CHAPTER

08

Religion and Democracy

1790 – 1890

These items will make sense by the time you finish the chapter.

The United States was founded with religious freedom — there is no official church and no requirement to be part of a particular religion to be elected to office. What followed perhaps could have been predicted: old religious orders gave way to new ideas of equality for all, reshaping Christianity as well as Judaism.

Quote & Music for this Chapter

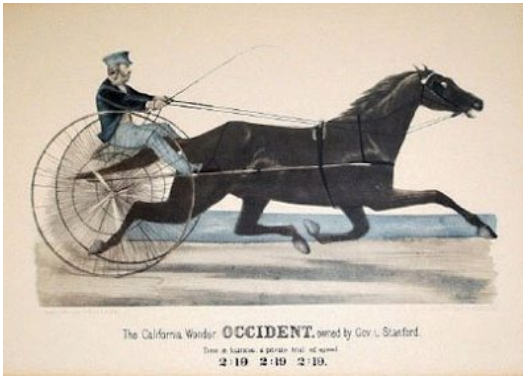
QUOTE *"I'm sorry, it was an Occident."*

Overheard in class

The pun on 'accident' refers to *The Occident and American Jewish Advocate* — Isaac Leeser's famous magazine (see Section 8F). Coincidentally, in 1877 photographer Eadweard Muybridge used a racehorse named *Occident* to create the world's first motion picture, proving horses lift all four feet off the ground when galloping. So 'Occident' means: (1) the western world, (2) a famous racehorse, (3) the most important Jewish magazine in 19th-century America, and (4) a bad pun.

SONG *"Simple Gifts"* — Shaker hymn, c. 1848

Simple Gifts — "'Tis the gift to be simple, 'tis the gift to be free..." — is the most recognized Shaker hymn. Aaron Copland[1] used it in his ballet *Appalachian Spring* (1944). It captures the Shaker ideal of a life stripped of all unnecessary complexity.



The California Wonder Occident, owned by Gov. Stanford[2]. Eadweard Muybridge used this horse in 1877 to prove — using a series of cameras — that a horse lifts all four feet off the ground when galloping. We'll talk about this more in chapter 9. The resulting images were the world's first motion picture.

[1] He's Jewish, by the way.

[2] The founder of Stanford University who made his money in railroads. We'll discuss him in Chapter 9 as well.

Timeline: Religion and Democracy, 1517–2020

Religion and democracy reshaped each other across a century. Jewish life changed along with both.

AMERICAN HISTORY		JEWISH AMERICAN HISTORY
	1517	
Martin Luther nails his 95 Theses to the church door in Wittenberg. The Protestant Reformation begins — the idea that any person can read and interpret scripture directly.		
	1654	First Jewish community in North America established in New Amsterdam. Congregation Shearith Israel — the oldest Jewish congregation in North America — is founded.
	1730s	
The First Great Awakening: fire-and-brimstone preaching sweeps the colonies. Jonathan Edwards preaches 'Sinners in the Hands of an Angry God.'		
	1750	Kashrus in New York: only the kehilla can authorize kosher meat. Courts back the Rabbi.
	1791	
The First Amendment is ratified. Congress shall make no law respecting an establishment of religion.		
	1816	
		American courts refuse to enforce the kehilla's religious authority. 'This is America — I don't get involved in religion.'

1820s

American Jewish communities begin losing kehilla structure. Without the force of government, communal authority weakens.

The Second Great Awakening along the Erie Canal. New religions: Shakers, Mormons (1830), Oneida Community (1848), Seventh-day Adventism.

1829

Isaac Leeser publishes 'In Defense of Judaism' and becomes hazzan of Congregation Mikveh Israel, Philadelphia.

1838

Rebecca Gratz founds the first Jewish Sunday School in Philadelphia. Her organization continues until 2013.

1843

Isaac Leeser founds The Occident and American Jewish Advocate — the first successful Jewish periodical in America.

1845

Leeser completes the first English translation of the Tanach by a Jew for an American audience.

1880

Communication is now instant. Travel is safer. (Boats not expected to sink.)

1886

Yeshiva Eitz Chaim founded in New York (later becomes part of Yeshiva University).

1888

Rabbi Jacob Joseph brought from Vilna as the first — and only — Chief Rabbi of New York.

1898

The Orthodox Union is founded. The O-U kosher symbol is created.

American courts enforce trademark law protecting the O-U symbol from fraudulent use.

1928

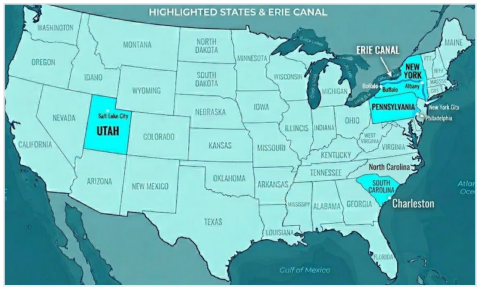
The O-U is now protected by trademark, not by the kehilla — the secular legal system does what religion cannot.

2020

Agudath Israel of America v. Cuomo: Supreme Court rules 5–4 that New York cannot restrict synagogue attendance more strictly than liquor stores.

Key Locations

The map below highlights the key locations in this chapter — from the Mormon settlement in Utah to the Jewish communal centers on the East Coast.



UT Salt Lake City
Mormons settle here

SC Charleston
First reform synagogue

PA Philadelphia
Isaac Leeser and Rebecca Gratz

NY New York City
First Jewish kehilla in USA

EC Erie Canal
Burned over district

The map below shows western New York's 'Burned Over District' — the birthplace of multiple American religious movements. The Erie Canal (completed 1825) runs directly through this region.

The Burned Over District — Western New York

Western New York's Burned Over District (shaded). The Erie Canal (blue line) ran from Buffalo through Rochester, Syracuse, and Utica — and the social upheaval it brought fueled wave after wave of religious revival between 1800 and 1850.

