



ICCJ Philadelphia Conference 2016



**“The Dynamics of Religious Pluralism in a Changing World:
The Philadelphia, United States and International Contexts”**

PLENARY SESSIONS

PLENARY SESSION B

TUESDAY, JULY 12, 2016 - SAINT JOSEPH’S UNIVERSITY – DOYLE BANQUET HALL NORTH

The Jewish Experience of the American Experiment

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In September 1654, a small vessel sailed into the port of New Amsterdam, present-day New York. Most of the ship’s passengers--“twenty-three souls, big and little,” according to a contemporary record--were bedraggled Jewish refugees from Recife, Brazil. Having been expelled from Recife when the Portuguese recaptured that colony from the Dutch, they were now seeking a new home.

Much can be learned from the experience of America’s earliest Jews. From their earliest days on American soil, they adhered to the nation’s largest and most visible non-Christian faith. Since that time, every Jew, every synagogue, every Jewish organization, periodical, and philanthropy has served as a conspicuous challenge to those who sought to define America in restrictively Christian terms. Jews have continually extended the boundaries of American pluralism, serving as a model for other religious minorities and, in time, expanding the definition of American religious liberty so that they and other minorities might be included as equals.

The United States Constitution (1787) and the Bill of Rights (1791) brought about changes in law, and in the relationship of religion to the state, that transformed American Jewish life. The Constitution outlawed religious tests (such as Christian oaths or the requirement that one adhere to a particular religion): “No religious test,” it declared, “shall ever be required as a qualification to any office or public trust under the United States.” The Bill of Rights went further, forbidding Congress from making any law “respecting an establishment of religion, or prohibiting the free exercise thereof.” America’s Jews thereby gained their religious rights in the United States as individuals *along with everybody else* – not, as so often the case in Europe and the Middle East, through a special privilege or “Jew Bill” that set them apart as a group.

The famed correspondence between Jews and America’s first President, George Washington, went even further in defining the place of Judaism in the New Nation. The address of the “Hebrew Congregation in Newport” to the President, composed for his visit to that city on August 17, 1790, paralleled other letters that Washington received from religious bodies of different denominations and followed a long established custom associated with the ascension of kings. Redolent with biblical and liturgical language, the address noted past discrimination



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against Jews, praised the new government for "generously affording to all liberty of conscience and immunities of citizenship," and thanked God "for all of the blessings of civil and religious liberty" that Jews now enjoyed under the Constitution. Washington, in his reply, reassured the Jewish community about what he correctly saw as its central concern--religious liberty. Appropriating a phrase contained in the Hebrew congregation's original letter, he characterized the United States government as one that "gives to bigotry no sanction, to persecution no assistance." He described religious liberty, following Thomas Jefferson, as an inherent natural right, distinct from the indulgent religious "toleration" practiced by the British and much of enlightened Europe, where Jewish emancipation was so often linked with demands for Jewish "improvement." Finally, echoing the language of the prophet Micah (4:4), he hinted that America might itself prove something of a Promised Land for Jews, a place where they would "merit and enjoy the good will of the other inhabitants; while every one shall sit in safety under his own vine and fig tree and there shall be none to make him afraid."

Bigotry and persecution, of course, did not thereafter miraculously disappear. American Jews continued to have to fight for their religious rights well into the twentieth century, and manifestations of anti-Jewish prejudice have continued to the present day. But important changes nevertheless took place. Slowly, America came to understand itself in broader and more inclusive religious terms that pushed beyond the perimeters of Christianity. Abraham Lincoln's memorable phrase in his Gettysburg Address, later incorporated into the Pledge of Allegiance, was "this nation under God." Thanks to the efforts of interfaith organizations around World War II, terms like "Judeo-Christian" came into vogue. Will Herberg, in a bestselling book published in 1955, described a "tripartite scheme" of American religion: "Protestant-Catholic-Jew." All of these terms signified Jews' new-found acceptance in the world of American religion, their emergence, in less than two hundred years, from a curiosity into America's "third faith." No longer were Jews grouped, as they had been in the colonial mind, with exotic religions and non-believers. Instead, by the late twentieth century, they emerged as acknowledged religious insiders.

How this all happened would take a book, and our time here is limited. So let me focus instead – and only very briefly – on several significant episodes.

As I mentioned, Independence, the Constitution and the Bill of Rights marked a turning point in American Jewish history, as in America generally. Never before had a major nation committed itself so definitively to religious freedom. Jews, however, still had to fight for their rights on the state level. The State of Maryland did not extend Jews full rights until 1826 and New Hampshire not until 1877. Remember, that the First Amendment begins with the words "Congress shall make no law." Its language did not limit the rights of the individual states to make such laws. In the twentieth century, the Supreme Court determined that the Bill of Rights applied to the states as well, based on its reading of the Fourteenth amendment, so in our day First Amendment liberties apply to the states as well as to the Federal Government.

