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Notes



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Betty Fink's letter to her youngest son, Michael, a Yale freshman

Inside Covers

Relief on Bingham Hall, Yale, 1928

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Israel Museum, Jerusalem,
2015

Editor's Comments

Once in a great while, I'm asked, "What do you enjoy most about editing our journal?" Obviously, holding a fresh copy in my hands, after its delivery from Signature Printing, gives me a boost. But so many other facets of creating *The Notes* bring me satisfaction and pleasure. For example, I enjoy working with a new author on an overlooked topic, but I also enjoy working with a seasoned author who tackles a still compelling one. It's always a thrill receiving fine photos that enliven an article, but it's also fun trying to discover photos in unlikely places.

I enjoy working with many other colleagues, including a gifted graphic designer and insightful members of the publications committee, who occasionally discover an inconsistency, an error or an oversight. I also enjoy thanking supporters and benefactors, who are often our quiet partners.

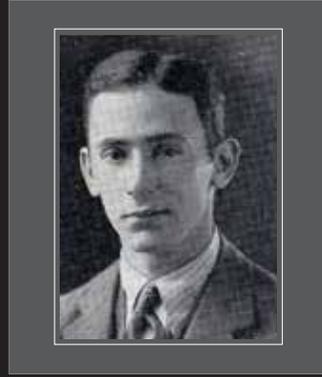
It may sound a bit strange, but I derive satisfaction from preparing obituaries. More often than not, I did not know a deceased Association member, but it's an honor to pay tribute to individuals, who, in various ways, have strengthened and enriched our community. In a larger sense, I believe that our journal satisfies an important need: paying homage to forgotten souls or to those who never had an opportunity to speak or write for themselves. Perhaps I flatter myself, but at times I think that

serving as editor is both a patriotic and a sacred responsibility.

So what do I enjoy least about my responsibilities? It's no fun compiling an index to each volume every four years. If only a computer could sort out the myriad details. It also takes a long time to create an issue, usually a nine-month gestation. I know, inevitably, that there will be small errors (if not larger ones), and I of course regret whenever a reader is angered or offended.

Yet, I often wish that *The Notes* were more widely read and enjoyed, especially within the Rhode Island Jewish community, but also beyond. Yes, our journal is a labor of love, more than 60 years young. But, at its best, our publication should be more than that. By forming an accurate and truthful record, I hope and pray that it links and binds the generations.





S. J. Perelman and Nathanael West in Brown yearbooks

Jugglers:

Two Brown Writers of the 1920s

Edward L. Widmer

The author, known far and wide as “Ted,” spoke to our Association in 2010 and wrote an article about Washington, Longfellow, and the Jews of Newport in our 2013 issue. He was the director and librarian of the John Carter Brown Library, on the Brown campus, from 2006 to 2012, but is even better known for his scholarly but highly accessible writing on a wide range of American historical topics. Recently on the staff of Christina H. Paxson, Brown’s first Jewish president, he was also a speechwriter for an aspiring president whose initials are HRC.

The following article is excerpted from Ted’s short, illustrated volume, *Brown: The History of An Idea*, which was commissioned by the university to celebrate its 250th anniversary and was published by Thames & Hudson in 2015. The Association is grateful to the author and Brown for permission to publish this portion of Chapter IV.

Ted may have brought a disadvantage to this project; though a Providence native, he earned undergraduate and graduate degrees at a university in Cambridge. Perhaps such a disadvantage actually worked in his favor, for it led to countless fresh, engaging, and witty observations. Indeed, it seems remarkable that a key decade of Brown history could be epitomized through the antics and utterances of two marginal Jews.

In the early decades of the twentieth century, steamships were bringing large numbers of immigrants to Providence from Italy and Portugal, and nearly every demographic change in Providence was eventually reflected in the college on the hill. Jewish students were also coming in increasingly large numbers, and organizing student groups – a Menorah Society in 1915, and a fraternal organization known as “The Lambs.”¹ Without doubt, their entry into the full range of extracurricular activity, particularly that rooted in the fraternity system, was blocked by lingering forms of anti-Semitism, and by admission restrictions that were often tacit rather than explicit. But it was never comfortable to sustain snobbery at an institution as dedicated to intellectual freedom (and as modestly endowed) as Brown University. Nor was it likely to last in an age that was trend-

ing toward more opportunities for all, albeit inconsistently. As Brown became more diverse, its environment happily encouraged satire.

It was inevitable that the collision of an older Brown, steeped in wealth and tradition, and a newer Brown, open to more recently arrived Americans, would produce occasional friction. Fortunately, it also produced art. In the 1920s, two extraordinary writers emerged at Brown, and though they were quite different from each other, they became best friends, brothers-in-law, and brothers in arms, creating a new kind of American culture – lightning-fast, cinematic, and caustic toward the older hierarchies. The humorist S. J. Perelman had a gentler voice, though plenty acerbic on occasion; the novelist Nathanael West wrote devastating critiques of American popular culture and its tendency to promise more than it could deliver.²

Perelman, the son of recent Russian immigrants, grew up in Providence in something quite close to poverty. If the Industrial Revolution had brought self-reliance and wealth to Rhode Island, it had also brought considerable squalor, as documentarians such as Lewis Hine made clear in their exposés of working conditions in Rhode Island’s mills. The senior Perelman did not work in a factory, but in the edges around the industrial economy. As his son later remembered:

My father had a speckled career. He had a drygoods store and was a machinist and an unsuccessful poultryman. It was the American dream that if you had a few acres and a chicken farm there was no limit to your possible wealth. I grew up with and have since retained the keenest hatred of chickens. My chief interest always was to be a cartoonist, and I began very early to draw cartoons in my father’s store on the long cardboard strips around which the bolts of Amoskeag cotton and gingham were stored.³

Perelman’s school friends recalled that he drew some of his first cartoons on the very eggs that he had brought to eat, from his father’s farm in Cranston.⁴ Eventually, the captions grew longer, and he began to think of himself as a writer. His vocabulary steadily became prodigious, nurtured by a keen ear, voracious reading at the Providence Public Library, and an early love of James Joyce.⁵

After a writing contest judged favorably by a young Brown professor, Perelman followed his high school career by trudging up College Hill in 1921 to attend Brown as a freshman.⁶ From the beginning, it was clear that his extracur-

ricular education was more important to him than his classes. As he later recalled, “Simply stated, I became interested in the life creative because I was a comic artist in college. I was more interested in working for the college humor magazine, the *Brown Jug*, than I was in trigonometry and all those necessary adjuncts.”⁷

The *Brown Jug* was a humor magazine, founded in February 1920, that gave students a much-needed vehicle to make fun of their elders. Its first issue, entitled “Coming Out,” featured a cover with a girl in party dress, emerging from a bandbox and holding a small bear. The “Coming Out” number was followed by more than a decade of sophisticated issues that gave Brown humorists (who called themselves “Jugglers”) a chance to write for a slick magazine that sold in train stations and newsstands, far from campus. It offered serious professional training for writers and editors and, in Perelman’s case, a platform to help shape the raucous twentieth-century culture still coming into focus.⁸

Early numbers of the *Jug* contained cruel depictions of “carpetbagger” students that Perelman might easily have found hurtful; yet he poured himself into the work of the magazine, ultimately becoming its editor in chief. He was absorbing a great deal of information, although apparently not much from his classes. He loved the theater, and in the 1920s, downtown Providence was a significant theatrical destination, full of show palaces that theatrical stars visited on the circuit between New York City and Boston. Perelman had a part-time job managing a cigar store on Washington Street, just above Fay’s Theater, and one night he saw a comedy troupe called the Marx Brothers performing “a rancid little act” that he found very funny.⁹

A spirited reminiscence of his undergraduate career makes it clear where Perelman’s priorities lay:

For six months after seeing Erich von Stroheim in *Foolish Wives*, I exhibited a maddening tendency to click my heels and murmur “Bitte?” along with a twitch as though a monocle were screwed into my eye. The mannerism finally abated, but not until the Dean of Brown University had taken me aside and confided that if I wanted to transfer to Heidelberg, the faculty would not stand in my way.¹⁰

Perelman’s tone suggests a certain coolness toward the administration, which was reflected in his writings at the time. Perelman admired a young pro-

fessor of English, Percy Marks, who had written a racy novel about Brown, *The Plastic Age* (1924), whose most famous scene described the women of “Sanford College” checking their corsets before attending a dance. It even committed the sacrilege of ridiculing the college’s obsession with football – a specific satire that Perelman would remember and put to good use with the Marx Brothers. Percy Marks was also Jewish, and when Brown dismissed him, not long after his novel was issued, Perelman was livid.¹¹ Around that time, his writing took on a harder edge:

Ah the college boys, the college boys! I daresay that if all the sub-freshmen who are intending to come to Brown could see it for what it is, a fraternity-ridden and lethargic academy of very middle-class “boosters,” they would change their minds about starting for Providence next fall. From the dot of nine o’clock when we rush in to fear God for fifteen minutes every morning till Cap Cameron (the campus guard) puts the last blowsy drunk to bed, the spectacle is the same.¹²

That edge was still apparent years later, when he recalled the university’s social universe: “There were nineteen fraternities. As a Jew, I wasn’t invited to join any of them. That is, until I started to write and became editor of the humor magazine. Then two of them asked me to belong. I refused them flat, and that gave me great pleasure.”¹³

It was rapidly becoming clear that neither Brown nor Rhode Island could hold Perelman, and he left before he could graduate with the class of 1925, an oversight that was rectified forty years later, when he received an honorary degree.¹⁴ But even in his fits of pique, Perelman had learned a great deal from Brown – including how to divert his flashes of anger into effective satire. Anyone could make a sociological observation about fraternities, but Perelman was learning how to make people laugh. He honed that skill upon moving to New York City, where he first worked for a small magazine called *Judge*. He later reminisced, “What I didn’t know was that I was hitching my star to a wagon that was gathering night soil.” *Judge* was so insolvent that the staff painted its walls gray, so that no one would be able to see the treasurer, who always wore a gray suit.¹⁵

Eventually, Perelman brought his skills to the *New Yorker*, and to the group of brothers whose “rancid” act he had seen in downtown Providence. The Marx Brothers were approaching apogee and had turned to Hollywood at just

the right moment, as sound came in, permitting them to comment on America through a variety of noises, spoken and unspoken. With his eye for detail, sharpened at Brown, Perelman helped them turn sociological observations about the wealthy into gold, first in *Monkey Business* (1931), then in *Horse Feathers* (1932).

That alone would be enough of a literary legacy. But one of Perelman's enduring friendships was with another Jewish student, named Nathan Weinstein.¹⁶ Weinstein had grown up wealthier than Perelman, in New York City, but had overcome a few obstacles of his own. He was called "Pep," sarcastically, because he exhibited so little energy as a child (the name came at summer camp, when he slept for a day after a modest hike).¹⁷ High school had also proven to be too much of a challenge for him, and he had dropped out, making it unlikely he could attend Brown. But he had secured admission to Tufts University, outside Boston, not yet as reputable as it later became (its mascot was Jumbo the circus elephant, in deference to P.T. Barnum, a major donor).¹⁸

However, Weinstein's grades there were not good – his performance in French was so execrable that he received a "double F." He was asked to leave and had few options until he happened upon the idea of transferring to Brown, sending the much better grades of a different student, also named Nathan Weinstein.¹⁹ That implausible ruse worked, and given a second chance, Pep did not waste it. He entered Brown fully accepted, accredited, and ready to go.

But despite his wealth, he too fell short of full acceptance in the fraternity-dominated world, and spent most of his time at Brown with a small circle of friends who loved writing, including Perelman. They daydreamed about words and pranks (Perelman talked Weinstein out of a plan to turn a rare elephant folio in the John Hay Library into the top for a coffee table).²⁰ In a rare burst of activity, he secretly wrote the speech of a classmate, Quentin Reynolds, who had been elected to give the Spring Day speech. As Reynolds later remembered,

He labored long and hard and brought forth an amazing satirical dissertation. I didn't understand a third of it, but dutifully I memorized it. Part was in Greek, part was in Latin and part in what we call "double-talk" today. It had a continuity of sorts – its theme concerned what one would find if one could discover the actual wooden horse of Troy and penetrate the inside of the animal.