What made western New York such fertile ground for all of this? The Industrial Revolution — the shift from farming to manufacturing as the main way people made a living — was underway, and the Erie Canal — opened in 1825 — was its main artery through this region, pulling workers and immigrants from across the country into new market towns. People uprooted from stable farming communities found themselves looking for new sources of meaning. Competing ideas flowed in along with the goods. And unlike older coastal cities, the frontier had no entrenched religious establishment to push back. New movements could take hold where there were no old ones to resist them.

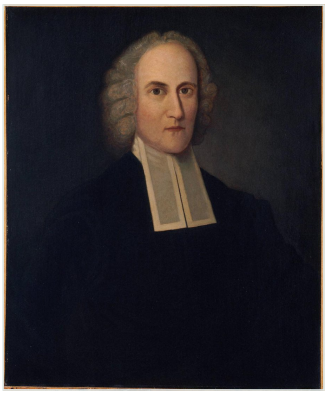
The Great Awakenings

Shakers at worship — one of the new religious movements born from the Second Great Awakening. Their intense communal worship, simple craftsmanship, and celibacy made them one of the most distinctive American religious movements.

Democracy and religious freedom weakened old religious communal structures and people found ways to replace what they lost with new kinds of more 'democratic' religions. The Second Great Awakening (1790–1840) was not just a Christian revival; it was an explosion of new movements based on radical democratic principles. If all men are equal before God, and every man can read scripture for himself, then any man can found a church. And they did.

These movements were overwhelmingly Protestant — the branch of Christianity that broke from the Catholic Church starting with Martin Luther in 1517, which emphasizes each person reading scripture directly.

The First Great Awakening — Fear and Predestination



The First Great Awakening — a fear-based religious revival that swept the American colonies in the 1730s–1740s — was based on terror. Its most famous preacher, **Jonathan Edwards**, gave a sermon called 'Sinners in the Hands of an Angry God' (1741). He described people as loathsome insects dangled over the fires of hell by an angry God who could drop them at any moment. Crowds fainted and screamed.[3]

The theological engine behind this was **predestination**: God had already decided before creation who would be saved and who would be damned, and nothing you did could change it. This gave the preacher enormous psychological power.

The Second Great Awakening — Democratic Religion

The Second Great Awakening (1790–1840) reversed everything. The new preachers said: *you can choose* to be saved. This applied American democratic values directly to salvation. At Cane Ridge, Kentucky in 1802, an estimated 20,000 people gathered for a revival that lasted six days. Witnesses described people falling, shaking, screaming, and barking like dogs.

[3] Jonathan Edwards was the grandfather of Aaron Burr — the Vice President who shot Alexander Hamilton.

Jonathan Edwards - 'Sinners in the Hands of an Angry God' (1741) - 1st Great Awakening:

"The God that holds you over the pit of hell, much as one holds a spider, or some loathsome insect over the fire, abhors you and is dreadfully provoked... You hang by a slender thread, with the flames of divine wrath flashing about it, and ready every moment to singe it, and burn it asunder."

James B. Finley - eyewitness at Cane Ridge Revival, Kentucky (1802) - 2nd Great Awakening:

"The noise was like the roar of Niagara. The vast sea of human beings seemed to be agitated as if by a storm. I counted seven ministers, all preaching at one time, some on stumps, others in wagons... Some of the people were singing, others praying, some crying for mercy."

Out of this excitement came **social reform**. If God wants all souls saved and all people are equal, then why is slavery allowed? The abolition movement — the campaign to end slavery — the temperance movement — the push to ban alcohol — and the women's suffrage movement — the fight for women's right to vote[4] — all drew their moral energy from the Second Great Awakening — and all were born in the Burned Over District — western New York, so repeatedly swept by revivals that it was said to have been 'burned over' by the Holy Spirit.

[4] Women actually could vote in New Jersey in the early years of the country — until the state took that right away in 1808. The national movement to win it back launched at the Seneca Falls Convention of 1848, held in the Burned Over District.

The Shakers

The **Shakers** (officially the United Society of Believers in Christ's Second Appearing) believed that their founder, Mother Ann Lee, was the female incarnation of Christ. Their most distinctive practices: **strict separation of men and women - all the time -** (no marriage), communal property, and extraordinary craftsmanship.

Inside a Shaker meeting room (Historic American Buildings Survey, 1962). The unadorned walls embody their design philosophy.

Shaker furniture — simple, proportional, functional — became one of the most recognized American design traditions. Every item was made to be useful; nothing decorative was permitted. This is why there are plain blue dishes on the cover of this chapter.

Shakers could only grow through conversion. At their peak in the 1840s, there were about 6,000 Shakers. Today, fewer than five members remain in one community in Maine.

Fox Sisters — Spiritualism

In 1848, two sisters from upstate New York — **Margaret and Catherine Fox**, ages 15 and 12 — claimed they could communicate with the dead through knocking sounds. They became famous overnight.

Prominent Americans attended their seances. The movement they sparked — **Spiritualism** — had millions of followers by the 1850s. The Fox Sisters are also credited with inspiring the creation of the **Ouija board** — the 'talking board' that supposedly channels spirits became a cultural phenomenon throughout the 1800s.

Margaret and Catherine Fox — the teenage sisters whose 'spirit knocking' launched the American Spiritualism movement.

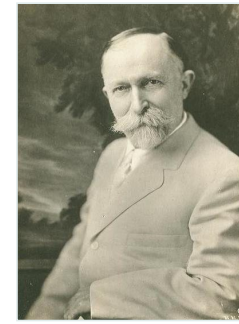
In 1888, Margaret confessed it was a hoax: she had cracked her toes. The confession was largely ignored.

Seventh-day Adventists

The **Seventh-day Adventists** observed Saturday as the Sabbath (like Jews) and believed Christ's second coming was imminent. One of their leaders, **John Harvey Kellogg**, ran a health sanatorium in Battle Creek, Michigan.

Kellogg believed diet was central to spiritual health. In 1894, he invented **corn flakes** — originally designed as a bland, health-promoting food for his patients.