Jews also continued to face various forms of social prejudice nationwide. For many decades, even after World War II, Jews faced restrictions on where they might live, what occupations were open to them, what clubs they could join, where they could vacation, and so forth; many schools and colleges also placed quotas on the number of Jews that they would



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accept. This kind of discrimination only became illegal over the past half-century, and many Jews continue to confront anti-Jewish slurs and attacks down to the present day.

Having received their Constitutional freedom in the company of all other Americans, however, Jews as a group long felt far more secure thanks to the Bill of Rights than they had in colonial days or in most other countries. As a result, even in the nineteenth century, they asserted their rights openly, and if challenged, defended themselves both vigorously and self-confidently. What distinguishes America, in many ways, is not the absence of anti-Judaism, but the willingness and ability of Jews to push back against it.

In 1844, for example, South Carolina governor James H. Hammond issued a Thanksgiving Day proclamation that identified his state with Christianity and encouraged citizens of *all* denominations to offer up devotions, on Thanksgiving, to “Jesus Christ, the Redeemer of the world. Jews naturally took offense at the Governor’s proclamation. South Carolina was home to approximately 1000 Jews, among them cultural and political figures of renown and individuals of substantial wealth and influence. A memorial signed by 110 of those Jews pushed back against the governor, demanding that he grant Jews their rights as citizens. The Jews’ boldness in confronting the governor of their state is what should impress us. “We propose to the test the position you have assumed by that [state] constitution, which you have sworn to support...,” they wrote. “Thank God, sir, that noble instrument, together with the Constitution of the United States, presents a glorious panoply of defense against the encroachments of power, whether its designs be bold or insidious. Under its universal and protecting spirit, we do not sue for *toleration*, but *we demand our rights*.” In addition, Jews warned, as they would on most such occasions, that to exclude them would be to create a dangerous precedent: “The Catholic, the Unitarian...and numerous other sects may find their privileges discriminated away, and their most cherished opinions crushed or slighted by a gubernatorial preference.” The issue, Jews understood, came down to minority rights. “The constitution,” they declared to the press, “has nothing to do with the relative numbers of the citizens—with popular or unpopular modes of faith.” What affected them now, they warned, “might at another time be fatal to the rights of other minorities.”

Governor Hammond remained obdurate: he refused to retract or apologize and for some years the issue of how Thanksgiving proclamations should be worded remained undecided. What makes this episode worth recalling is that Gov. Hammond’s clash with the South Carolina Jewish community reflects *ongoing* themes in the confrontation between the Christian majority and the non-Christian minority in the United States. It posed the same intractable and explosive questions that characterize parallel confrontations today: questions concerning the role of Christianity in American life, the relationship of the state to Christianity, the prerogatives of the Christian majority versus the rights of the non-Christian minority, and linkages between the rights of particular groups of non-Christians and the rights of every American. In later years, Mormons, Muslims, Buddhists, members of new religions, and atheists would, when confronting the Christian majority, face questions of a parallel kind. All alike would have occasion to wonder whether the marketplace of American religion is truly free, open, and competitive, or whether, in reality, Christianity enjoys state protection and support that non-Christian faiths are denied.



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From a Jewish perspective, full equality long proved elusive. Church-state separation, the principle upon which Jews hinged so many of their hopes, turned out to mean different things to different people. Many Americans, especially in the wake of the nineteenth century Christian religious revival known as the Second Great Awakening, came to understand religious liberty in pan-Christian terms, as if the Constitution aimed only to place all Protestant denominations on an equal footing. Then and later (in some circles still today), this narrower understanding of America as an essentially "Christian nation" has captured wide national appeal.

Jews, however, consistently opposed this Christian-centered view of the public square – understandably so, for it would have rendered them second class citizens. In South Carolina and elsewhere, they called instead for "equal footing" to *all* religions, Judaism included. "If a man fulfills the duties of that religion which his education or his Conscience has pointed to him as the true one, no person has the right to arraign him at the bar of any inquisition" – so declared Jacob Henry back in 1809, when North Carolina questioned his right, as a Jew, to sit in the State Legislature. Jews similarly opposed Sunday closing laws that discriminated against those, like themselves, who observed the Sabbath on Saturday instead of Sunday. Repeatedly, to our own time, Jewish leaders have protested against laws and practices that they find discriminatory.

A particularly important battle for Jewish religious liberty took place during the Civil War. A military chaplaincy law, passed in 1861, stipulated that a regimental chaplain be a "regular ordained minister of some Christian denomination." Jews fought vigorously to amend it. Although eight to ten thousand Jews fought in the war, Jewish chaplains, at least in the North, were legally barred from the field. This put Jewish soldiers at a great disadvantage and, in effect, rendered the Jewish faith illegitimate.