That inside contained a menagerie of fantastic creatures, all of whom turned out to be unsuccessful authors. Much of the speech made it into a later novel, *The*

*Dream Life of Balso Snell.*²¹

Weinstein continued to reinvent himself, first as Nathanael von Walenstein Weinstein, and, finally, as Nathanael West. Perelman wrote of his shape-shifting friend, “I love his sudden impish smile, the twinkle of those alert green eyes, and the print of his cloven foot in the shrubbery.”²² They grew closer after graduation, when they moved to New York City together to conquer the fortress of American literary culture. For a while they lived together as part of a group of Brown friends, all writers. Quentin Reynolds was among them, and he co-wrote Perelman’s second book, *Parlor, Bedlam and Bath*. Another was a young woman who wrote advice columns in the *Brooklyn Daily Eagle* under the byline “Susan Chester.” This source lit the fuse that led to West’s great novel about the people who write in to newspapers.²³

In other words, two of the greatest works of the 1930s were germinating in that house of sarcastic Brown alumni – *Horse Feathers* and *Miss Lonelyhearts* (1933). Indeed, the Huxley College of Horse Feathers may have been modeled on Brown (a wonderful song and dance routine by Groucho, “I’m Against It,” looks at the world with a certain constructive irreverence). Perelman eventually married West’s sister Laura, who also called herself Lorraine, and attended Pembroke College from 1928-29. *Miss Lonelyhearts*, in addition to its stature as a great American novel, bequeathed the name “Homer Simpson” to later generations.²⁴

1

On the experience of Jewish women at Pembroke, see Karen M. Lamoree, "Why Not a Jewish Girl? The Jewish Experience at Pembroke College in Brown University," in eds. George M. Goodwin and Ellen Smith, *The Jews of Rhode Island* (Waltham: Brandeis University Press, 2004), 139-46. Lamoree identifies the first as Clara Gomberg, class of 1897. In the Encyclopedia Brunoniana, Mitchell identified Israel Strauss (class of 1894) as the first Jewish student at Brown in the modern era. Mitchell also did valuable research on Brown's earliest Asians, including Sau-Abrah from Burma (class of 1877), Heita Okada from Japan (class of 1895), and a group of five Chinese students who attended Brown in 1906 but did not graduate. A helpful chronology is given at <http://www.brown.edu/campus-life/support/students-of-color/history>. Ethel Robinson (class of 1905) was Pembroke's first African American woman.

2

Not every writer in Rhode Island could sharpen his or her pen at Brown. Some did their work in the penumbra of the university, such as H.P. Lovecraft, the great horror writer. As a young teenager, he stared at the heavens through the telescope at the Ladd Observatory at the invitation of Professor Winslow Upton, and his earliest writings were about astronomy. He always expected to someday attend Brown, and nearly did in 1908, but poverty and a nervous constitution intervened, and he spent most of his life near, but not actually at Brown. One of his final dwellings was at 66 College Street, on the site of the List Art Building- in fact, Brown was Lovecraft's landlord. For more information, see S. T. Joshi, *A Dreamer and a Visionary: H.P. Lovecraft in His Time* (Liverpool: Liverpool University Press, 2001); H.P. Lovecraft, *Lord of a Visible World: An Autobiography in Letters*, eds. S.T. Joshi and David E. Schultz (Athens, OH: Ohio University Press, 2000). Lovecraft wrote (89) that he "liked the cloistral hush of the Brown University campus, especially the inner quadrangle, where in the deserted twilight there seemed to brood the spirit of the dead generations."

3

Tom Teicholz, ed., *Conversations with S. J. Perelman* (Jackson, MS: University Press of Mississippi, 1995), 48.

4

Dorothy Herrmann, *S. J. Perelman: A Life* (New York: Putnam, 1986), 24.

5

Years later he found one of the books he had taken out from the library and recognized "the very smear of chicken fat that my greasy fingers had imprisoned on the flyleaf." Teicholz, *Conversations with S. J. Perelman*, 48.

6

The same professor, Benjamin Crocker Clough, would help conceive of Josiah Carberry.

7

Teicholz, *Conversations with S. J. Perelman*, 29.

8

Laurence B. Chase, "S. J. Perelman and Nathanael West: Two for the Hee Haw or Tender is the Blight," *Brown Alumni Monthly*, February 1971, 12-17.

9

Teicholz, *Conversations with S. J. Perelman*, 66; Herrmann, *S. J. Perelman: A Life*, 26. Herrmann uses the year 1916 to describe Perelman's early encounter with the Marx Brothers, but this seems unlikely; he was only twelve at the time.

10

Teicholz, *Conversations with S. J. Perelman*, 72.

11

Herrmann, *S. J. Perelman: A Life*, 28, 31, 39-40.

12

Ibid., 41.

13

Ibid., 40.

14

Ibid., 44.

15

Teicholz, *Conversations with S. J. Perelman*, 50.

16

Herrmann, *S. J. Perelman: A Life*, 49.

17

Ibid., 32. A brown classmate, Quentin Reynolds, wrote, "Pep was perhaps the most inappropriate nickname ever given to a man, for Weinstein was slow-talking, slow-moving and proudly lazy. He was tall, stoop shouldered, he took part in absolutely no Campus activities, and he studied just enough to get by." "When Pep Was a Ghost," *Brown Alumni Monthly*, December 1957, 8.

18

Marion Meade, *Lonelyhearts: The Screwball World of Nathanael West and Eileen McKimmy* (Boston: Houghton, Mifflin, Harcourt, 2011), 47.

19

Ibid., 50-51.

20

Teicholz, *Conversations with S. J. Perelman*, 69.

21

Reynolds, "When Pep Was a Ghost," 8-9.

22

S. J. Perelman, "Nathanael West: A Portrait," in Jay Martin, *Nathanael West: The Art of His Life* (New York: Farrar, Straus and Giroux, 1970), 12.

23

Herrmann, *S. J. Perelman: A Life*, 49, 56.

24

Ibid., 54.

Romek's Odyssey, Part III:

Auschwitz, Rydultau, and Mauthausen

Ray Eichenbaum

Readers, if possible, please gird yourselves. With these excerpts from the author's autobiography, the plight of the Eichenbaum family only worsens. Alas, next year's issue of *The Notes* will bring one more chapter of wrenching and retching testimony. Rest in peace, dear author.

It is indeed ironic that in late 1944 we were only about 120 miles from the mighty advancing Russian Army. Had it not been for political machinations, be they by Stalin or the Polish government-in-exile based in London, we might have been liberated in great numbers. But due to these many factors, it was not to be.

As if the Almighty did not intend that. He would rather, in his wisdom and mercy, play with our lives like with spinning tops. He spun each top individually; most tops fell to perish forever. Only some of these spinning tops he picked up again to go spinning somewhere else in future life. But such was our fate.

The day of August 25, 1944 arrived, and the three Eichenbaums, dressed up in their finest clothes, appeared in front of the dreaded Hans Biebow-Himmler's son-in-law. He saw a young Jewish girl, pretty, with black hair, round face and worried, dark eyes. Next to her was a tall young man in a fireman's uniform, red hair, and drawn face worn from the struggle to survive the ghetto. Next to him, a 13-year-old boy with red hair, blue eyes, wearing knickers. The Nazi, who might have been a decent man had the war not created the opportunities to make him the disciple of the Devil on Earth, passed by, stopped for a moment, and had a twinkle of decency in his eyes, thinking maybe I should let these three stay. But he quickly changed his mind and continued on this monstrous selection for life or death. So close were we to the point of remaining in Lodz and perhaps surviving together.

But it was not to be. The next morning we were to report for transport.

That evening, our last as a family, we sat together in the darkened kitchen, just holding hands and appreciating being together. Not much was said.

Just memories of when we were small, together with Mama and Papa. We went here and there. We did this and that. Small talk. Just appreciating being together that evening, for the last time.

Bronia's heroism and devotion to her brothers knew no bounds. On the train to Auschwitz, she told us that she was asked by the ghetto administration to remain with the cleanup crews. But she refused when she learned that her younger brothers could not remain as well. When we questioned her, why she refused such a gift, she just replied, "I could not stand to part from you at such a time. A few hours of our being still together is worth more than everything."

On our last ride from the ghetto we passed the Jewish cemetery, neglected even then, but so dear to us. We left Mama and Papa there. Why did they leave us? Are they better off than we? Than this?

Auschwitz

When we arrived at the siding in Lodz, the Germans and Jewish police were quickly rounding us up, counting us into freight cars at 175 to each car. We were herded up on wooden planks into the unheated, simple wagons used to transport cattle. It was horribly hot. People were shoving, calling their loved ones, wanting to stay together. Somebody fainted. We revived her with cold water from a canteen. The side doors were closed shut. Our view of the world was gone.

We heard shots fired. We pushed, shoved, but finally everybody established his territory. We awaited the departure of the train, not realizing even then in the heat and stink of this packed freight car that we were spending our last hours together as a family.

Hours passed slowly. We finally got moving around midnight. We shared our meal. We got to know our neighbors. They were all helpless humans, just like us. We rode for hours thinking about our future. What would await us there?

Exhausted, we fell off into a momentary sleep only to snap out of it with tremendous anxiety. Were we there yet? People were urinating on the floor. The stink became unbearable. We, the strongest, held it as if to show our aesthetic values in life. But we groaned and moaned like the rest.

Finally, after a 29-hour ride, the train stopped. We heard shouting and orders in German. Shots rang out here and there. After a while the side doors were opened, and we were herded out onto a siding. "*Raus, raus*" – get out! We were being clubbed with rifle butts while we hurried out of the stinking cars.

There was not even a moment to say goodbye.

The women were taken to one side, the men to another. I squeezed Bronia's hand for the last time, saying, "*Dowidniz Kochanie*" – meaning goodbye, I love you. I hung onto Moniek so as not to lose him. A prisoner from the "Canada" crematoria section, a Dutchman from Rotterdam, talked to us in broken Yiddish. As we tried to hold on to our bundles, he told us not to be concerned with our baggage. "Over here you don't need anything. You'll do well to survive naked. This is a very bad place." He pointed to the smoke of the burning, pyre-like structure, where bodies were piled up for burning. Another similar pyre was ablaze next to it. It was a sight like those in today's science fiction movies. As we were being lined up and marched off to a clearing nearby, a shot exploded next to me. A man who went berserk from all of this tumult was shot to death right next to me. The sound of the explosion deafened me and put me in a sort of trance. I went through the motion of lining up and marching, as if in a dream. But Moniek held on to me, and we were in line for the selection.

I saw in front of me a young, blond SS officer who was leaning over with one of his legs straddling a pine log. He must have been no more than 17 years old. There was a small horsewhip in his hand. We marched up to him, four abreast. He motioned to some of us to go to the right, and some to the left. I stood in front of Moniek, trembling.

Just at that moment that I approached him, the legging of my nicker let go. He barked out to me in German, "*Haben sie ein kurzeren Bein?*" "Do you have one leg shorter than the other?" I hurriedly lifted up the legging of the knickers and said, "*Aber nein,*" and stretched my leg to show him that I was not crippled. He motioned me to the side where Moniek had already gone. I was relieved. I did not realize how close I was to going to my God at that moment.

We were marched off to the front of a large building in the woods, where we stood for hours, lined up, and not permitted to talk. Finally, we were herded as a group into some large area inside the building, where we were told to leave all our possessions and strip naked. After about 30 minutes, we heard a bell ring, and we were shoved into a large shower area. The doors closed with a clang. We looked into the shower nozzles, not knowing what would emerge from them. We were greatly relieved when ice-cold water came out to quench our quivering hearts.

I now see that the shower area was the demarcation point between life

and death. Most of the time the nozzles dispensed cyanide gas.

After the showers, our hair was sheared very crudely by fellow prisoners. Other inmates, who were women and Czechoslovakian, were sorting out the clothes and the possessions for the greedy Germans, who were closely watching for gold, jewelry, and other valuables.