His brother Will Keith Kellogg added sugar and commercialized the product, founding the Kellogg Company. This is why there is a box of Kellogg's on the cover of this chapter.



Dr. John Harvey Kellogg (1852–1943), Seventh-day Adventist, physician, and inventor of corn flakes.

Kellogg's Corn Flakes — invented in 1894 as a health food for the Battle Creek Sanitarium. Kellogg insisted they stay bland; his brother added sugar and made a fortune. They were then in court for the rest of their lives over who could use their last name in commerce.

The Mormon Religion

The **Mormon religion** was founded in 1830 in upstate New York by **Joseph Smith**, a man who had been arrested about 42 times for bank fraud claims, and who ran from state to state to avoid jail, who claimed to have received golden plates from the angel Moroni. The Book of Mormon presents itself as the history of ancient Israelite tribes in America.

Mormons are — like Jews — focused on genealogy, family, and community. After Smith was killed by a mob in 1844, **Brigham Young** led the community to what is now Utah, founding Salt Lake City in 1847.

Mormon missionaries in Jerusalem, 1903.

Mormons are also famous for polygamy and racism in their holy Book of Mormon. They have since removed both from their bible.

What's striking — and sometimes surprising to both groups — is how much Mormons and Jews have in common: an emphasis on genealogy, fierce community cohesion, a sacred text beyond the standard Bible, a 19th-century migration driven by persecution, and a deeply family-centered way of life. These similarities aren't theological coincidences. Both were minority groups that needed internal cohesion to survive persistent outside pressure. Groups that build strong internal structures tend to maintain their identity; those that do not tend to dissolve into the surrounding culture.

That pressure, in the Mormons' case, was violent. They were attacked and driven from Ohio, Missouri, and Illinois. After Joseph Smith was killed by a mob in 1844, Brigham Young led them west to territory then belonging to Mexico — specifically to be beyond the reach of American mobs and the U.S. government. They settled what is now Utah.

A Few Words About Mormons

- **The State of Deseret (1848).** After settling in Utah, the Mormons applied to Congress to create their own state — called "Deseret," from the Book of Mormon word for honeybee. They wanted it run as a theocracy under their own religious law. Congress voted no.
- **Polygamy on the immigration form.** As late as the 1920s, U.S. immigration forms required newcomers to declare they were not polygamists — a direct and lasting legacy of Mormon practice.
- **Rabbi Dovid Orlofsky's observation.** Rabbi Orlofsky liked to point out that Jews can't even compare to the faith of Mormons. We had to be hit over the head again and again before we'd believe G_d was trying to tell us something — ten plagues in Mitzrayim, the sea splitting, manna falling from the sky for everyone, a cloud protecting us in the desert — and we *still* doubted. Mormons, on the other hand, are basically like: "hey, a con artist said he saw some gold plates that he then lost — let's build a religion out of that." Faith is not always proportional to evidence.
- **Family values.** Mormons place enormous emphasis on raising children and being present, engaged parents — a value they share deeply with Judaism. Unlike many other Second Great Awakening movements, Mormons rejected radical social experiments in favor of stable family life. The main church has since officially renounced polygamy.
- **Clean entertainment.** Mormons produce what might be called "kosher" entertainment: *Studio C* and *Dry Bar Comedy* feature comedians who perform without profanity or adult content — a conscious reflection of their values.

A Few Words About Mormons

- **Genealogy.** Both Mormons and Jews treat genealogy as a religious obligation. The Mormon genealogical database is one of the largest in the world and is frequently used for Jewish family research. Mormons believe that knowing one's lineage is required for entry into heaven — and they practice posthumous baptism of deceased ancestors to ensure they qualify. This became deeply controversial when they began baptizing Jewish victims of the Holocaust.

The Oneida Community

The **Oneida Community** was founded in 1848 in Oneida, New York by **John Humphrey Noyes**, who taught that spiritual perfection was achievable in this life. The community practiced **complex marriage** — every adult was considered married to every other adult — as well as communal property and mutual criticism sessions.

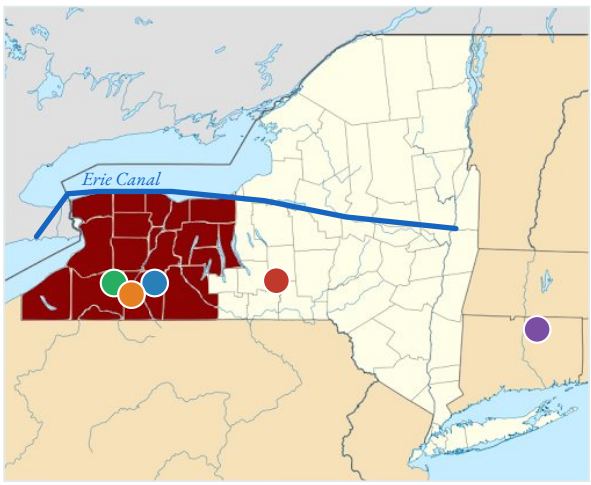
Children were raised communally and were expected to detach from personal possessions. When children grew too attached to a specific doll, they were taught to give it up:

> *"*
>
> *In the middle of the room there was a woodburning stove. The small iron door was open on this chilly day, and the red flames could be seen leaping within as if in time to music. For there was music, too, a marching song, and the little girls who circled the stove marched around it in time. The girls were not happy.*
>
> *Each girl was holding in her arms her favorite doll. These were pretty dolls with painted faces, who usually wore fancy clothes reflecting current fashion. But today the clothes had been left in a pile, and the wax figurines were exposed, hard and bare. One by one, each girl marched up to the open door of the stove. One by one, each girl threw her doll into the "angry-looking flames."*

At its peak in the 1870s, about 300 members lived together communally on the grounds. The community dissolved in 1881 and reorganized as a silverware company — **Oneida Limited** — which still exists today. This is why there is a set of silverware on the cover of this chapter.

The Oneida Community's main building. Children there were required to surrender favorite dolls to the communal fire — a practice designed to break personal attachment.

