

Glimpses Into American Jewish History (Part)

Joseph Rodriguez Brandon, Activist Lawyer (1828 – 1916)

Dr. Yitzchok Levine
Department of Mathematical Sciences
Stevens Institute of Technology
Hoboken, NJ 07030
llevine@stevens.edu

Note: All quotes are from **Joseph R. Brandon, Activist Lawyer** by William M. Kramer, *Sephardic Jews in the West Coast, Volume I: The San Francisco Grandees*, Western States Jewish History, 1996, pages 77 – 84.

Joseph R. Brandon was born on Brandon Island, Barbados, on January 8, 1828. “He had been educated in London and had traveled extensively in Europe. He entered the shipping and importing business as a young man and had business and residential property in London, Paris and New York. In 1855 he came to San Francisco in order to open up a branch of his New York establishment. In the California metropolis, he was attracted to the practice of law and studied it at the law office of Joseph Simpson, an early Sephardic, American-born attorney, whose office was at 133 Clay Street. Brandon was soon admitted to the bar and became an authority on land titles.”

He was described by a local newspaper as a man of “high character and superior attainments,” and “it was also noted that he never appeared in court on the Jewish Sabbath or Holy Days. Brandon was part of a symposium which dealt with the issue of ‘What Can the Synagogue Do To Attract Men To Its Services,’ which appeared in the Rosh Hashanah 1905 issue of the San Francisco *Jewish Press*.”

Brandon was committed to making sure that the doctrine of the separation of church and state was adhered to in California, and he utilized both the courts and the press in his efforts. He was a most effective polemicist. “In 1861 he opposed the Sunday closing law of California, attacking its constitutionality. In the 1870s, having read the *McGuffey Readers*, he took exception to the Christian orientation he found in them, noting that their use in the public schools was insensitive to the students not of that persuasion.”

“Brandon was also on record against the recitation of the Lord’s Prayer of the New Testament as a public school rite. In 1877 he spoke out against the exclusion of Jews from the Grand Union Hotel in Saratoga, New York. He was sensitive and outspoken about any public action which contributed to Jewish disabilities in the marketplace, schools, public accommodations and anywhere else that they might occur.”

When in 1875 John Hemphill “urged that the Lord's Prayer be recited in the classroom, Brandon wrote a twenty-page pamphlet opposing his stand. He began by noting that in two published sermons John Hemphill, pastor of the Calvary Presbyterian Church of San Francisco, had spoken on the inclusion of the Lord’s Prayer in the curriculum in a manner

‘so illogical, so intemperate, so full of a spirit calculated to awaken religious dissension, that they seemed to call for some reply.’

“Brandon charged the minister with purposely misquoting the Scriptures. Correctly, Hemphill had observed that the Book of Deuteronomy said of the words which God had commanded, ‘Thou shalt teach them diligently unto thy children.’ However, the clergyman had omitted the words ‘when thou sittest in thy house.’ Brandon indicated that the omission was because Hemphill wanted them taught in the schoolhouse and not at home and therefore ‘he designedly and artfully’ omitted them from his version of the Scriptures. Analyzing the text, which he knew as well in Hebrew as he did in English, Brandon pointed out that it enjoined the parent to teach children in their own house and that the parents ‘should be the agent of the soul’s development, as well as the author of its bodily form.’”

Brandon made it clear that Hemphill’s goal was to “save the Jews” by converting them to Christianity. Hemphill had said that Protestants must tell the Jews the “story of the cross” and teach them the “true gospel of the peace of God, with loving earnestness.”

“The truth of the matter is that lawyer Brandon was as tough on Christianity as his opponent was on Judaism. Said Brandon, Jews do not need Mr. Hemphill ‘to teach them his true gospel of peace, to tell them his story of the cross with loving earnestness.’ Brandon observed that ‘Israel too, Mr. Hemphill, has a gospel of peace; Israel too, has a story of the cross. Our history is one long story of the cross; of patient endurance of persecution, suffering, and death for humanity, in the preservation of the great eternal truth committed to our custody - the Unity of God; and Israel, too, has exclaimed after all her sufferings, ‘Father, forgive them, they knew not what they did.’”