Outside the shower hall, while standing in our “new” lightweight gray-and-blue-striped prisoners’ outfits and our thick-soled wooden shoes, we saw a group of naked, head-shaved girls pass about 150 feet away. They looked so much alike. There I spotted the lovely face and white body of my beloved sister, Bronia. It lasted only a split second, but it is a sight I shall retain in my memory for as long as I live. As her lovely vision passed from my view, I whispered quietly, “Farewell, my pure love.”

From the disinfecting station, we marched to *E-Lager* (Camp E), which had been named for Gypsies, the original occupants, but they had been exterminated. In the barrack, there was a stove-channel running through the middle of the building, which had been used to heat Polish cavalry horses in winter. We were soon told by the Capos that, for camp administration, we “did not as much as exist yet” for 36 hours. Thus no food or even coffee was drawn for us.

The Capos harangued us and swore at us while walking up and down the oven top with whips. Then they mercilessly beat up a few healthier-appearing prisoners while demanding us to hand over any gold, diamonds or other valuables which they thought we might have smuggled through processing.

The 36 hours of hunger stands out in my memory. It was an unbelievable hardship under the most difficult conditions of fear, uncertainty, and anticipation of the worst. Lying on the ground was forbidden. Moniek and I resorted to sitting on the ground, “back to back,” so that we would not fall over, and also to provide one another with heat.

We were finally given meager rations and then assigned to a “block” in the E-Camp. At dusk, after the last *Appel* (count-off), we were driven into the barracks, where a coarse, straw rug was spread on one side of the middle oven. There we slept, one next to each other, without any cover. If you had to relieve yourself, it was a perilous journey. Only two at a time could enter the crude latrine.

In the early morning, we were driven out of the barracks double-time, with the hated Capos whipping us along the way. After numerous count-offs, we

stood at attention until the morning ration, which consisted of a piece of dark, stale bread, a little square of margarine, and some ersatz coffee from a canteen which we would share with nine others. After cleanup chores, the selections would start at about 10 a.m.

Some German civilians accompanied by SS would order us to disrobe to our britches, and the “masters” would proceed to choose the healthier-looking men for work. Somehow, rumors would spread about a “good” selection. Because we were not identified by any tag or number, there were always more men at a “good” selection than were initially in the block. This would invariably lead to many beatings, when the Capos would have too many men during the count-off.

There were also the “bad” selections, when Nazi doctors would pick the “*musilman*” for “quick dispatch” to the gas chambers. Another torturous selection was for the “*jugentliche*,” the children and youngsters who would be selected to go to the “Kinder Block.” As I recall, it was Block 24. Once you were there, you were a “goner.” This affected me especially, because of my age, and I had to be quick and lucky to scamper away from this selection.

We were in Oswiecim, Polish for Auschwitz, perhaps six days when a remarkable thing happened one morning. As we were standing and waiting a selection, all of a sudden air raid sirens sounded, and we were made to lie down on the side of the hardtop road alongside our barrack. We heard the sound of airplanes and we could even see them high in the spotlessly blue sky. The flak defenses started to answer. We were witnessing a bombardment. It appears that Allied planes were trying to hit the *Buna Werke* (rubber plant) of Monowitz, about 20 miles away. They had made a mistake and were dropping bombs close to the camp. Amidst all this, we, the bedraggled prisoners, started to clap *Bravo* upon hearing the clasp of the bullets and bombs coming down.

The SS were very upset and shot warning shots in the air. Many a beating resulted when the air raid came to an end. If this was not an act of resistance, then what is?

After eight days in Auschwitz, during one morning selection, two German civilians picked Moniek to go on a work transport to Glewitz. Upon questioning what he could do, he answered that he was a lathe operator, and he was put on the “good” side.

They did not pick me, and I felt that my world had come to an end. I was so “down” and resigned that I did not even stand in line to get my soup that

noontime. I was just walking as if in a trance, not caring what would happen. The afternoon passed.

The next day there was going to be a “bad” selection to pick children for the “Kinder Block.” I decided that I was not going to try to get away from this one. My resignation and desperation reached their zenith. As we were driven into the barracks for the night, I slovenly went through the motions as usual. I even ate my evening bread and watery cabbage soup. As I was falling asleep, I fervently hoped that I did not awaken the next morning. I must have cried myself into exhaustion because a deep sleep came over me that unforgettable night.

Imagine my surprise when upon awakening the next morning when I saw Moniek right next to me as usual. At first I thought I was dreaming. But no. There he was in the flesh. I started to ask, “How come you are here? What happened?” As we were driven to the *Appel-platz*, he proceeded to answer my question.

“You see,” he said, “I didn’t want to go on the transport so I exchanged the striped suit for civilian clothing with a willing prisoner, and I stole my way back into the barrack in the dark.” I fell into his arms, not knowing whether to cry or laugh. Imagine my brother’s heroism. He obviously could not stand the separation from his younger sibling and thus risked his life to exchange his place with a more than willing Jew. Had he been discovered, crazy Germans would have killed him on the spot. Maybe some external power intervened in this whole drama.

From my experience in the camps, it is ironic how very little we really need to dress and even how little is needed to protect a human being from outside climatic conditions. It appears that the predominant influence in one’s reaction to temperature is conditioning. We were cold at first. I distinctly recall the first few nights in late September when I was shivering all the time. Somehow, it got better with time. Naturally, many perished from influenza, pneumonia, and other diseases, but this was not so prevalent in the camps. I think that the malnutrition and starvation had greater influence on the warmth of the body than did the clothes we wore.

Otherwise, no one should have survived a particular day in January 1945, when we were made to load bricks onto lorries in the concentration camp at Rydultau. The weather was so miserable, with temperatures falling to around the freezing point, and wet snow was falling. We were thoroughly drenched and

almost frozen. I was crying for no apparent reasons, maybe just from being so uncomfortable, freezing on the outside while perspiring on the inside. But even under these conditions, most of us did overcome this climatic condition with minimal protective dress.

Alas, the poor women. The basic outfits they were given tended to make them look older and haggard. Despite that, on the rare occasion when we would see our women in the camps, they looked beautiful to us.

Perhaps once a month or every six weeks, we were given a change of our basic uniform. That was done while undergoing a massive dose of DDT. I looked forward to this way of making sure that the little vermin did not get me. In all the times I was in the camps, except for the initial entry, we were never given a bath or a shower.

Upon learning that a “good” selection was about to take place, Moniek and I sneaked into the next block. We lined up half-naked, presenting ourselves as healthy looking as possible. Two German civilians picked Moniek. When it came my turn, I shouted out that I was a metal worker and had experience as a grinder in the Lodz ghetto. The shorter civilian said, “*Nein du bist zu klein,*” meaning, “You are too small.” Again, as if by some miraculous intervention, the fat one said, “*Aber nimm ihm doch,*” meaning, “Oh, go ahead, let’s take him too.” Moniek and I were very lucky. But, alas, it was not over yet.

When we were being prepared for mustering out from Auschwitz, a group of men were selected for tattooing on the arm. When given a tattoo, one was registered as an “official” slave of the German Reich. Somehow, the SS man in charge of tattooing did not believe that I, being so small, was selected on this transport, so he separated me from Moniek beyond the roped-off area.

I do not believe in miracles, but that is what happened next. Although it was only approximately 3:30 in the afternoon, a sudden darkness, caused by a rainstorm, was sweeping the area. When an SS guard passed our area, Moniek told me to start crawling on my belly to get to the other side of the ropes. I mingled into the group of men receiving tattoos, and after a while we were both tattooed. Moniek was number B-10307, and I was B-10308. B stands for Birkenau, the German name for this part of the sprawling Auschwitz murder camp.

If this whole story sounds unbelievable to the reader, the writer concurs. But it did happen in October 1944 to a small Jewish boy called Romek.

All told, Moniek and I were in Auschwitz for just over three weeks. What

I saw there will last me a few lifetimes. The macabre sights, the mentally disfigured people who treated and mistreated us there. I have very few words for them. I saw the cruel, sometimes bestial, interplay of naked forces in humans. This cauldron of primordial brutality was set into existence by murderers and criminals. Sitting amongst all this was the household of the camp *Kommendant*, who had children, dogs, and even chickens running about in his fenced off grounds. The disparity of such scenes was almost too grotesque for human eyes to behold. All this remains in my memory like pictures in a kaleidoscopic horror show, the contents of which no human should be ever made to see, I fervently hope.

All these memories make me feel that I was not actually there, but that I somehow passed thought that place as a ghost on somebody's protective wings. Whenever the dire hand of extreme danger tried to pull me in, I was withdrawn from that spot as if by a magic wand.

And what of the fact that I did come through, a small 14-year-old, who was not very aggressive and had no street smarts? An innocent in hell!

When I think back to those days in a rational manner, I imagine Auschwitz as a sort of slaughterhouse. But a slaughterhouse usually has a product that is sent out. What was the product here? Human hair? Soap bars (pure Jewish fat)? No, that wasn't it. The product was the killing process itself. A sort of satanic witches' brew with an ever-evolving stream of vapors which represent, in my mind, the wallowing of the unruly, painful, human condition on this Earth.

Were not Auschwitz, Majdanek, and Treblinka, the places of the Akeda, the mountains on which Abraham was really willing to sacrifice his son Isaac to prove his obedience to the powers above? Will this be the final cleansing? Oh God!

Rydultau

To the last second of my presence at Auschwitz, I thought that someone would pull me off the truck, but the hand that seemed to hover over me was still above my head. We were on the way to Rydultau in Polish Silesia.

Somewhere on the trip by truck from Auschwitz, we stopped because our guards wanted to refresh themselves. In the half-lit proximity of the place, I spotted a sign in German, which I thought read "*gas hause*." A brutal fear came over me. The thought that went through my mind was this is for sure the end now. To my relief, Moniek told me that the sign read "*gast hause*," which meant "inn."

We were destined to work in a coal mine, which was located about a mile-and-a-half from the camp being built. As the first ones to arrive, we were assigned eight to a room, which had four bunks and even a table and two benches. Paradise! During the first few weeks, we were made to dig, shovel, and rake. I even became a bricklayer. Our guards were *Wehrmacht* (regular army); only the officers were SS.

The first month, as we were building a new encampment in the opposite end of the town, about four miles away, was almost benign. We caught glimpses of the local population, even sights of women, who were by now a novelty to us. As Silesians, they spoke German interspersed with Polish.

Moniek was made to go in the shaft of the mine, which bore the name “Fatherland.” At first, I remained above ground to work at various chores, such as cleaning rooms and latrines. Sometimes I was picked for kitchen duty detail, a plum of a job these days.

It could not be said that all the Nazis were the same. Some guards would swear at us, insult us with words like “*Sau Jude*” (pig of a Jew) and “*Schweinhind*” (pig dog). However, there were guards who could not hide their humanity, even their intelligent upbringing. Once, when standing in line and shivering, I was startled when a guard, who was mild in appearance, told me in the polite manner “*Gehen sie jetzt*” (now you go) in the third person, a very polite form of German. Also unforgettable were Sunday mornings, when there was no work and the camp *Kommandant* had an inmate, who must have previously been a cantor, sing songs and operatic arias in front of us in the yard while he listened through the open window of his room. For this, the man was rewarded with an extra helping of soup.

On weekday mornings and evenings, our diet consisted of a piece of bread with margarine with ersatz coffee. At midday, we had watery cabbage. On Sundays we got the usual bread rations, but at noon we received a thin porridge and three small potatoes doled out separately. What a kingly feast!

When the new camp was finished, it was more of a concentration camp, with periodic selections and visitations from the main camp at Auschwitz. These we dreaded since any sign of illness or weakness meant being sent back to Auschwitz to a sure death.

During one selection, I recall being severely kicked for some imaginary sin by a Silesian *obersharf-führer*, who was drunk. I can still feel the pain in my

behind. The remarkable thing about this same SS man, who often talked to me in broken Polish, was that he practically saved my life in the concentration camp at Melk, in Austria, to which both Moniek and I were sent. There I was assigned to a kitchen detail.

We stayed in Rydultau from the end of November 1944 to approximately the end of February 1945. The work inside the mine was hard for Moniek, and his body started to look emaciated and his face gaunt and boney. He was made to load coal onto lorries with a shovel, under the constant supervision of guards. I started to worry about him.