Origins of 2nd Great Awakening Religions — Upstate New York



The approximate origins of each movement in upstate New York. All five emerged within a few decades of each other along or near the Erie Canal corridor.

The difference between the two Awakenings is the difference between power and freedom. The First gave the preacher enormous authority — if God had already decided your fate and you were helpless, then only the preacher stood between you and the flames.

The Second gave that authority to the individual: you could choose. Democratic, yes — but it also required different techniques. You could not simply terrify a crowd that could walk away. You had to move them.

What the proliferation of movements suggests is something worth sitting with: when traditional structures break down, people do not converge on one answer. They scatter in all directions. The same era, the same region, the same impulse toward radical freedom produced communities that required celibacy and communities that required everyone to be married to everyone else. The Shakers said the body is the problem. The Oneida Community said the body is fine — it's exclusive attachment that causes suffering. Both emerged from the same religious soil.

As for corn flakes — they are perhaps the most American outcome imaginable. A religious idealist invents something for spiritual reasons. A commercially-minded brother adds sugar, takes it to market, and makes a fortune. Religious idealism does not prevent commercial success; sometimes it is the engine of it.

Democracy and the Jewish Community

In Europe, the **kehilla** — the organized Jewish community with legal power to enforce religious standards — controlled the slaughterhouse, the cemetery, the school, and the mikveh. If you refused to follow halacha — Jewish law — the kehilla could fine you, refuse to bury your relatives, or put you in cherem. The *Shulchan Arukh* explicitly authorizes the community to compel members to contribute to communal needs.

In the United States, none of this was possible. American courts refused to enforce religious law. Without the force of government behind it, the kehilla lost its teeth.

The interior of the Plum Street Temple, Cincinnati, photographed in 1951.

What happens when a kehilla loses its power? The short answer is: anything. In Europe, if you wanted to eat non-kosher meat, you needed the kehilla's butcher — there was no alternative. In America, anyone could hang a Hebrew letter on their store and sell whatever they wanted. The courts would not interfere in 'religious matters.'

The Kashrus Plays

The four scenes below take place in New York City across 178 years and show how Jewish communal authority over kashrus changed — and eventually found a new foundation in commercial trademark law.

Scene 1 — 1750: New York City

Narrator: It's 1750, New York City. The latest Jewish immigrant has just arrived.

Contrarian: Welcome Pedro. How can I help you?

Immigrant: I just arrived from Brazil. Where can I buy kosher meat?

Contrarian: I'll sell you some.

Rabbi: No you won't! He must ask the Rabbi! Get food through the kehilla! You can't just go selling your own meat and calling it kosher!

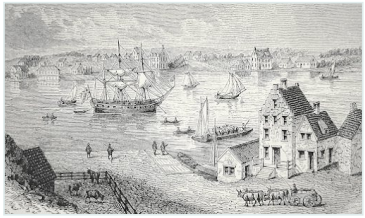
Contrarian: Yuh huh! Can too!

Rabbi: Your kids won't be able to attend the kehilla schools! You won't be able to be buried in the Jewish cemetery! You will be put in Cherem meaning that no other Jews can talk to you!

Contrarian: Well ... then ... okay. I guess I'll have to work with the kehilla and do things your way, right?

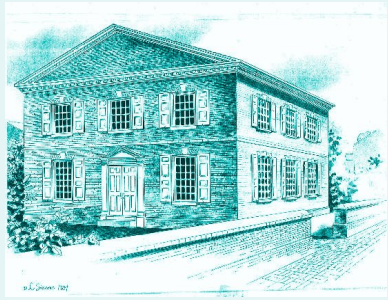
Rabbi: Now you're getting it!

Note: In 1750, the kehilla controls the school, the cemetery, and the butcher. It has real leverage.



New Amsterdam harbor, c. 1650s.

Where did Pedro come from? New York was originally a Dutch colony (New Amsterdam), and the Netherlands was home to Sephardic Jews expelled from Spain and Portugal in the 1490s. Many made their way to Dutch Brazil, then to New Amsterdam. The first permanent Jewish community in North America arrived from Brazil in 1654.



Scene 2 — 1816: New York City

Narrator: It's 1816, New York City. The latest Jewish immigrant just arrived.

Contrarian: Welcome Max. How can I help you?

Immigrant: I just arrived from Germany. Where can I buy kosher meat?

Contrarian: I have a store with kosher food. See — it says so on my sign. Come buy some.

Rabbi: No you won't! He must get food through the kehilla! He must ask the Rabbi! You can't just go selling your own meat and calling it kosher!

Contrarian: Yuh huh! Can too!

Rabbi: Your kids won't be able to attend the kehilla schools! You won't be able to be buried in the Jewish cemetery! You will be put in Cherem meaning that no other Jews can talk to you!

Contrarian: Huh? I pay for school. The kehilla doesn't provide that! Put me in cherem? No cemetery? Who cares — I'll do what I want anyway.

Rabbi: I'm taking you to court!

Judge: This is the state court of New York. What brings you here today?

Rabbi: This man is advertising that he sells kosher food. I'm the Rabbi! I run the kehilla! I say what's kosher food and he can't do that without my permission! That's how we did it in Europe!

Contrarian: Can too. This is America!

Judge: He's right. This is America! I'm not getting involved in your religion.

Rabbi: Yikes.

Note: By 1816, the kehilla has lost legal backing. American courts will not enforce religious authority.

Where did Max come from? In the early 1800s, Germany made life very difficult for Jews — legal restrictions prevented them from owning land, entering many professions, or living freely in most cities. Thousands emigrated to America seeking economic opportunity and civil rights.

Scene 3 — 1888: New York City

Narrator: It's 1888, New York City. The latest Jewish immigrant just arrived.

Contrarian: Welcome Mottel. How can I help you?

Immigrant: I just arrived from Russia. Where can I buy kosher meat?

Contrarian: I have a store with kosher food. See — it says so on my sign. It even has a sign saying it's certified by Chief Rabbi Yaakov Yosef of New York.

