.

36. *Asmonean*, January 18, 1850. “Unite, combine and be harmonious. Your combination will not only give stability and permanency, but bring with it an elevation of character, that will tend very considerably to enhance the position of the Israelite in the esteem of his fellow citizens.”

37. *Ibid*.

38. *Asmonean*, May 10, 1850.


40. It would be impossible even to summarize these theories here. *See Joseph*


42. *Indianapolis (Indiana) Jewish Post*, June 24, 1949.


46. *Asmonean*, January 2, 1852.


49. See Deutsch, *ibid*.


52. See *The Jewish Messenger*, July 17, 1857, where the editorial, "What Is Needed," calls for the establishment of a "Jews' College of America." "In that case, we should no longer be obliged to send abroad for our teachers, we could find them at home. Far more useful expounders of the Supreme's law would they be, than those who are imported from Germany and obliged to practise the language generally employed in this country for a long time before their lessons can be of advantage to those who need them." There is special animus in the case of Isaacs, editor of the *Messenger*, who was an English Jew, chazzan first of Congregation B'nai Jeshurun and, later, of Shaarey Tefilah in New York. Similar sentiments had been voiced by Leeser in the *Occident* a decade earlier; see editorials of March, 1846, and January, 1847.


54. Lilienthal's attack was published in Isaac M. Wise's paper, *The Israelite*, of which Lilienthal was corresponding editor. It is given here as reprinted by Leeser in the *Occident*, November, 1856.

55. *Occident*, November, 1856.


57. For the jeremiad in New England, see Perry Miller, *op. cit.* (note 15, above).

58. *Proceedings of the Pittsburgh Rabbinical Conference*, November 16, 17, 18, 1885. Published by the Central Conference of American Rabbis in honor of ... Rabbi Kaufmann Kohler ... , 1923, p. 6.


62. The modern reader can get a feeling, somewhat sentimentalized, of what the "inner world of the Jew in Eastern Europe" was like in Abraham J. Heschel's beautiful essay, *The Earth is the Lord's*. New York, 1950.

63. *Occident*, May, 1864. "Much as all sincere Israelites must regret the possibility of separation, there can be no question that the evils of a declared severance will be far less than the fatal mingling of all sorts of ideas, in which the strict observance of our doctrines and laws is regarded as something useless in this age of vaunted enlightenment, in which everything is sacrificed to outside appearance, and reality is looked upon as far less valuable than a deceptive outside."

69. See Engelman, op. cit., p. 39-47 for discussion of these and other difficulties in the path of congregational religious schools. The position Engelman finally takes is one of qualified optimism.
72. A Message to Every Jew (a pamphlet published by the Union of Orthodox Jewish Congregations of America, 1927), p. 5.
73. Davis, op. cit., p. 391.
75. A Message to Every Jew, p. 2.
78. A particularly vivid representation of the change in Reform thinking is available to the general reader in the collection of essays by Hebrew Union College Alumni, published under the title Reform Judaism. Cincinnati, 1949. In this volume, contributions from older and younger graduates may be directly compared, and the newer orientation made evident. Another important sign of change is the shift of the Central Conference of American Rabbis from an anti-Zionist to a "neutralist" stand which will be discussed later.
79. For the text, see Yearbook of the Central Conference of American Rabbis XLVII, Philadelphia, 1937, p. 97-100.
81. Tehillah Lichtenstein. British Liberal Judaism took this step many years ago, accepting Lily Montague as one of its leaders. Despite the world importance of Henrietta Szold and the aid she gave in formulating the program of Conservative Judaism, American Jews have been far too tradition-bound to recognize Miss Szold or any other woman as a religious leader. The loss and the shame fall alike on all camps.
82. The spiritual life of the unsynagogued is discussed in the final section of this essay.
83. See, as one illustration of how this limitation worked, b. Talmud, Makkoth, 23b-24a.
84. Grinstein, op. cit., p. 333.
85. Jewish Messenger, January 14, 1859.
86. Samuel Oppenheim, The Jews and Masonry in the United States before 1810, p. 5-8. (This is an offprint from Publications of the American Jewish Historical Society, vol. XIX).
88. Oppenheim, op. cit., p. 25.
91. In 1945, a Roper poll showed just under 90 per cent of American Jews favoring further Jewish settlement in Palestine.

92. After the establishment of the State of Israel, some of the members of the American Council for Judaism resigned because (a) with the establishment, their opposition no longer had meaning and (b) the American Council for Judaism had failed to develop a positive program.


95. *Occident*, December, 1853.

96. *Occident*, January, 1854.


98. See the summaries of Bluestone's unpublished memoirs and scrapbook presented by Hyman B. Grinstein, in *PAJHS*, vol. 35 (1939).


100. The call was reprinted widely. This quotation is excerpted from the text as given in the Atlantic City (N.J.) *Jewish Record*, April 2, 1948.