My work in the mine was easier, although more dangerous. My job was to place thick sticks of dynamite into the “advancing” tunnel wall. The ride on the elevator down took about two minutes, and we were made to work nine-hour shifts. I preferred to be picked to work inside the camp on other details, such as unloading lorries of bricks. When it came to selections, however, it was safer to be working down in the mine shaft.

Although conditions in this small camp were not as bad as in some others, there were only 280 of us “slaves” here. The heavy work and the meager food rations, which were probably in the neighborhood of 500 to 600 calories per day, took a tremendous toll on our bodies. More and more “fell” to the doctor’s selection every week. At first one would get that gaunt look in the face and then, as tuberculosis set in, your body would turn skeletal.

The most dreadful thing happened in January 1945 with a transport of Greek Jews from the island of Crete. They were all brawny, swarthy, dark-complexioned fellows with normal, heavy physiques. They somehow spoke Italian, not Greek, to one another. The severe winter climate plus the lack of nourishment took them as if by storm. By the time the camp was liquidated of 80,000 fellows, only five Greek Jews remained. How tragic and unexpected the end came for most of them.

Rydultau was the camp where I had the pleasure to wipe the boots of Heinrich Himmler, though I did not know that they were his at the time. During one of numerous camp inspections, when I was employed as a “*stuben dientst*” (an orderly inside the camp), and an “elite” inspection took place, he extended his muddy, booted legs for me to wipe with a cloth. He looked down at me imperiously without saying a word. I looked up at him once and then proceeded to wipe the mud clean. His boney face filled me with fear. To me it was the personification

of the skull bones, the insignia of the SS, the Face of Death personified.

As we went into February and March 1945, we started to hear rumors of camp liquidation. A dreaded fear entered our collective hearts. Any change was usually for worse. Our hearts were yearning for liberation, but our senses, hardened by the realities around us, feared that as long as the SS were around, they would not permit us to become free, ever. From talk among the camp guards, we got the idea that the Nazis were being routed. Their main concern was also to stay where they were, instead of being sent to the Russian front.

Sure enough, one Sunday afternoon, we left the camp and proceeded to march west towards the Oder River, which, before the war constituted a natural boundary between Germany and Poland. No sooner were we out of town when a mean snowstorm came upon us, which made any visibility impossible. After an abrupt halt, the camp commander decided that we'd better return to camp. If there ever was a chance to escape, that was the time. However, when I looked at my brother's emaciated body and face, any thought of escape quickly vanished.

The next day, a Monday, we, a bedraggled mass of humanity, hungry and dirty, marched out of the camp again. We went along small country roads through nice, small, clean villages. The Poles who saw us were indifferent and just turned their heads and went about their business. Germans and Germanized Poles would curse us and even spit on us while throwing Jew epithets or swear words at us. But not even one person threw bread. We marched or dragged one another forward and forward. When darkness fell, we lied down upon the cold ground and huddled together to retain some heat among us. We fell asleep, the sleep of lost souls.

The next morning, after getting some cold ersatz coffee into our canteens, but without rations, we proceeded forward. The first shots rang out to the rear of our column. We knew we did not want to look back. That was the end of the weak, the infirm, the resigned. All of a sudden, Moniek approached me with a piece of meat on a bone. I eagerly took a couple of bites, then some more. The venison had a sweet taste. When I asked him where he got it, he answered, "Remember the dog?" This was the Lager *Kommendant's* dog that had been hit in the night by a passing automobile.

We schlepped until we saw the Oder River form afar and then crossed it. We were loaded onto completely open freight cars, which usually carried cattle. Soon we were on our way, perhaps 90 men to a car. When it snowed, we were wet.

There were no latrines or kitchen. We only heard the shouts of our guards.

After 12 hours, someone died and they heaved his body out of the moving train. And then a miracle. We stopped somewhere and out of the blue some hands threw some boiled potatoes into the wagon. We didn't know who, but we heard shouts in Czech. We scrambled after the hot vegetables from above- the gifts of wonderful people. Moniek and I were quick and lucky enough to gather about five of the potatoes, which we quickly devoured.

Mauthausen

After a few hours, we arrived in Amstetlen, Austria. Driven out of the wagons, we then started to march up a hill and reached our horrible destination, Concentration Camp Mauthausen. This, a well-established place of slaughter and human misery, gathered us in as just another pulsating mass into its festering inferno.

After initial selections and showers, we were assigned to barracks, which were just evacuated by Russian prisoners of war. We heard gruesome stories about the Nazis' treatment of these poor human beings. They were starved, beaten, and degraded to such an extent that mass suicides by throwing themselves on electrified fences were common occurrences. How such a culture-loving nation like Germany could allow such bestialities upon honorable soldiers of warfare is still unbelievable to me to this day. Suffice it to say that when we got there, we expected the worst.

To begin with, we were squeezed into barracks in such numbers that it was impossible to lie down at night. Thus we were made to sleep in a sitting position. Every night spent there was a chamber of horrors. Fortunately we were there not too long- about two weeks.

My recollections about these days are clouded with the great pain that remains in my heart about my dearest brother Moniek. One afternoon in that miserable barrack he fainted in my arms, his worn, tormented, and starved body could hardly stand the harsh treatment any longer. He came to pretty quickly and still managed to give me an encouraging smile and said, "What happened?" Right then and there I knew that things were not good with my brother.

After this, my brother started to talk to me to prepare me for what seemed to be inevitable, our being separated from one another here. He kept on saying, "Now look, Romek, you cannot lose heart if we are to be apart. Don't go

into a state of depression as I'd found you yesterday. It will be only for a short while. The Nazis are losing the war. We must survive. We'll be together again. Free... very soon." I promised him that I shall be brave if that were to happen. But in my heart nothing had changed.

One day we were selected for work in the Mauthausen quarry. How we managed to survive that day carrying stones up those 72 or 73 steps still remains a mystery to me. We helped each other as much as we could by making quick stops, exchanging loads, and generally giving words of encouragement and hope. I think that somebody must have been merciful, because in the afternoon we had such a downpour that they suspended work at the quarry early. After that, we used all the "tricks of the book" to avoid being selected for the quarry, even by volunteering on such unpleasant details as latrine cleanup, road repair, and unloading lorries.

Then one cold day in February 1945, we started to hear rumors that our camp had to be evacuated. And sure enough, in quick order, that afternoon there was a "selection." To my bitter despair and disappointment, the SS officer in charge selected Moniek to go to one side and me to another. Despite our attempts to reunite, my group was quickly taken away and given a shower and a change of uniforms. Everything happened so quickly that I hardly had a chance to experience the impact of my separation from my brother.

That same evening, we were loaded into open freight cars and, as the train was slowly pulling out of Mauthausen, I saw my beloved brother Moniek for the last time. The train halted and I must have been shivering from my despair as well as the bitter cold. The last heroic act of Moniek, whose pure soul must be in Heaven if there is such a place at all, was to throw his own jacket to me onto the train. The last I saw of my unforgettable only brother was his frail, almost emaciated, small figure standing there forlorn, waving goodbye. And the beating he must have incurred for being found without a jacket.

To my last moments, I shall believe that it was the act of the Almighty who caused our last separation. In His exalted wisdom, He did not want me to see Moniek die in my arms. He spared me. He removed me from the scene.

In 1954, after a long sustained search, I received a notification from the International Search Service in Arolsen, West Germany, which stated that Moniek, born Maurycy Eichenbaum, had died of typhoid in the Concentration Camp Ebensee, Austria, on 28 April, 1945 – a week before World War II ended.



IDENTIFICATION PASS

Date January 12, 1943 No. _____

PASS Mrs Gertrude Goldowsky (Name) Wife (Relationship)

To and from Camp Shelby, Mississippi with Camp Regulations.

Bearer's Signature Gertrude Goldowsky

APPROVED: Charles H. M.C. Person
Adjutant General (Dis.)

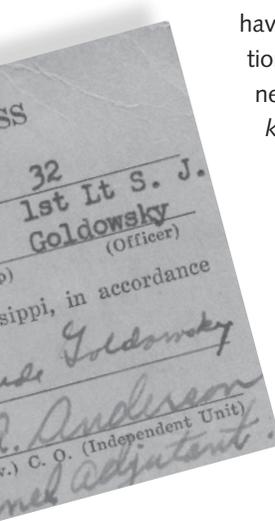
Beginning My Career, Part II: *World War II*

Seebert J. Goldowsky

As we know from the first part of his oral history recollections, Seebert (1907-1997) struggled mightily to join the military and put his hard-earned professional skills to appropriate use. After serving more than three years as an Army surgeon – about half that time in the Pacific Theater – he was able to concede that he had fulfilled his patriotic duty. But he never considered himself a hero, and he never complained that the war had probably stymied his career’s advancement.

Seebert acknowledged, however, that his wartime service had been somewhat damaging because of the heavy burden it placed on his young wife, Bonnie. Yet, their absence from each other also probably brought them closer together.

It may be surprising to learn that Seebert did not feel spiritually challenged or threatened by constant scenes of death and carnage. Indeed, such scenes may have steeled his fierce intellect, resulting, eventually, in his extraordinary devotion to Rhode Island Jewish history. But this citizen-soldier never found any need to boast about his academic accomplishments either. Old friend, we’ll *kvell* for you.



Around September 1, 1942, when I was 35 years old, I was ordered to proceed to Camp Shelby, in Hattiesburg, Mississippi, to join the 97th Evacuation Hospital. I left Providence on September 24th on *The Southerner*, an early streamlined sleeper train, to Washington, D.C., where I arrived early in the evening. It was already dark, but this was my first time in the nation’s capital, so I walked around for a few hours in the moonlight. It was a thrilling experience.

On the train to New Orleans, I was awakened at 4 a.m. A military policeman, who was an enlisted man, told me that I would either have to button my jacket or take it off because I could not have it partially buttoned. Always saying “Sir,” he also told me that my medical corps insignias and the U.S. letters on my lapels were not lined up correctly. So I had to fix these too.

When I arrived in Hattiesburg on September 26th, I was met by a com-

mand car, which resembled a touring car rather than a Jeep, and was taken to my outfit at Camp Shelby. With three other officers, I was assigned to a cabin, called a “hutment,” which was located in a pecan grove. One of my roommates was a young pediatrician from Yakima, Washington. He had at least one child, but was already divorced.

We physicians received about three months of pretty rough basic training, which resembled that of enlisted men. We had field exercises, studied elementary tactics, and learned military courtesy. We also received lectures about day-to-day medical duties in a hospital.

The men of the 97th Evacuation Hospital came from all over the country. Coincidentally, one medical administrative officer came from Fall River. Some hospital units were kept together, however. For example, the 48th Evacuation Hospital, which consisted of men from Rhode Island Hospital, maintained its identity through the China- Burma-India Theater.

One exciting event occurred when FDR visited Camp Shelby. He was making the rounds of various encampments. We were ordered to stand at attention when his cavalcade passed, so perhaps I caught only a glimpse of his face as his car drove by. Frankly speaking, I was a Republican, so I never had deep personal feelings for him. I do remember going to see General Eisenhower at Union Station in Providence when he was running for President in 1951.

Of course we had no idea where we would be sent- to the European or Pacific Theater. Evacuation hospitals, which had about 100 enlisted men and about 40 medical administrative officers and physicians, were usually established in a combat or a communications zone. In addition to surgeons, there were X-ray men and a dentist or two.

In January 1943, we went on about six weeks of maneuvers in Louisiana, where we simulated the treatment of casualties. After returning to Camp Shelby, my commanding officer told another surgeon and me that we were being reassigned to the 30th Evacuation Hospital, a unit primarily from Houston, which would soon depart. So the two of us were immediately sent for six more weeks of maneuvers.

Some of the medical officers chose to bring their wives and even young children to live in nearby apartments. I didn't want Bonnie to be subjected to continual moves and readjustments, so she stayed home with my sister and worked at the Shepard Company. In January, however, Bonnie did come down

and stayed in the Forest Hotel in Hattiesburg. Later, when I was sent to Camp Barkeley in Texas, she stayed at the Hilton Hotel in Abilene. We'd spend evenings together and, because it was hotter than all hell there, we frequently went to the movies, which were air-conditioned. Then we went to a drug store or a soda fountain and had lemonades. Bonnie stayed only briefly because of our impending deployment.