Rabbi: You are not certified by Chief Rabbi Yaakov Yosef! Ask the Rabbi! That's not his sign! You're even selling chazer ... that's pig, in your store!

Contrarian: Nothing you can do about it!

Note: Voluntary authority without legal power is not enough. The Chief Rabbi could not compel compliance — and died in poverty.

Where did Mottel come from? Beginning in the 1880s, violent pogroms — organized government-backed attacks on Jewish communities — swept through Russia and Eastern Europe. Combined with severe anti-Semitic laws under the Tsar, millions of Jews fled to America between 1880 and 1924.

Scene 4 — 1928: New York City

Narrator: It's 1928, New York City. The latest Jewish immigrant just arrived.

Contrarian: Welcome Shimon. How can I help you?

Immigrant: I just arrived from Poland. Where can I buy kosher meat?

Contrarian: Ah. We have the Orthodox Union now. Frum Jews have come together and made one symbol for good kashrus. Look for the O-U symbol! I have one right h—

Rabbi: No you don't! You can't use the O-U symbol without permission!

Contrarian: Go ahead and stop me!

Rabbi: I'm taking you to court!

Judge: This is the state court of New York. What brings you here today?

Rabbi: This man is advertising that he sells O-U kosher food. I represent the Orthodox Union and we trademarked the U in a circle! It's our symbol and that's trademark infringement!

Judge: The Rabbi is right! Contrarian, you must stop that!

Narrator: All is well now! Our kashrus problems are solved!

Contrarian: Not really ... what about the OK, Kof-K, Star-K, CRC, RCBC, Triangle-K, OKS, and all those funny kashrus symbols at Trader Joe's that no one has ever heard of?

Rabbi: Ummm... as your local rabbi.

Note: By 1928, a secular legal tool — trademark — accomplishes what religious authority never could in America.

Where did Shimon come from? Eastern European Jews — from Poland, Ukraine, Romania, and Russia — continued arriving through the early 20th century. The Immigration Act of 1924 sharply limited their entry. Most Jews in America came before 1924 or after 1945.

What made all of this possible was the same thing that made American democracy possible: alternatives. In 1750, the kehilla ran the only Jewish school. Remove your child from the kehilla's favor and there was nowhere else to go. By 1816, there was public school, other private schools — and suddenly the threat of withholding Jewish education only mattered to people who already wanted it. Democracy created competition for every communal institution, which meant none of them could compel compliance simply by threatening to withhold their services.

The Chief Rabbi of New York in 1888 had been a figure of enormous authority in Europe — not because of personal prestige alone, but because European governments had formally recognized the kehilla as a legal entity with binding power. That recognition did not exist in America. Authority that is not voluntarily accepted requires government power behind it; in America, that power was not available to religious institutions. The Chief Rabbi could lead those who chose to follow him. He had nothing over those who chose not to.

The O-U symbol resolved this in one way a democracy could: through commerce — buying, selling, and trade — rather than religion. Trademark law protects a symbol regardless of anyone's beliefs. You do not have to accept the Orthodox Union's halachic authority to be stopped from relying on a different kashrus agency. Commerce accomplished what religious authority never could — and the system, imperfect as it is, works well enough that an observant Jew can find certified kosher food in almost any American city.

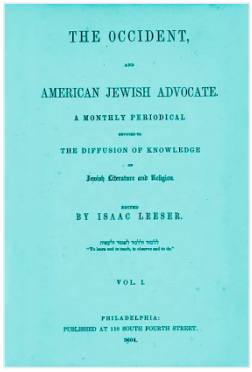
Isaac Leeser

Isaac Leeser (1806–1868) was born an orphan in Westphalia (now Germany), where he received both a secular and Torah education. He came to America at 18 and became *hazzan* of Congregation Mikveh Israel in Philadelphia in 1829.

Leeser saw American Jewish life clearly: Jews were losing their children to ignorance and assimilation. He spent his entire adult life fighting it — translating, writing, teaching, publishing, and organizing. He never stopped, and he never fully succeeded.

Isaac Leeser (1806–1868), hazzan of Mikveh Israel, Philadelphia.

The Occident


THE OCCIDENT,

AND

AMERICAN JEWISH ADVOCATE.

A MONTHLY PERIODICAL

DEVOTED TO

THE DIFFUSION OF KNOWLEDGE

ON

Jewish Literature and Religion.

EDITED

BY ISAAC LEESER.

VOL. I.

PHILADELPHIA:

PUBLISHED AT 118 SOUTH FOURTH STREET.

The Occident, Vol. I, Philadelphia, 5604 (1843). The Hebrew reads: 'To learn and to teach, to observe and to do.'

In 1843, Leeser began publishing *The Occident and American Jewish Advocate* — the first successful Jewish periodical in America. 'Occident' means 'western world' — Leeser was pointing out that there was now a significant Jewish community in the West, separate from the ancient communities of Europe.

The Occident reported Jewish news from across the country, published sermons, discussed halachic questions, and — critically — reported on and responded to missionary activity — organized Christian efforts to convert Jews — targeting the Jewish community. It ran for 25 years (1843–1868) and is today one of the most important primary sources for 19th-century American Jewish history.

Some Things Leeser Changed

Some things Leeser Changed at Mikveh Israel

- **Weekly English sermons:** Traditionally, a European Rav gave a drasha twice a year — in Yiddish, not during tefillot (prayers). Leeser introduced a weekly 'sermon' in English. 'The intelligent ladies,' he wrote, said they wanted a sermon like the Protestants had. However, he would not interrupt the tefillot (prayers) and would only give the 'sermon' after finishing, unlike what many synagogues today.
- **Facing the congregation:** Leeser gave his sermon facing the people, not the ark — matching Protestant ministerial style. During tefillot (prayers), however, he faced the ark like all traditional prayer leaders.
- **Such dress:** He wore a robe resembling a Protestant minister's vestments — the first American Jewish religious leader to adopt such dress.
- **English translation:** In 1845 he completed the first English translation of the entire Tanach by a Jew for an American audience.

