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The Jewish Chaplaincy Controversy

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Published: January 4th, 2012

(Unless otherwise indicated all quotes are from American Jewry and the Civil War by Bertram W. Korn, Atheneum, 1970.)

“The American tradition of the military chaplaincy is as old as the United States itself. Clergymen served with the armies of the individual colonies almost from the first battle of the Revolution, and provisions for the payment of chaplains were enacted by the Continental Congress as early as 1775. The first regular army chaplain was commissioned in 1781. From then on, post and brigade chaplains were an accepted feature of the army table of organization. These chaplains were all Protestants, though of varying denominations.”

It was not until the Mexican War (1846-1848) that Catholic priests were allowed to serve as chaplains, albeit in a civilian capacity until the Civil War, when they were given the right to serve as army officers.

There apparently was no consideration of Jews serving as chaplains until the Civil War. Indeed, Jews were actually banned from serving as chaplains in the Union Army by the Volunteer Bill, which stipulated that a regimental chaplain had to be a “regularly ordained minister of some Christian denomination.” However, on July 12, 1861 Democratic Congressman Clement J. Vallandigham from Ohio suggested that the phrase “religious society” be substituted for “Christian denomination.”

“His peers – some of whom considered Vallandigham a near traitor – were unpersuaded, and the original language became law. By contrast, there was no legal obstacle to the appointment of Jewish chaplains in the South, nor was there any attempt to commission a Jewish chaplain in the Confederate army.”

In September 1861, less than three months after the House had refused to sanction the service of Jewish chaplains, a YMCA worker happened to visit the military camp in Virginia where the 65th Regiment of the 5th Pennsylvania Cavalry, popularly known as “Cameron’s Dragoons,” was temporarily stationed. He was horrified to discover that a Jew, one Michael Allen of Philadelphia, was serving as the regimental chaplain, and promptly began such an agitation in the public press that ultimately the Assistant Adjutant General of the Army, George D. Ruggles, was forced to state in writing his official warning that “any person mustered into service as a chaplain, who is not a regularly ordained clergyman of a Christian denomination, will be at once discharged without pay or allowance.”

As a result, Allen resigned his commission rather than be dishonorably discharged. It should be noted out that Allen had been appointed to his position without any intention by his

regiment to disobey the law. In fact, they were probably unaware of the stipulation in the Volunteer Bill that an army chaplain had to be a Christian. However, given that the regiment's commanding officer, Colonel Max Friedman, as well as many of its officers and 1,200 men were Jewish, Allen was a logical choice.

Allen, moreover, had been a very fitting choice for the office. Born in Philadelphia on November 24, 1830, he was, from childhood, a pupil of the Rev. Isaac Leeser, and for a time he undertook to follow, under his rabbi's guidance, a regular course of study for the Jewish ministry. In 1850-1, he took a formal course of study in Shulhan Aruch with Rabbi Max Lilienthal in New York, and was granted a certificate as Haber (Fellow in Jewish Studies) by him on March 22, 1851. Even after he abandoned this ambition, he remained close to Jewish affairs and preserved his relationship with Leeser. He taught classes for the Philadelphia Hebrew Education Society, and substituted for Leeser as Hazan (Cantor) in the conduct of services, when that frequent traveler was out of town. The Rev. Samuel M. Isaacs, editor of *The Jewish Messenger*, wrote a few years later that Allen was "the only gentleman not actually a minister, accustomed and able to read the entire ritual according to the Portuguese minhag [rite]. He really deserves credit for the alacrity with which he has always responded to ... calls [to act as Hazan], having frequently officiated at the Franklin street and Seventh street Synagogues of Philadelphia, and occasionally at the 19th street Synagogue of N.Y." As a layman, Allen took a further leading role in Jewish communal affairs, and served as secretary to both the United Hebrew Beneficial Society and the Hebrew Education Society.

Surely there was no one in the entire regiment better equipped by training as well as inclination to serve as its chaplain. During the two months of his service, Allen was not a Jewish chaplain, but the regimental chaplain for men of all faiths. On the New Year, the Day of Atonement, and the Feast of Tabernacles, as well as on the Jewish Sabbath, he went to Washington or Philadelphia to attend services. But on Sundays, he held non-denominational services, consisting of brief Scriptural readings and a hymn or two, as well as a sermon.

The Struggle for a Jewish Chaplaincy

Allen's removal as a "Jewish chaplain" to his regiment soon became public knowledge, and the Jewish community and the regiment decided to push this issue. It was clear that the objection to having a Jewish chaplain was discriminatory; nonetheless, the objection to Allen serving as a chaplain because he was not a rabbi was valid.

Immediately, the regiment defiantly elected another Jew, Rabbi Arnold Fischel of Shearith Israel in New York, as their chaplain. Fischel applied to the War Department for a commission. His application was rejected since granting it would have been contrary to the law. The issue was clear-cut. Jewish periodicals wrote strong editorials demanding equal treatment of Jews, and rabbis called attention to the issue from pulpits throughout the North. Petitions were circulated and protests were made. The Board of Delegates of American Israelites, the only Jewish national organization at the time, asked Rabbi Fischel to serve the Jewish units and hospital patients in the Washington area, and to lobby for a change in the law.

Rabbi Fischel met with President Lincoln who promptly recognized the

unfairness of the law and submitted a list of changes in the chaplaincy law to the Committee on Military Affairs of the House of Representatives. During the time that Congress was considering the President's recommendations, Rabbi Fischel was not idle: he served unofficially as chaplain visiting the troops; comforted the sick and wounded; conducted services in the Washington area; visited congressmen and senators to explain the Jewish position.... Rabbi Fischel labored valiantly to neutralize this opposition – and with success. The new regulation stipulated that “No person shall be appointed a Chaplain in the Army who is not a regularly ordained minister of some religious denomination and who does not present testimonials of his good standing as such minister, with a recommendation for his appointment as an Army Chaplain from an authorized ecclesiastical body or not less than five accredited ministers belonging to said denomination.” [“The American Jewish Chaplaincy” by Louis Barish, American Jewish Historical Quarterly, Sep 1962-Jun 1963; 52, 1-4; AJHS Journal]

This change in the law was important for two reasons: (1) it created the foundation for a Jewish ecclesiastical endorsing agency to be recognized by the government, and (2) it authorized the appointment of Jewish chaplains.

Surprisingly, Reverend Fischel never became a chaplain. The reasons for this will be discussed in next month's column.

Dr. Yitzchok Levine served as a professor in the Department of Mathematical Sciences at Stevens Institute of Technology, Hoboken, New Jersey before retiring in 2008. He now teaches as an adjunct at Stevens. Glimpses Into American Jewish History appears the first week of each month. Dr. Levine can be contacted at llevine@stevens.edu.

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