“Rejecting Hemphill’s idea that pagan Rome had conquered the public schools, he urged the reader to ‘rejoice that free thought, free education, [and] free religion have gained a victory over the churchmen of all denominations; that the great principle has at last been enunciated, that the State, which should be the common parent and protector of all its children - majority or minority, few or many - will not lend its aid to dispense the parti-colored light of any particular sect, but only that colorless, illuminating principle which is common to all America’s flag, the Star-Spangled Banner, should symbolize the roof of that grand, common, unsectarian, religious temple of all mankind, The Cloudless Sky!”

“Jewish activist Joseph R. Brandon was a one-man Jewish Anti-Defamation League. He was not just a public Jew mounting the platform on behalf of Jewish rights in the forum of the market of ideas. He was a member of San Francisco’s Congregation Shearith Israel. As noted, he observed the Sabbath and Jewish Holy Days and would not litigate on them. The always keen journalist Isidor N. Choynski noted in 1884 that Brandon was ‘the most conscientious orthodox Jehudah in this city [San Francisco] and that is saying a great deal.’ He observed the laws of *kashrut* and the Sabbath and wrote articles on Jewish ethics for the San Francisco Jewish paper, *Emanuel*.”

As Isidor Choynski noted, Attorney Brandon was unable to pass on his orthodoxy to his oldest daughter:

“Miss Brandon, daughter of one of the most pious orthodox Jews in this city, was married on Thursday last to an Irish Catholic, and the good old father said to me: ‘What can I do in the matter? My daughter is twenty-eight years old; I brought her up in the religion of her ancestors, and even went so far as to send her Kosher meat when, during the summer, she remained at the watering place. But she is no worse than most of the girls who want to get married and do not wish their fathers to buy husbands for them. I was not on hand at the wedding. I could not possibly see my daughter given away by a judge and a clergyman, though Mr. Stebbins is a scholarly gentleman and stands at the head of the Unitarian church.

“I asked Dr. Cohn to perform the ceremony, since I knew that it will come as come it must, but the good old Rabbi could not see it in that light, and as my daughter is of age I had to submit, and wishing her well. I hope I will go down to my grave, believing that my daughter will live and die though married to a Christian, as did her ancestors before.’

“Said I: ‘Mr. Brandon, was not your mother a Christian?’ ‘Yes, said he; ‘my father married her in Jamaica, when there were but few Jewesses there. When he died I was two years old, and she made, as he requested on his deathbed, a tolerable good Jew of me.’”

A week after writing the above, Choynski wrote again:

“I told you last week that the highly educated daughter of our highly esteemed co-religionist, Mr. Brandon, was married to Mr. Gegan and that it is now a thing of the past. Mr. Brandon, who thinks, and justly so, that there are no better children in the world than his, and for the matter of that I and hundreds of others who know the family are samely-minded - that his daughter, though married by a Unitarian minister and Superior Judge, will remain true to her faith,

“Mr. Brandon did not attend the wedding; he had not the heart to go and see his eldest child married to a Christian by a Christian minister. I know Mr. Brandon, I know his feelings and his pure piety, I have watched him closely for thirty-five years, and though his mother was born a Christian, no brighter, better Jewish son was ever raised in all this wide world than J.R. Brandon. Just think of it: he sent his children *Kosher* meat every time they took an outing; and religious services are held in his house, regularly, every day in the year, and the wealth of Croesus would not induce Mr. Brandon to appear in court either on a Sabbath or a holiday. Said Mr. Brandon to me: ‘How can I help it? My daughter is nearly thirty years of age; the Jewish young men want a wife who has a dowry to keep them insured. I have the means to give my daughter \$50,000, but my daughter would not consent to my buying a Jewish husband for her; she preferred a Christian who took her to his manly bosom for her own sake, exacting and expecting nothing from his wife except that conjugal love of which he was assured two years before marriage, as he was a regular caller at the Brandon mansion for that length of time.’”

Joseph R. Brandon died on April 22, 1916 in San Leandro at the age of 88. He was buried at Hills of Eternity Cemetery in Colma, California. "An obituary noted that he was a fine Hebrew scholar, a writer on ethics and an authority on law. Brandon was the leading defender of the civil rights of California Jewry in the nineteenth century.