These changes were all within halacha — none violated Jewish law. But they were clearly designed to make the synagogue feel more familiar to Jews who had grown up in Protestant America. The question — which Leeser wrestled with all his life — is where the line is between helpful adaptation and dangerous assimilation.

Leeser's English sermons raise a question he wrestled with all his life: where exactly is the line between helpful adaptation and dangerous assimilation? He was clear that the content of his sermons was entirely Jewish, that no halacha was violated, and that the alternative — a shul where most members sat through a drasha they could not understand — was worse. His critics argued that designing a synagogue service to resemble a Protestant one communicates, subtly, that Jewish practice needs improvement. The debate has not been resolved.

More instructive, perhaps, is what Leeser did with Rebecca Gratz. He dedicated his *Catechism* to her — publicly acknowledging her work — even though he disagreed with her Sunday School model and would have preferred full-time Jewish day schools. Disagreement on one question does not require hostility on all others. He could honor what she accomplished while maintaining his own position.

The *Occident* itself was a direct response to missionary pressure. Leeser's argument was simple: you cannot fight ignorance with silence. If American Jews have nothing to read about their own tradition in English, they will read what others write about it. The

magazine gave readers information, arguments, and a sense of community — all of which reduce the pull of assimilation. Its limitation was the same as all publications: it only reached people who were already looking.

Rebecca Gratz and Jewish Education

Rebecca Gratz (1781–1869) was a Philadelphia socialite and philanthropist. In 1838, she founded the first Jewish Sunday School in Philadelphia, modeled on Protestant Sunday schools. It provided basic Jewish education — in English — to children who attended public school during the week.

Leeser dedicated his *Catechism for Younger Children* (1839) to Rebecca Gratz. He disagreed with her model — he wanted full-time Jewish day schools — but recognized that her Sunday Schools were reaching Jewish children that no other institution was reaching.

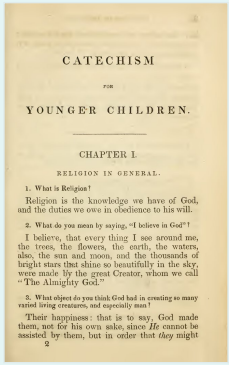
Her organization ran until 2013 — 175 years.

Rebecca Gratz (1781–1869), founder of the first Jewish Sunday School in America.

Primary Source: Catechism for Younger Children (1839)

The following questions and answers are from *Catechism for Younger Children*, written by Isaac Leeser and published in Philadelphia in 1839 — the first systematic Jewish religious education text in English for American children. These are from Chapter I: Religion in General.

Leeser, Catechism for Younger Children (1839)



CATECHISM

FOR

YOUNGER CHILDREN.

CHAPTER I.

RELIGION IN GENERAL.

1. What is Religion?

Religion is the knowledge we have of God, and the duties we owe in obedience to his will.

2. What do you mean by saying, "I believe in God"?

I believe, that every thing I see around me, the trees, the flowers, the earth, the waters, also, the sun and moon, and the thousands of bright stars that shine so beautifully in the sky, were made by the great Creator, whom we call "The Almighty God."

3. What object do you think God had in creating so many varied living creatures, and especially man?

Their happiness: that is to say, God made them, not for his own sake, since *He* cannot be assisted by them, but in order that *they* might

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Their happiness — God made them not for his own sake, but in order that they might rejoice in their existence, and become better and wiser by education and the knowledge of his will.

4. What should we then do to become happy?

We should endeavour to obtain a correct knowledge of those actions which our Creator bids us do, and to omit no opportunity to do that which we have learned to be right and agreeable to his will.

5. What will be the result of this conduct?

That we shall feel an inward joy — a consciousness of having done right, a repose of mind, and a tranquil conscience.

6. What is meant by Conscience?

It is that sensation which tells us whether we have done right or wrong; if our conduct has been correct, it makes us feel satisfied — but if we have done wrong, it makes us ashamed and dissatisfied with ourselves.

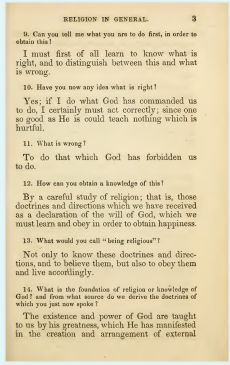
7. How would you term these two different states of feeling?

I would call the first a tranquil conscience, the second a disturbed conscience.

8. What should be your choice, as a reasonable and good child?

I ought to endeavour to have an easy conscience, and to do nothing which can in any way disturb it, or make me ashamed of myself.

9. Can you tell me what you are to do first, in order to obtain this?



RELIGION IN GENERAL. 3

9. Can you tell me what you are to do first, in order to obtain this?

I must first of all learn to know what is right, and to distinguish between this and what is wrong.

10. Have you now any idea what is right?

Yes; if I do what God has commanded us to do, I certainly must act correctly; since one so good as He is could teach nothing which is hurtful.

11. What is wrong?

To do that which God has forbidden us to do.

12. How can you obtain a knowledge of this?

By a careful study of religion; that is, those doctrines and directions which we have received as a declaration of the will of God, which we must learn and obey in order to obtain happiness.

13. What would you call "being religious"?

Not only to know these doctrines and directions, and to believe them, but also to obey them and live accordingly.

14. What is the foundation of religion or knowledge of God? and from what source do we derive the doctrines of which you just now spoke?

The existence and power of God are taught to us by his greatness, which He has manifested in the creation and arrangement of external

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The existence and power of God are taught to us by his greatness, which He has manifested in the creation and arrangement of external nature; and the doctrines of religion, which regard our faith and conduct, are derived from the revealed word of God.

15. What is meant by the term 'external nature'?

The visible world, which we perceive by our senses, and also the whole system of creation. The greatness and extreme regularity of all things all unite in teaching us that there must be a God, supremely great, who has made all, and fixed all as we find it.