The 30th Evacuation Hospital went by troop train to Camp Stoneman, in Pittsburg, California, about 25 miles east of Oakland. Unfortunately, we were also told to bring all of our winter clothing, including overcoats. We knew by this time, however, that we were going to the Pacific, so all of the winter garments had to be stored. At Camp Stoneman, where it was also hotter than hell, we went through further training. This included climbing cargo nets to learn how to get off a torpedoed ship.

We spent some time in Oakland waiting for a convoy, and in September we boarded the *President Johnson*, an 18,000-ton civilian ship run by the Army Transport Service. Built in 1903 as the *S. S. Manchuria*, it was a massive ship, which had been powered by coal but was refitted for oil. There were 1,800 passengers, mostly Army Medical Corpsmen, who staffed the 29th and 30th Evacuation Hospitals.

Standing along the ship's rails, we watched San Francisco recede into the distance as we sailed under the Golden Gate Bridge. But something happened to the ship's bearings, so we were forced to return to Oakland for about ten days. Although we were marched around the docks to get some exercise, we felt mostly imprisoned by living below deck. Escorted by a corvette and a blimp, we eventually sailed under the Golden Gate a second time.

In order to avoid Japanese submarines, we didn't see land again for 30 days. Sometimes at night we could see a few lights in the distance, and these were probably the Marquesas and Mariana Islands. For the most part, we saw no bird life. Only once did we encounter a cargo ship coming in the opposite direction.

Like the crew and naval gunners, the medical officers took turns on watch. I also carried a belt knife, which could be used to slash the ropes of lifeboats in case the ship was torpedoed. I am definitely subject to seasickness, but never suffered a day of discomfort on ship because of a spell of good weather. Rather than tense, the atmosphere was mostly boring. There was no place to sit other than on the steel deck. There was no library, but men shared their paperbacks.

After 30 days we arrived in Brisbane on Australia's east coast. There were several ships already waiting for refueling. Unfortunately, we were not allowed on shore. In fact, it would be another 15 days before we could get off the ship, at Milne Bay, at the southern tip of New Guinea. The bay, 30 miles deep and surrounded by mountains 4,500 feet high, was the most magnificent place I'd ever seen. Because the bay was so deep, ships could come right up to the shore.

The officers and enlisted men were assigned to palm-thatched cabins that were open to breezes. This was essentially a rest area, where we continued our training exercises until January.

Our first operation, on December 26, 1943, was at the Battle of Cape Gloucester, on the westernmost point on the island of New Ireland. We were the medical backups for the First Marine Division's invasion. Parameter tents could hold cots for four men, and hospital tents could hold cots for 15 to 20 men. Up to 20 hospital tents could be used at one time. There were as many as 40 nurses – all women – who were second lieutenants. These were assisted by corpsmen. A few nurses were captains, and the nursing supervisor for the entire hospital was probably a major. They were extremely useful. Great girls really!

Yes, all the doctors I saw were men. I cannot say, however, whether there were any female doctors in the Army.

Battalion surgeons treated the casualties closet to the combat zones. We were stationed farther back, but the casualties we saw were fairly bloody. I saw dead soldiers, and I performed traumatic surgery, and of course I gave transfusions. There was always enough blood because we could always get more from volunteers among the enlisted men and officers.

We did surgery every day until the casualties stopped coming. We'd be on 12 hours and off 12 hours. You would also have to see your patients in the wards, as you would with any convalescent surgical cases in any hospital. Evacuation hospitals were forward of field hospitals. There were also mobile surgical hospitals, which had four surgeons and a small number of enlisted men. They carried their hospitals forward on packs on their backs. These surgeons opened skulls and abdomens. We respected those guys.

After treatment in evacuation hospitals, casualties would eventually go to a station hospital or a general hospital and then, possibly, to the United States. In the early years of the war, they were evacuated by ship, but later by plane. If the casualties recovered, they could also go back to their outfits.

In the late spring of 1944, my unit was transferred to another staging area, Finschhafen, on New Guinea. Then we were assigned to Aitape, on the island's northeast coast. We backed up the 43rd Division, which was from New England, so there were a lot of boys from near home. New Guinea was strategic because of its proximity to Australia, which feared a Japanese invasion. Incidentally, the Australians were great fighters.

Ironically, we had some Japanese prisoners as patients. They were mostly peasant types. Although I accumulated three combat stars for being in three combat zones, I never saw a Jap in anger.

As far as I was concerned, the commanding officer of the 30th Evacuation Hospital was a very miserable character, however. I'm sure that he was an anti-Semite as well. He gave me a grade of "very satisfactory" rather than "excellent," which prevented me from being discharged as a major. Instead, I was discharged as a captain. This has always been in my craw because I was entitled to be major. I had been in the Army for 39 months and overseas almost two years. It wouldn't have cost the commanding officer anything to give me an "excellent" grade. I was a qualified surgeon and always did what I was supposed to do. I never went astray.

In the fall of 1944, I was evacuated because of problems with my feet. It was my first time on a plane, a C-47. I was flown to the general hospital at Oro Bay, in southeastern New Guinea, where I was x-rayed. It was determined that I should not be reassigned to an evacuation hospital.

Instead, I was assigned to a casualty center at Hollandia, New Guinea. Then I was sent back to Oro Bay. Forces were being assembled for the Philippine invasion.

After receiving a two-week leave in Australia, which included stays in Brisbane and Sydney, I was reassigned to a new outfit, the 168th Evacuation Hospital. More coincidentally than not, its commanding officer was a surgeon from Boston's Lahey Clinic. So I took a ship back to Hollandia, which was an unbelievable site- a landlocked harbor practically solid with ships. You could walk from one to another. These were all American ships, from landing craft and cargo ships to combat vessels. Everything! They were headed for the Battle of Leyte in the eastern Philippines.

But I had difficulty reaching my new unit on a Liberty ship. The captain did not want to let me off. Eventually, I got to a surgeon in the Eighth Army, who was a major or a lieutenant colonel, who said, "We've been looking for you. We

didn't know where you were." I said, "Here I am."

So in the winter of 1945 I was flown to the 168th Evacuation Hospital, which was staging on the central Philippine island of Mindoro. We were headed for the western Philippine island of Palawan.

I remember the bombardment, which was spectacular. It was the first time that I saw cruisers and destroyers shooting missiles. We couldn't see the Japanese, but the troops went in on landing craft. They were very quick. I don't think that the place was too strongly held. We went in on the first day and set up the hospital. It was an awful place. We had to chop down all the vines to put up our tents. Yes, the medical officers were involved in the manual labor of getting this place set up. We had some casualties.

There was also a ward for Philippine Army troops. I remember getting very angry with a Philippine medical officer because he wouldn't take care of his own troops. He wanted to be equal to an American and wanted to treat only American troops. I said to him, "God damn it. I'm treating Filipinos, and you can for Christ's sake treat some Filipinos yourself."

For want of a rabbi, there was an Episcopalian chaplain who conducted Jewish services on Friday evenings. Even though I'm not a very religious person, I went to these because I thought that it was only right to support this guy. It was more on the Orthodox side, however. Having grown up at Temple Beth-El, I didn't know what the hell was going on.

While in the service, I was excused from paying Temple dues. But I wanted Bonnie to participate, so we did pay something. I may have received Temple bulletins and a few knickknacks. The Sisterhood sent little packages. My brother-in-law, Irving Nisson, was in the Army in Europe. His folks and Bonnie sent him salamis and other treats. She sent me bologna and pickles in New Guinea, but the package stunk. I felt bad because I had to throw it away. She had tried.

Rabbi Braude had come to Beth-El in 1932, but I had already finished Harvard Medical School, so we were not close. In later years I did not go often to services, but he always looked at me to know how he was doing. If I was scowling, he was probably doing poorly. He liked to refer to me as his "favorite heathen." While editor of *The Notes*, I was happy to publish his numerous submissions.

No, my war experiences had not made me more spiritual. I often heard

nighttime raids by Japanese fighters or bombers and I could see anti-aircraft searchlights, but I never felt terribly threatened. I crossed my fingers.

When I twice sailed under the Golden Gate Bridge, I never worried about coming back. Being in an evacuation hospital, I was always behind the combat zone, and we were always well protected. When you're in back of an elite division like the First Marine Division, you're not worried about yourself.

I am no more religious today than on the day I was born. Usually when I go to temple, I get terribly bored. I get particularly bored because of the repetition in the liturgy. I never read aloud, and I never sing aloud. Nevertheless, I have come to a better understanding of the beauty of the poetry, which I could not appreciate as a younger person. But this does not make me more spiritual.

During World War II, I never felt like a hero. I felt patriotic – that I was doing my duty – but I can't say that I was ever happy. I had left a young bride at home, and I knew how difficult this was for her.

The time I felt lucky was in the summer of 1945, when I was sent home on a 45-day leave. This was probably the happiest part of my service. I sailed back under the Golden Gate Bridge on June 6, which was my birthday. It was daylight, and it certainly was one of my more memorable birthday presents.

I was sent to the base on Angel's Island, in San Francisco harbor, where I called Bonnie. I hadn't seen her in two years. Telling you about it is still an emotional experience for me.

Then I boarded a troop train. It went across the southern deserts to Chicago and then to Boston. I was returned to Lovell General Hospital at Fort Devens, Massachusetts, which was the station nearest my home.

Bonnie later met me at Boston station – she was all dressed up – and she asked me if I'd like to go out to dinner before going home. Here I was – an absolute mess – after a trip that had taken eight days. I was sweaty, and there was no place to wash up. I told Bonnie, "Let's go home." She had her father's car, so we went to her parents' home in Brookline. After taking a bath, I looked more respectable.

We took a vacation in Narragansett, down near Point Judith. We stayed with a dairy farmer. I don't know if it was a bed and breakfast inn or we merely got a bed, but it was quite pleasant there – a sort of second honeymoon. I went to visit the wife of my commanding officer, who lived in Brookline. She wasn't exactly cordial, but she seemed to appreciate my effort. I don't know why

I would have done that for that son of a bitch, but it seemed like a decent thing to do. He didn't give me any bad reports because I was given a whole year's credit toward my surgical boards for my Army service. As you know, everything is a mixed bag.

While awaiting orders to return to the West Coast, I was assigned to the Fort Devens hospital staff on a temporary basis. In August, my orders eventually came through, and I remember how Bonnie came to the station with me and how sad a departure it was. Fortunately, I was allowed to return to San Francisco on a civilian train, which included sleeping accommodations. I reported once again to the base on Angel's Island to await transportation back across the Pacific, for reassignment with the 168th. In all probability, we would have participated in the Japanese invasion.

On August 6, I was sitting in the common room of the officers' club when we heard the news over the radio that the first atomic bomb had been dropped on Hiroshima. Three days later, we heard the news about the bombing of Nagasaki. On August 15, I was in a theater in San Francisco, watching a newsreel, when the manager came out and announced that the war was over – Japan had surrendered.

I went out on Market Street, where all hell broke loose. I meant that it was the most spectacular of all demonstrations. I'm sure that you've seen photos. I remember that everybody was drunk. The sailors seemed to crawl out of the cracks and broke into liquor stores. In the middle of a square near Market Street, a girl climbed up a statue and was pulling her clothes off. She was stark naked right there on the statue. I was watching and enjoying all this, and it was getting dusky, so I thought that I should better get a bite to eat before taking the ferry back to Angel's Island.

While I was standing under the marquee of a hotel, an elderly guy – perhaps in his 50s or 60s – came up to me and asked, "Captain, may I take you out to dinner?" I declined, but he asked me again. With all my ribbons and stars, I looked like a veteran – at least compared to all the kids. He said I want to take to you a men's club. Perhaps it was the Bohemian. It was a big building like the Harvard Club in Boston. Yes it was very Waspy, like the Hope Club in Providence.