Many Americans supported a change in the law, but others did not, questioning, as one newspaper did, how "one might despise and reject the Savior of men . . . and yet be a fit minister of religion." That same paper warned that "Mormon debauchees, Chinese priests, and Indian conjurers" would stand next in line for government recognition – a tacit admission that the central issue under debate concerned the religious rights of non-Christians.

After substantial wrangling and pressure from President Lincoln, the bill was amended, and a Jewish chaplain was appointed. This represented a major political victory for the Jewish community and remains a landmark in the legal recognition of America's non-Christian faiths. In this case, as in so many others, American religious liberty was broadened by the demands of those who stood *outside* the American religious mainstream.

Rabbi Isaac Mayer Wise of Cincinnati, America's leading Reform rabbi and editor of its most important Jewish newspaper, understood this paradox. He saw Jews engaged in a political war not only to safeguard their *own* hard-won equality, but *American* liberty as well. "Not because we profess Judaism do we oppose the attempt to crush religious liberty," he wrote in 1865. "We do it because we love liberty and justice, and hold them in esteem infinitely higher than all earthly gifts." By explicitly linking the safeguarding of Jewish rights to the safeguarding of American liberties, he raised Jewish vigilance on church-state issues to the level of a patriotic duty. That is what American Jews have considered it to be ever since.



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The twentieth century witnessed a string of advances for Jews in terms of their relationship to the public square. As the number of Jews in America multiplied, reaching 1 million in 1900 5 million in 1950 and almost 7 million today, and as America itself became more tolerant, positions of leadership opened up to Jews that had never been available to them before. In 1906, President Theodore Roosevelt appointed the first Jewish cabinet secretary: Oscar Straus, who became Secretary of Commerce and Labor. Ten years later, in 1916, just a century ago, Woodrow Wilson appointed the first Jewish Supreme Court justice: Louis Dembitz Brandeis. [It is a measure of how much has changed in the US that today there are three Jews on the Supreme Court and a fourth has been nominated, and nobody even notices.]

President Franklin D. Roosevelt, during his long presidential tenure (1933-1945) appointed numerous Jews to positions of authority within his administration. According to one advisor, he cared no more about a person's religion "than he did about the color of his hair." The election of 1964 saw nineteen Jews elected to Congress, three senators and sixteen members of the House of Representatives, the highest number of Jews in Congress to that time. In 1973, President Richard Nixon appointed Henry Kissinger, the first Jewish Secretary of State. In the year 2000, Senator Joseph Lieberman became the first Jew nominated by a major party for the vice-presidency of the United States – a particularly important milestone, since Lieberman belongs to an Orthodox synagogue and is religiously observant. This year, although neither Presidential candidate is Jewish, both have Jewish sons-in-law and the second-place Democratic candidate, Bernie Sanders, is a Jew from Brooklyn. Indeed, today, Jews hold positions at all levels of government, federal and state, and have won election even in states where Jews form a tiny minority (such as Wisconsin and Minnesota). Popularity, ability, and fundraising prowess, far more than religion, determine who Americans elect to govern them.

Three months ago, I had the privilege of speaking at Princeton University at a celebration of 100 years of Jewish life at that university. I pointed out how much had changed over the course of those hundred years: a century ago, Princeton had no Jewish administrators, no Jewish faculty, no courses in Jewish Studies, and only a small number of Jewish students, barely enough to form a prayer quorum. Today, of course, everything is different: Princeton has Jewish administrators, Jewish faculty, hundreds of Jewish students and alumni, an academic program in Jewish Studies, and a Center for Jewish life. In 1988, the university even appointed its first Jewish president, Harold Shapiro. In short, over the course of just 100 years, Jews at Princeton moved from the periphery of the campus to its very center.

The story of Jews at Princeton is worth recalling here today because it reminds us how much America too has changed over the past century. More than any other diaspora land, America has opened up remarkable opportunities for Jews, transforming them from persecuted minority to members of the mainstream. Hatred and bigotry have not vanished entirely, of course, and seem alas, to be making something of a comeback these days. Nevertheless, it seems to me that story of how Jews moved from the periphery into the mainstream in the United States should provide inspiration and encouragement to other beleaguered minority groups struggling to make their way into the mainstream. A century from now, when today's minorities look back, let's hope that they can echo visitors' comments about the transformation of Jewish life at



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Princeton. "We have come a long way to accept each other," one exclaimed. The other learned from the changing status of the Jews that "Change is possible – with persistence and talent."

Let's hope!

Thank you all very much.