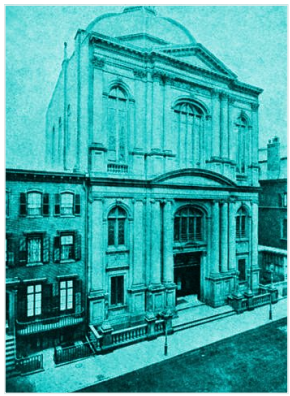
Reforming Judaism

American democracy did not just weaken the kehilla — it allowed a new movement to develop that called itself 'Reform Judaism.' The story begins in Charleston, South Carolina in 1824.

I. Charleston, South Carolina — 1824

At Congregation Beth Elohim in Charleston, younger members petitioned for changes: a weekly English sermon, some prayers in English, and quiet during davening. The rabbi refused. The reformers left, tried to start their own shul, found they could not afford a cemetery, and returned.

Twenty years later the reformers were the majority. They introduced changes by vote: English prayers, a weekly sermon, and — most controversially — an **organ**. The remaining traditional members sued. The case went to court.



Congregation Shearith Israel (New York) — the oldest Jewish congregation in North America, founded by Sephardic Jews from Brazil in 1654.

What the Court Said and What It Meant

The court said: 'We live in a democracy. **Let the members vote.** Whomever has more votes gets the building.'

What the Court Said and What It Meant

For halacha: Halacha cannot be enforced by American courts. A frum minority in a shul has no legal recourse against a reform majority.

Compare to Germany: Rabbi Samson Raphael Hirsch fought the Reform movement through the German government — because Germany recognized the kehilla as a legal entity with binding authority. In America, there was no such recognition.

The result: From this point, the level of Jewish observance in an American synagogue is determined by the **voluntary choices of its members** — not by any communal standard.

Scene 1 — 1824: Reformers Fail to Form Their Own Shul

Narrator: It's 1824 at the Kadosh Beth Elokim synagogue in Charleston, South Carolina.

Rabbi: I am so happy to have a proper kosher shul and community in Charleston! We can serve Hashem properly here!

Contrarian: Rabbi — there's too much talking in shul.

Rabbi: What? You don't talk to each other at home? This is our second home — of course we talk to each other!

Contrarian: Maybe a sermon during davening? How about that?

Rabbi: I give a drasha on Shabbos Tesuvah and Shabbos HaGadol.

Contrarian: Well, what about if we pray in English?

Rabbi: No thanks! We pray in loshon haKodesh! Where are you getting all these crazy ideas from?

Contrarian: The Protestants are all doing it! These things are all the rage! We want to be like them!

Rabbi: Uhh... no.

Contrarian: That's it! I'm forming my own Jewish community! Bye bye!

Narrator: A few months later...

Contrarian: Can we come back?

Rabbi: Of course! What brings you back?

Contrarian: We can't afford to buy a cemetery — there aren't enough of us. We're also kinda lonely over there.

Rabbi: Well, welcome back!

Scene 2 — 1843: Reformers Are the Majority

Narrator: It's about 20 years later and many of the old members of the shul are no longer there. Their children have very little Jewish education and other Jews who know little about Judaism have moved in.

Rabbi: I'm really worried about the Jewish education in this community. It seems Jews are more concerned with being American than with being Jewish. What to do, what to do...

Contrarian: Rabbi, remember how our parents wanted prayers in English, have a sermon like the Protestants, and sit quietly and face forward?

Rabbi: Uhh... yessss...

Contrarian: We're doing it!

Rabbi: Nah ah!

Contrarian: Yup! We voted! It's done! Oh, and we're putting in an organ. Protestants have it and we want it too!

Rabbi: Well for your information some of the congregation are taking you to court. Frum Jews own this building. It's our shul. Your Shabbos violations won't take place here!

Judge: What brings you here today, Rabbi?

Rabbi: These reformers don't want to follow Jewish law! They must give us our shul back!

Judge: I represent the United States government. What do you want me to do about it?

Rabbi: Wasn't I clear? We're Jews! This is our shul! We don't play instruments on Shabbos! Get them out of here!

Judge: Here is what I say — we live in a democracy. Let the members vote. Whomever has more votes gets the shul.

Narrator: Through lack of Jewish education and the Second Great Awakening when people reshaped religion in their image, Judaism in America suffered greatly until enough frum Jews started coming to America in the 1880s to organize frum communities.

Reform Judaism Organizes

By the 1880s, an official Reform movement declared that the Torah was not divinely given and that the laws of the Torah were optional depending on whether they were 'morally relevant.' Until the founding of modern Israel, most Reform Jews were strongly anti-Zionist[5] — arguing that Jews were Americans first and had no need for a Jewish state. This position reversed entirely after 1948.

A Reform synagogue has not been built since 1972; the movement began dying less than a hundred years after it was founded, while Torah-centric and halacha-following communities continue to grow. The numbers are blunt: Reform Judaism graduates fewer than a dozen rabbis a year, while Lubavitch alone opens more than 100 new locations a year — and an unaffiliated Jew today is more likely to wander into a Chabad house than a Reform temple.

Here is the fact that says it all. In 1983, exactly one hundred years after the Reform movement's infamous 1883 banquet in Pittsburgh — where they served shrimp and other non-kosher food to celebrate their new American Judaism — the movement went looking for the descendants of the Jews who had attended that banquet. They could not find a single one who was still Jewish. Not one. As Rabbi Rockmill, a senior rabbi at Yeshivas Ohr Somayach in Jerusalem, put it: the question is no longer *if* Reform Judaism will cease to exist, but *when*.

Key Institutions of 1800s American Orthodox Judaism

Yeshiva Eitz Chaim (1886): The first significant Torah day school in America, later part of Yeshiva University.

[5] Anti-Zionism was not a fringe view among American Jews at the time — it was the mainstream. Before 1948, only about 2% of American Jews called themselves Zionists.

Key Institutions of 1800s American Orthodox Judaism

Orthodox Union (1898): Created a national framework for Orthodox synagogues and developed the O-U kosher symbol — now the world's most recognized kosher certification.