The club was very well lit, but the door was locked. He rang the bell, but nothing happened. I told the stranger, "I appreciate your asking me, but that's all right." He said, "No," so we waited another five minutes until a butler came and

let us in. So we had drinks and dinner, and it this was one of my more charming experiences.

After waiting around a few more days at Angel's Island, I learned that I would not be shipped back across the Pacific. I had accumulated enough points with the 168th Evacuation Hospital – I was already an older man, 38 years of age – to be shipped home on a temporary basis. So I was sent back to Lovell General Hospital at Fort Devens and received an appointment to its staff. Bonnie traveled back and forth from Providence to see me. I was probably on duty every-other night. I had to complete my service by January 1, 1946. I think that I was actually separated on December 30 or 31, 1945. By that time I was commuting to Lovell from Providence. I was ready to resume my private surgical practice.

Despite all the frustrations and disappointments of all kinds, I would not have given up my military experience for anything. It was the most broadening experience of my life.

No doubt there were other men who didn't have such a positive experience. Blacks, for instance, served in segregated outfits. Many were truck drivers in the Transportation Corps. I remember being in New Orleans when a young Black officer came into the mess and sat down with a colleague and me. A Southern officer, in a very surly manner, asked him to sit at another table. My friend and I were terribly upset by this.

I still remember a great deal of military history from my childhood. For example, I remember the outbreak of World War I, during the summer of 1914, when I was seven years old. And I clearly remember Armistice Day because there was no school. Memorial Day used to be called Decoration Day, and I can remember elderly veterans of the Civil War, coming to school in the uniforms of the Grand Army of the Republic and making little presentations. Perhaps many of these veterans weren't so old because only 50 years had passed since the end of that war. I am now 82.



[bottom row]: Rabbi Morris & Goldie;

[top row]: Solomon at far left and Naphthali at far right

Rabbi Morris A. Gutstein:

A Portrait of My Father

Solomon Gutstein

Although a native of Newport, the author has spent most of his life in Chicago. He earned a bachelor's degree in 1952 at the University of Chicago and a law degree there four years later. Mr. Gutstein was also ordained by an Orthodox *beit din* (rabbinical court) in New York City in 1961.

As a specialist in real estate law and business transactions, he has practiced independently or as a partner in small firms. Since 1992, he has been associated with a larger Chicago firm, Tenney & Bentley.

The author was a lecturer in business law at the University of Chicago's Graduate School of Business from 1973 to 1982 and was an adjunct professor at John Marshall Law School from 1993 to 1996. From 1975 to 1979, he served as alderman of Chicago's 40th ward, on the city's Northwest Side. He was the first rabbi to be elected to this office!

A leading authority on real estate law, Mr. Gutstein has coedited several editions in Thomson West's three-volume guide within the Illinois Practice Series. With his late father, Mr. Gutstein also coauthored a book about the cycle of stained glass windows in his father's synagogue, Shaare Tikvah.

Rabbi Morris A. Gutstein was born in 1905 in Ottynia, a small town in Galicia, which was then part of the Austro-Hungarian Empire. His father, Rabbi Naphtali Gutstein, who had been born in 1876, came to the United States in 1920 and settled in New York City. His mother, Sarah Pearl Taubes, had been born two years later. In 1921, she and their six children (Morris being the second oldest) joined him in New York. But soon she was widowed.

In 1929, while living at 55 Avenue C in Greenwich Village, my father was naturalized. Small in physical stature, he was less than five feet five inches tall.

In 1931, Rabbi Morris Gutstein married his beautiful wife, Goldie Leah Nussbaum. My parents had two sons. My older brother, Naphtali, was born in Long Beach, New York, in 1931. I was born in Newport in 1934. Both my brother and I are ordained rabbis, but neither of us practiced in the rabbinate. My brother, now retired, was an ophthalmologist, and I am still in practice as a lawyer.

On both his father's and his mother's sides, my father was the descendant of a long line of prominent rabbis. His father traced his ancestry through several generations of rabbis who were direct descendants of Jews exiled from Spain during the late 15th century. On his mother's side, my father traced his ancestry through a long line of renowned rabbis, including Yisrael Ben Eliezer in 17th-century Eastern Europe. Known as the Baal Shem Tov, he was the founder of Hasidic Judaism. My father also traced his matrilineal ancestry to Rabbi Shlomo Yitzhaqi in 11th-century France. Known as Rashi, he was the great biblical and Talmudic exegete.

My father earned his bachelor's degree at New York University in 1929. Three years later he graduated from and was ordained by the Conservative movement's Jewish Theological Seminary of America. While studying there, he served as rabbi of Temple Beth El in Long Beach, Nassau County. After his ordination, he became rabbi of Touro Synagogue, where he served until 1943.

While in Newport, my father was active in Jewish and community affairs on personal as well as on rabbinical levels. When I visited Newport a few years ago, I saw Elix Adelson's picture in the community center building (Levi Gale House). I remember him as a sweet man. My father had described him as a friend who was driving somewhere so slowly that a policeman stopped him and suggested that he drive off the road so as not to block traffic.¹

In Newport my father continued his education, receiving Orthodox ordination in 1937 from Rabbi Eliezer Lipa Weissblum, a great scholar from Galicia who lived in New York. He also received his Ph.D. in 1939 from Webster University in New York.

While serving in Newport, my father wrote his first historical studies about its Jewish community. The first, published in 1935, was *The Touro Family in Newport*. His monumental, classic study, published a year later, was *The Story of the Jews of Newport: Two and a Half Centuries of Judaism, 1658-1908*. It became the basis for all further research about Newport's Jewish community. My father's third book, published in 1939, was *Aaron Lopez and Judah Touro: A Refugee and a Son of a Refugee*.

In addition to being a lover of Jewish history, my father was a great biblical and Talmudic scholar. Other than his writings, I do not remember him having any hobbies.

As to his love of history, I remember his telling me of a time when he was alone at the synagogue: when he looked in the basement, he saw a staircase going nowhere. He measured the location and found that the stairs were directly under the central bimah. He checked under the carpeting and discovered the trap door, which, as he later determined, was there to allow a safe area for those descendants of Jews exiled from Spain who still feared what others might do. He said to me that was a tribute to the ethics and standards of our country, which, as George Washington wrote to the Newport congregation, “gives to bigotry no sanction, to persecution no assistance.” My father said that the stairwell, never used for its original purpose, was completely forgotten.²

There are other memories about him in Newport. For example, he met and became friends with many interesting people. I remember his telling me about when he met his friend “Bill.” My father was driving along the ocean and went off the road into the sand. As he was looking at his car sinking in the sand, a limousine stopped, the passenger came over, and he asked if he could help. My dad, always reluctant to impose, appreciated the offer. The man returned to his car and said something to a magnificently uniformed man in the car, who then drove off. Returning to my father, the first man said, “I just sent my man back to the house. My name’s Bill – Bill Vanderbilt – what’s yours?”³

When I took my wife to see “my” Newport many years later, the interior of Touro Synagogue had been restored. The red upholstered wooden seats and benches that I had described to my wife had been replaced by reproductions of colonial-era, wooden furniture. I am sure that my father would have loved the change, but as for me, I liked the red upholstered seats and chairs more. And they looked a lot more comfortable.

My father used to take my brother and me every week on a short Shabbat walk to the synagogue. So I took my wife on the “short walk” I remembered from the synagogue to see the house at 28 Channing Street where we lived.⁴ All was as I remembered, except only for one thing. The “short walk” was over a half hour in hot summer weather.

We visited Newport a few years later, in about 2006, with our children. We all went to Shabbat morning services. Many people there remembered my father, which made it almost like a homecoming for us.

On another visit to Newport with my wife and children, we visited the synagogue. A charming boy who had just celebrated his bar mitzvah offered to be

our guide to show us through the building. He asked our names. “Rabbi Guts-tein?” he said, almost in awe. “He bar-mitzvah-ed my father,” he explained.

From the time my parents moved to Newport in 1932, my father was active publishing not only the history of Newport’s Jewish community but also the history of the rest of the state. Thus, as part of Rhode Island’s tercentenary, he was instrumental in having Gov. Theodore Francis Green designate July 5, 1936 as “Jewish Day” and in having special services and programming at Touro Synagogue as part of the statewide Jewish Day observances.

While in Newport and for several years thereafter, my father remained active in working with state and federal representatives to recognize Touro Synagogue as an historic site. In good part due to his efforts, in 1946, the Department of the Interior designated Touro as a National Historic Site.⁵ Two years later, my father published *Touro Synagogue of Congregation Jeshuat Israel, Newport* for the new Society of Friends. Established through the Department of the Interior’s agreement, the Friends sought support for Touro beyond its own membership.

My father’s activities while in Newport extended far beyond simply serving its Jewish community. From 1940 to 1943, for example, while representing the national Jewish Welfare Board, he served as a civilian chaplain at the Army and Navy bases and hospitals around Narragansett Bay.

My father used to take Naphthali and me to some of the bases when he conducted services for the men. He always made sure to let them know that the Jewish community center, across the street from the synagogue, was always available for them. The Jewish soldiers and sailors took up his invitation, and I remember often being boosted up on the pool table so that I could play pool with them. I remember beating them. That is, I marvel how they always made me think that I won on my own merits and ability.

During this time, my father worked tirelessly to bring Jews from Germany and other European countries to safety in the United States and to help them resettle and find employment to support themselves and their families. He often sponsored heads of families, training them in communal activities and services and helping them resettle in other Jewish communities around the country. Because of the difficulties and sensitivities involved in bringing Jews to this country, he did this work very quietly- without fanfare or publicity. To this day, no one knows how many people he saved from the terrors then engulfing Germany and the rest of Europe.

The only public recognition my father allowed for these efforts was a citation dated December 31, 1936 from the American Jewish Joint Distribution Committee. It honored him for his work trying to save German and Eastern European Jews.

In 1943, my family moved to Chicago. My father's primary concern was providing a religious education for my brother and me. Providence Hebrew Day School was not established until 1947, but my parents were also drawn toward a larger Jewish community.

My father served as rabbi of Humboldt Boulevard Temple until 1947. Then he became rabbi of a small congregation, Shaare Tikvah, which established a synagogue on the city's North Side. Over the next few years, he developed Shaare Tikvah into a major Conservative congregation. He also helped establish many smaller synagogues for the Orthodox community in this area.

My father served as rabbi of Shaare Tikvah until his retirement in 1971. Then he continued to serve the community as a voluntary counselor and chaplain at various hospitals in and around the city. He continued his activities in study, writing, and community work.

In 1948, my father had received a doctorate in Hebrew literature from the Jewish Theological Seminary. In 1967 he had also received an honorary doctor of divinity degree from the Seminary.

In 1953 my father had written *A Priceless Heritage*, a history of the first hundred years of Chicago's Jewish community. Fittingly, he became associate professor of American Jewish history at the city's College of Jewish Studies (which later became the Spertus Institute for Jewish Learning and Leadership). In 1969, he became the archivist of the College's Chicago Jewish Archives.

My father wrote several shorter books, including: *To Bigotry, No Sanction: A Jewish Shrine in America, 1658-1958* (1958); *Profiles of Freedom: Essays on American Jewish History* (1967); *Frontiers of Faith: Sermonic Discourses on the Weekly Biblical Readings* (1967); and *The Dignity of Man* (1971). He also authored articles on Judaica for several encyclopedias. In addition to writing many short articles for various publications, my father was responsible for several other books. He coedited a family Bible (1955); wrote a small volume for mourners, *Help and Comfort, Prayers and Meditations* (1960); wrote a Haggadah for school, home, and community (1966); and edited and translated a Yom Kippur eve service (1969).

After retirement, my father was inducted into the Chicago Senior Citizens Hall of Fame. Among many awards he received were four national citations from the Freedom Foundation at Valley Forge for “works which advanced the American way of life.”

Rabbi Morris A. Gutstein passed away in April 1987 at 82 years of age and was buried in Shalom Memorial Park in Arlington Heights, Illinois. He left a legacy of study, leadership, and love of family, Judaism, and America everywhere he lived.

Editor's Notes

1

Elix Adelson (1874-1957), a grocer, was married to the former Dora Kusinitz (1875-1924). One of his brothers, Max (1882-1957), served as a Touro president. Elix and Dora's older son, Samuel, was also active in the congregation.

2

This story about the staircase is apocryphal, as is the one that the staircase was used as part of the Underground Railroad.

3

This may have been William K. Vanderbilt II (1878-1944). It could also have been his son, William K. Vanderbilt III, who died in an auto accident in 1933.

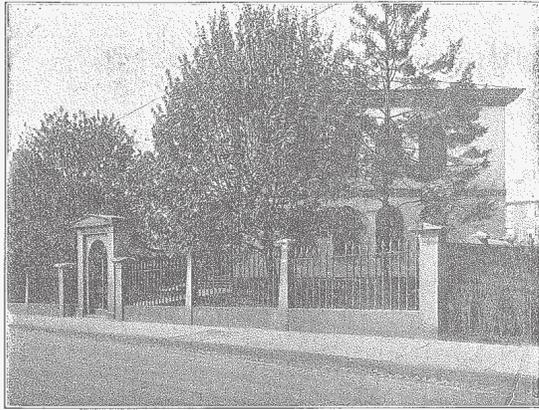
4

City directories show that, before moving to Channing Street in 1937, the Gutsteins lived at 10 Wesley Street in 1933, at 7 Bay View Avenue in 1934, and at 12 Summer Street from 1935 to 1936.

5

See my article, “The Politics of Preservation: How Touro Synagogue Became a National Historic Site,” *The Notes*, 2000, 177-207. Arthur Hays Sulzberger, the publisher and president of *The New York Times*, was primarily responsible for obtaining Touro's federal designation.

1636 RHODE ISLAND TERCENTENARY 1936



JEWISH DAY

July, 5th, 1936

Exercises held at the
TOURO SYNAGOGUE

Newport, Rhode Island



Aaron T. Beck, M.D.

Aaron T. Beck, the “Golden Ghetto” of Providence, and Cognitive Therapy

Rachael I. Rosner

A native of Chicago, the author grew up in Shaker Heights, Ohio. She received her religious education at the Conservative movement’s Park Synagogue (designed by the great Jewish modernist, Erich Mendelsohn, in 1953) and Agnon, Cleveland’s nondenominational Jewish day school (now known as Mandel).

Dr. Rosner earned a bachelor’s degree in ancient Greek at the University of Michigan, a master’s in history at the University of Rochester, and a Ph.D. in psychology at York University in Toronto. She also completed a three-year National Science Foundation postdoctoral fellowship in Harvard’s department of the history of science.

Fascinated by the history of 20th-century American psychotherapy, she has focused on the origins of Aaron T. Beck’s Cognitive Therapy. Expanding upon her dissertation research, she is currently working on the first, full-scale biography of him.

The author’s articles have appeared in such journals as *History of Psychology*, *Isis*, and *Cognitive Psychotherapy*. She was also the recipient of the Early Career Award and the Best Article Award from Division 26 (History of Psychology) of the American Psychological Association.

Our Association’s members will remember Dr. Rosner’s vivid presentation on Dr. Beck and his East Side upbringing at our annual meeting in April. The presentation was based on extensive research in our journal and archives as well as numerous oral history interviews. Her research has been partially funded by a grant from the Rhode Island Committee for the Humanities.

In a previous life, Rachael was a professional actress and singer. She is married to Larry Denenberg and is the mother of two children: Ayla, 12, and Eli, 9. Her family belongs to Temple Aliyah, a Conservative congregation in Needham, Massachusetts.

In April 1932, Harry Simon Beck (1884–1968), a Jewish printer in Providence, published an essay on anti-Semitism in the *Providence Passover Journal*, also known as the “Red Haggadah.” This was a fundraising publication that *Poalei Tzion*, a socialist-Zionist organization, distributed to all participants in its Third

Seder (Segal, 1979). Harry not only contributed an essay to the Red Haggadah but also printed it at his shop at 128 North Main Street.

One of Harry's messages was that Jews should not overreact to anti-Semitism. He urged his fellow Jews to face the facts squarely and not blow them out of proportion:

We do not believe we need any special organizations with paid secretaries to combat Anti-Semitism. We can depend on our more responsible leaders to watch out for this. Above all, we should look at the facts just as they are, and not over-emphasize them (Beck, 1932).

Such determination and optimism had surely guided his journey to America. His declaration of intention to become a citizen, filed in Providence's district court on April 19, 1909, shows that he had fled from Russia around the age of 20, lived for a while in Glasgow, sailed to New York City on a vessel named *Columbia*, and disembarked there on November 8, 1904. No doubt when he signed his oath of allegiance in district court on December 30, 1911, this brown-haired, blue-eyed young man, standing only five feet six inches and weighing 140 pounds, eagerly foreswore his allegiance to Nicholas II, denoted as "Emperor of all the Russias."

In 1932 Harry couldn't have foreseen all the calamities on Europe's horizon, and his opinions most likely changed after he Holocaust and World War II. But his approach to handling problems- stick to the facts, don't make more of them than they are, keep a cool head- very likely remained the same.

Founder of Cognitive Therapy

Harry's outlook is interesting to an historian of psychiatry like myself because it foreshadows the problem-solving orientation of his youngest son, Aaron Temkin Beck, who in 1932 was eleven years old. Now, at age 95, he is a professor emeritus of psychiatry at the University of Pennsylvania.

One of the most influential psychiatrists of the early 21st century, Aaron is most celebrated as the founder of the Cognitive Therapy school of psychotherapy, which is also known as Cognitive-Behavior Therapy or CBT. By last century's end, it had revolutionized the way clinicians practice talk-therapy around the world.

Aaron's message with CT is that many forms of psychological distress—from depression to anxiety to phobias to marital problems and others—result from failing to face facts squarely, blowing them out of proportion, distorting their meaning, and drawing erroneous conclusions. Many of the techniques of cognitive therapy derive from the principle that good mental health depends, in part, on mastering the skills necessary for making accurate assessments of the facts of one's life (e.g. Beck et. al., 1979).

While much attention has been paid to the origins of Cognitive Therapy, surprisingly little has focused on Aaron's Providence roots. For the past several years I have been attempting to fill in this gap. Last year I had the privilege of plumbing the archives of the Rhode Island Jewish Historical Association, which, along with other archival and interview sources, has revealed that Aaron's childhood in the 1920s and 1930s profoundly shaped the way he sees the world. Aaron's vision was based on such factors as: the way his family prized medicine as a career, his family's knack for leadership in social-welfare causes, Harry's socialism, and even to the fact that Aaron grew up within the loving embrace of 16 Temkin aunts and uncles all within walking distance of his family home at 41 Sessions Street. In the early years of the civil rights era, Rabbi Eli Bohnen of Temple Emanu-El dubbed the East Side's upwardly-mobile, Americanizing shtetl the "Golden Ghetto" (Fineman, 2014; Saxe, 2014, 2016).

Aaron's Childhood, Upbringing & Education

Three facets of Aaron's childhood immediately stand out as formative for him: his strong feeling of belonging to a large family, a host of childhood illnesses, and Harry's humanistic socialism.

Aaron was born on July 18, 1921, the youngest and third-surviving child of Harry and Elizabeth "Lizzie" Temkin Beck (1889-1961), who had been married at the North End's Ahavath Sholom, the "Howell Street Shul," in 1909. Her father, Noah Temkin, and her uncle, Louis Bolotow, had been among the signatories on the mortgage for the shul's brand new building on Howell Street.¹ Aaron joined his older brothers Irving Addison (b. 1911) and Maurice Peretz (b. 1917). By the time Aaron was born, the Beck-Temkin clan, part of the vanguard of Providence's upwardly-mobile Russian-Jewish immigrants, was already putting down roots on the East Side. The family lived a comfortable, lower-middle class lifestyle (Beck, 2015).

Lizzie was the second-born of nine. Her father, Noah, originally a green grocer known as N. Temkin & Sons, was also doing well (Horvitz, 1990). The four oldest Temkin brothers – Max, Charles, Louis, and Nathan – had founded what became known as Temkin Tobacco and General Candy, eventually the largest wholesaler of tobacco in New England. Harry and Lizzie, who had lived at 52 Carrington Avenue, were among the first to move east, up the hill, and across Hope Street, a sign of the family's increasing prosperity. In 1923, when Aaron was two years old, they purchased a two-family house at 43/41 Sessions Street. Most of the land north and east of their house was still fields and swamps. The land across the street, where Temple Emanu-El would be built in 1927, a year after Brown University built a new football stadium, still belonged to Brown's Metcalf Botanical Garden (Miller, 2008).

Not only upwardly-mobile, the Temkin clan was also extremely close. Eventually, all of Lizzie's siblings were living within walking distance of her house. To be in business together, to support each other financially, and to become communal leaders were also family virtues. For instance, Temkin Tobacco paid for the two youngest brothers, Samuel and Jacob, to attend Brown and attend law school. Then, while practicing together at 15 Westminster Street, Room 910, in downtown Providence, both achieved distinguished careers. (For example, from 1953 to 1955, Jacob, a Republican, served as U.S. Attorney for Rhode Island.)

Temkins were founding members of Temple Emanu-El, and many served in leadership capacities. Harry Beck and his brother-in-law, Max Temkin, were on the board of The Miriam Hospital along with their neighbors, the Hassenfeld brothers, and Harry's friend from the *Poalei Tzion*, Alter Boyman (Foster, 2016). Samuel Temkin was a founding member, secretary for 25 years, and an honorary life trustee of The Miriam (Jaffe, 1989).

Many (but not all) of Aaron's cousins embraced such a close-knit, community-focused, and leadership-driven environment (Cooper, 2015). The future founder of CT reveled in it:

I felt so warm, so cozy being in this entourage, and the more the merrier. My happiest period (was) when there was a family gathering. I loved my uncles and aunts... There was a wonderful protective feeling... I remember a couple of times I had dreams where my uncles had died and I felt very bad" (Beck, 2015).

Indeed, Aaron's drive to excel, his intense work ethic, his choice of career, and his humanistic worldview derived in part from modeling himself after his uncles, parents, and brothers (Beck, 2016b).

For example, the Beck-Temkin family prized scholarship and leadership in academics. Irving Beck, who graduated as valedictorian of Hope High School in 1928, was described in the senior yearbook as "brilliance personified... a shark in scholastics... (with) a superior intellectuality and personal magnetism."² Although Aaron and his brothers were competitive, and often fought with each other mercilessly, Aaron did hold them, as well his uncles Samuel and Jacob, in high esteem and wanted to follow in their footsteps (Weishaar, 1991).

Aaron achieved As and Bs at John Howland Grammar School and Nathan Bishop Junior High. By the time he reached Hope Street High School (his was the last class to graduate before it was torn down and the new Hope High was built across the street) he was earning all As. He graduated valedictorian of Hope High class of 1938, achieving all As all four years.³ Aaron had also been valedictorian of his confirmation class at Temple Emanu-El as well as assistant editor of the school paper, *The Emanuelite*, which Harry's shop printed (Temple Emanu-El, 1937).

Samuel Temkin had been the first Temkin family member to attend Brown University, with the class of 1919. Because of his concern about the outsider status of Jewish students on campus, he was instrumental in founding Pi Lambda Phi, Brown's first Jewish fraternity. Samuel became an advisor and stayed involved with the fraternity for the rest of his life. Brown honored him by electing him as its first Jewish trustee in 1950 (Horvitz & Rosen, 1981; Slafsky, 2015). Many more Temkins followed him to Brown, including Aaron's uncle Jacob, Aaron's brothers Irving and Maurice, and then Aaron himself with the class of 1942.⁴

One quality that distinguished Aaron from his brothers was that he threw himself into his work with perhaps an even greater intensity. It is not a stretch to say that Aaron strove to meet and exceed the examples of his brothers and uncles; we can easily imagine a young Aaron, modeling himself especially after Irving, deciding to do him one better. When Aaron was a Boy Scout in Temple Emanu-El's Troop 20, for instance (following yet again in his uncles' and brothers' footsteps), he set out to earn as many merit badges as he could, becoming the first (and youngest) in his troop to become an Eagle Scout (Beck, 2016a). At Brown he was

not satisfied with simply getting good grades- which resulted in his graduation magnum cum laude and with a Phi Beta Kappa key- but he frequently sought out essay and public-speaking competitions where he might excel publicly.