Rabbi Jacob Joseph (1888): Brought from Vilna as the first and only Chief Rabbi of New York. He attempted to create a unified kosher standard for the city but was largely unsuccessful, suffering a stroke and dying in poverty. His 1902 funeral drew 100,000 Jews.

The Charleston court's ruling was legally correct and — from a halachic standpoint — religiously disastrous. American property law gives control of a voluntary organization to its dues-paying majority. The court had no authority to decide what constitutes authentic Judaism, and wisely declined to try. But the result was that a halachically observant minority inside a congregation had no legal recourse when the majority voted to change everything.

The deeper issue is the one Reform Judaism forced into the open: if the Torah was written by human beings, then its commandments are historical suggestions, not divine obligations. You might keep what feels morally meaningful and set aside what does not. If the Torah was given by God, the question of whether a commandment 'makes sense to you' is largely beside the point — it is obligatory regardless. This single question — divine or human? — drives most of the practical differences between Jewish denominations, then and now.

In the long run, Halachic Judaism grew and Reform Judaism declined. The reasons are not mysterious. Communities built on shared practice, shared values, and strong internal structures tend to pass their identity to the next generation. Communities where observance is optional tend to become gradually indistinguishable from the larger secular world around them. Torah-observant communities also treat having children as a religious obligation. Over generations, the numbers follow.

Don't trust the label on the door. The denominations are messier than they sound. Plenty of "Reform" shuls had a shochet and a mikveh, and plenty of "Orthodox" shuls had members who didn't keep kosher or Shabbos, when according to Jewish law, we don't drive. Here's my favorite proof. There is an Orthodox shul called Adas Yisroel in Passaic, New Jersey. Until they repaved around 2017, it had a chain across the entrance to its parking lot — and that chain went up for Shabbos. Think about why a shul in Passaic would need to physically block its own parking lot on the holiest day of the week. The answer tells you more about who was actually showing up than any label ever could.

The United States Supreme Court building, Washington D.C. In November 2020, it heard arguments in Agudath Israel of America v. Cuomo — one of the most significant religious freedom cases in decades.

Religious Freedom in the Modern Era

In October 2020, New York Governor Andrew Cuomo issued COVID emergency regulations limiting gatherings in religious buildings to 10 or 25 people — while allowing liquor stores and bicycle repair shops to operate at full capacity. Agudath Israel of America went immediately to the Supreme Court.

The case was *Agudath Israel of America et al. v. Cuomo*, No. 20A90, decided in November 2020 — just days after the death of Justice Ruth Bader Ginsburg and the seating of her replacement, Amy Coney Barrett.

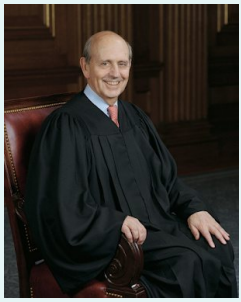
The Supreme Court in session, 1937. In 2020, Governor Cuomo's regulation limited attendance to 10 or 25 people. Agudath Israel argued this was stricter than restrictions on comparable secular establishments.

The Court ruled **5 to 4 for Agudath Israel**. New York's restrictions on synagogues and churches were struck down immediately. The majority held that the government can restrict gatherings for public health — but only with rules that are neutral with respect to religion. A rule that says 'no gatherings of more than 25 in any building' is constitutional. A rule that says 'no gatherings of more than 25 in *religious* buildings while liquor stores operate freely' is not.

Arguments by Justices of the Supreme Court

Justice Neil Gorsuch (appointed by Trump), writing for the majority:

"Government is not free to suppress religious gatherings when it permits comparable secular gatherings. New York treats liquor stores and bike shops as 'essential' but synagogues as 'non-essential.' The Constitution does not permit this. The pandemic cannot put the Bill of Rights away."

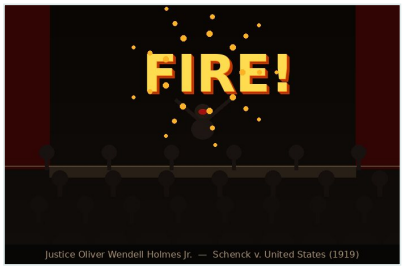


Justice Stephen Breyer (appointed by Clinton; Jewish), dissenting:

"The risk of transmission is higher when many people are near each other for extended periods. People spend very little time near each other in a liquor store. The Constitution requires government to protect health as well as religious freedom — and it gives elected officials, not judges, the primary authority to make these emergency decisions."

Justice Sonia Sotomayor (appointed by Obama), dissenting:

"People are not near each other for long periods in a liquor store or a bike shop. Movie theaters — where people are seated close together for hours — were also closed. The majority's comparison between houses of worship and liquor stores is not apples to apples."



Justice Holmes' "fire in a crowded theater" (Schenck v. United States, 1919).

The case turned on a principle that applies far beyond religious freedom: no constitutional right is absolute. In 1919, Justice Oliver Wendell Holmes Jr. wrote that even the most stringent protection of free speech would not protect someone who falsely shouted 'fire' in a crowded theater. That phrase has since become legal shorthand for the category of expression that causes immediate harm and therefore falls outside constitutional protection. The same logic applies to religion — the government can restrict religious gatherings, but only with rules that are neutral. A rule that says 'no gatherings of more than 25 in any building' is constitutional. A rule that singles out religious buildings while liquor stores operate freely is not.

The dissenters, including Justice Stephen Breyer — himself Jewish — argued that the majority's comparison was not quite right. People spend very little time near each other in a liquor store, Breyer noted. Religious services are different in kind, not merely in size. A justice's obligation is to the law, not to the community with which they personally identify, and Breyer made a careful legal argument.

Whether the ruling was correct continues to be debated. What is not debated: the case established clearly that pandemic emergency powers, however broad, cannot single out religion. Agudath Israel won. The restrictions were struck down. And the principle — that a church, a synagogue, and a mosque must be treated the same as a liquor store, a theater, or a bike shop — was affirmed by five justices of the Supreme Court of the United States.