Medicine was yet another way of staying close to, and excelling within, his family's culture. Lizzie herself had arrived in America from eastern Ukraine in 1905 with the dream of attending medical school. Although she could not fulfill her dream, she pushed her children in that direction. Irving, as many Jewish Rhode Islanders can attest, became one of the most beloved internists in the state.

As a high school student, Aaron dreamed of becoming a journalist; in college he contemplated both law (following in the footsteps of his uncles Samuel Temkin and Jacob Temkin) and medicine (following in Irving's footsteps). He ultimately chose medicine. Thus, when Aaron entered Yale Medical School, he expected to become an internist and join his brother in private practice in Providence, just as his uncles practiced law together. But Lizzie, worrying that Aaron was too competitive with Irving, forbade him from going into internal medicine. This was in 1947 – even after he had graduated from medical school and taken a one-year rotating internship in internal medicine at Rhode Island Hospital. And Lizzie, as the matriarch of the Beck-Temkin clan, always had the final word. Lizzie's word truly was law.

Consequently, Aaron took a six-month junior residency in pathology at Rhode Island Hospital. Then he took a three-year residency in neurology at Cushing Veterans Administration Hospital in Framingham, Massachusetts, where he learned some psychiatry. From 1950 to 1952, he completed a psychiatry fellowship at Austen Riggs in Stockbridge, Massachusetts.

Temperament, Illnesses & Phobias

Everything about Aaron's youth suggests that his ambition was to succeed at least as much as his brothers and uncles before him, to emulate his family's values, and to stay close to the fold. Yet another piece of his childhood's puzzle was his temperament. Aaron was by nature very shy. He was also bookish, introverted, and awkward socially, unable to exude Irving's extroverted magnetic charm.

Even more, Aaron suffered from a string of illnesses that resulted in an unusual sensitivity to internal experiences (sensations, emotions, and worries). His illnesses began with a tonsillectomy at age four (performed by Nathan Bo-

lotow, his mother's cousin), and doctors had no treatment for his chronic asthma. Two years later, a case of whooping cough kept him out of Maguire Primary School for 45 days. His teacher had to hold him back a semester. Aaron was convinced at the time that he was being held back because he was stupid. Then, at the age of eight, he broke his arm while playing. When surgeons at Memorial Hospital in Pawtucket began operating before the ether had taken effect, Aaron became terribly frightened. As a result of surgery, he developed a rare (and often fatal) blood infection, which forced him to spend the entire summer in the hospital.

Soon a variety of phobias emerged – fears of surgery, blood, ether, fainting, bridges, tunnels – and other hypochondriacal worries. Some of these persist to this day. Others spurred Aaron at a young age to develop successful strategies to overcome them. At the age of nine, for example, he decided to skip a semester of school and get himself back on track with his peers. Having received permission from school, he taught himself mathematics and had Irving tutor him in other subjects.

Aaron also saw medicine as an opportunity to face squarely his fear of surgery. He entered Yale with a plan to desensitize himself to the surgery floor. So successful with this strategy, he was later able to perform routine surgeries during his rotating internship at Rhode Island Hospital without fainting. Aaron's shyness and introverted nature, bolstered by illnesses that gave him no choice but to turn his attention even more inward, likely fostered an intuitive brilliance about his inner life. Such an outlook seemed perfectly suited for psychiatry. The reverse side of this intense self-preoccupation, sometimes to the detriment of what was going on around him, was hypochondriacal fears that never fully went away.

Yet, Aaron did not grow depressed or hopeless. Instead, he tapped into the family's culture of achievement and intensified his drive to master every challenge. He had compensated for his physical awkwardness by playing football and running track and cross-country at Hope Street High; he had confronted his shyness at Brown by joining the debate team and entering public-speaking competitions. Thus, he coped with a series of crises as a psychiatrist by buckling down and building his own school of psychotherapy. Similarly, he channeled his bookishness and introversion into a lucrative career as a writer, a key reason he was able to spread the gospel of his new Cognitive Therapy so effectively.

Socialism & Humanism

Finally, I'd like to comment on Harry Beck's socialism and its impact on Aaron and his brothers. Harry was not a hard-line socialist keen to overthrow the government. Rather, he exemplified a generation of young modernizing Jews from Russia's Pale of Settlement, who had experienced volatile social upheaval and pogroms, the decline of shtetl culture, and the proletarianization of the workforce. Those like Harry who pushed for workers' rights- he unionized his print shop even though he was an owner- were also the ones who most loved the literature of Sholom Aleichem and I. L. Peretz. (Maurice Beck was given the middle name of Peretz in this writer's honor).

Harry also wrote poetry, and his most cherished activity was reading Maimonides in Hebrew. Such proclivities point to the Jewish Enlightenment as a source of his socialism. I believe that Harry's kind of socialism was really a humanism – a belief in the equality of all people- derived from the ideals of late 18th – century *Haskalah*, the Jewish Enlightenment.

Thus, Harry saw no conflict between his socialist ideals and his American identity. Although he voted four times for a socialist presidential candidate, Norman Thomas, he also welcomed home his niece, Minna Saxe, from a trip to Europe with a bouquet of red, white, and blue flowers (Saxe, 2014). He distrusted the professional class, as socialists were wont to do, but only because it seemed to him aloof and divested from the struggles of the common man (H. Beck, 1931).

All three Beck boys deeply imbibed Harry's ideals. Even though they joined the professional class themselves, as many Temkins did, they maintained left-of-center politics and retained strong social-service and humanistic bents. Conversations at family gatherings could get heated when the Becks had political disagreements with their Republican-leaning Temkin relatives. Harry's ideals informed Irving's commitment to offer medical care in Rhode Island to anyone no matter his ability to pay. Maurice founded a social-service agency in Michigan to help the poorest and most indigent. And Aaron built a school of psychotherapy in Pennsylvania that had the effect of equalizing access to mental health treatment across the country.

Training in CT is now available to a wide variety of health practitioners, not only psychiatrists. Because treatment is brief, a broad spectrum of patients can afford it. Furthermore, CT's pragmatism and measurable effects are perfectly suited to the current era of tight insurance margins.

Psychoanalytic Fold

As a product of Providence's "Golden Ghetto," Aaron did not become a rebellious character but one who yearned to belong to, and excel within, a large, extended family culture. His introversion and many illnesses, when combined with his family's adulation of academic excellence and leadership, likely intensified this desire to excel.

Nevertheless, Aaron is widely celebrated for having built Cognitive Therapy as a rebellion against psychoanalysis. This is largely true. As I have written elsewhere, Aaron really had no choice but to break with psychoanalysis (Rosner, 2012, 2014). He had become a psychoanalyst during the mid-1950s, a period of postwar enthusiasm, when many clinicians, scholars, and members of the general public believed that psychoanalysis really had the keys for helping people feel better. And Aaron took to psychotherapy immediately. As his mentors universally praised him as a brilliant clinician, he had every reason to believe that his clinical acumen and scholarly insight would raise him to a leadership position within the psychoanalytic establishment.

Nonetheless, Aaron was equally passionate about experimental research, and his passion put him on a trajectory for conflict with the psychoanalytic establishment (which generally did not support experimental research activities). Aaron was testing fundamental psychoanalytic assumptions about the inner-life of depressed patients, and some of his findings were calling the truth of those assumptions into question. By 1961, for example, he was gingerly considering the possibility that psychoanalytic concepts like the unconscious mind may not be involved in depression. Such an assertion was heretical to those in the establishment.

By 1962, Aaron's second application for membership in the American Psychoanalytic Association was again deferred on the grounds that his patients were getting better too quickly. The cumulative effect of these and other crises forced him at this time to choose between his conscience as a psychiatrist and membership in the psychoanalytic establishment. He chose his conscience.

Aaron always had a strong, even rebellious, intellect, but it had never been his intention to break away from his professional community. In many ways the psychoanalytic community broke with him. And in actuality, Aaron did everything he could to find a way to stay within the psychoanalytic fold, even after he made a formal break with its establishment. He always maintained that

Cognitive Therapy was not a deliberate rejection of psychoanalysis but rather simply a different way of looking at things. This new approach included building a community of followers – in large measure, my research suggests – because he feels most comfortable belonging to a large familial group, surrounding himself within a community like the one in which he grew up. The humanistic principles and problem-solving strategies at the heart of his Cognitive Therapy are yet another clue that even as Aaron broke away from psychoanalysis professionally, he continued to hew close to the family virtues and ideals that had been so formative for him.

1

Mortgage Note, July 1, 1909. Rhode Island Jewish Historical Association archives, Box T14.

2

The Blue and White, 1928, p. 10.

3

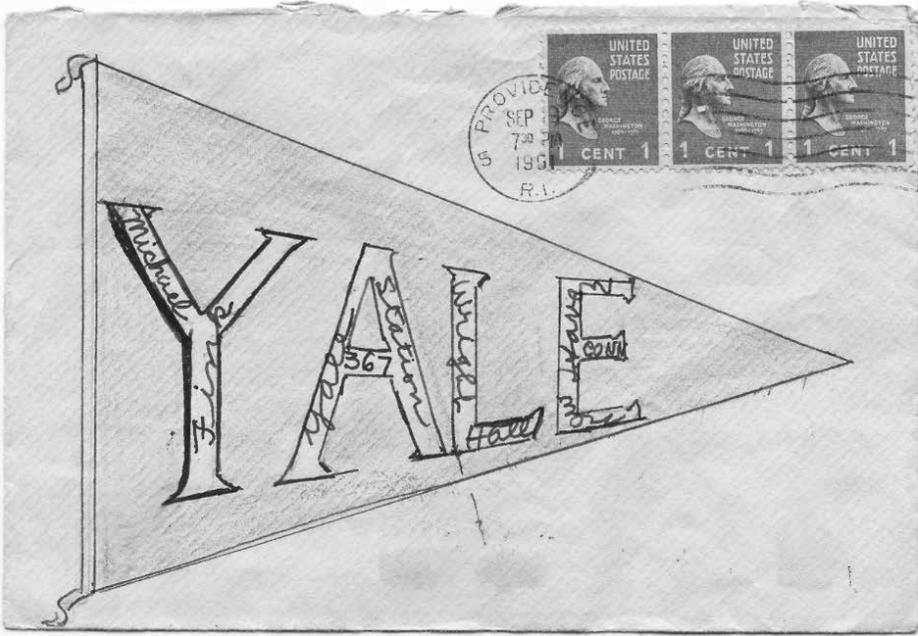
Providence public school transcripts for Aaron T. Beck, author's personal collection.

4

Editor's note: this was the same class as Bernard E. Bell, who is portrayed elsewhere in this issue.

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This and the following envelopes were drawn by Mike's mother, Betty.

A Son of Eli

Michael Fink

Mike was planning to write an article about the women he dated before his marriage to “Lady” Michael 42 years ago. Most likely, these women would have been equally divided between those whom he jilted and those who jilted him. We’ll have to wait at least another issue before learning how and why Michael found Michael.

Fortunately, I was able to prevail upon “Mr. RISD” to focus once again on an educational topic – this time, his own. Long before 1969, when it admitted women, Yale had become one of the loves of his life. Indeed, the college may have been particularly intriguing during his undergraduate years because of the efforts required to meet and sustain relationships with women. Possibly, as a result of their absence, bonds of brotherhood may also have been richer and stronger.

This article may fit within a larger theme in Michael’s writing – that of seduction. Not merely drawn to many forces, he is often captivated or bewitched by them. Inevitably losing control, he is forced to make adjustments. In retrospect, however, he seems to value irony over success or failure.

Why did I choose Yale? It was closer than Princeton and less grand a brand than Harvard. The colors were blue and white, like those of Hope High School and the new state of Israel.

My next-door neighbor on Creston Way and my first employer was Hy Diwinsky, a deli owner on Hope Street. Having written one of my recommendations, he proudly claimed credit for getting me into such a prestigious place. My older brother “Chick” brought my acceptance letter to my homeroom to announce the good news. Yes, I could fly, migrate, into a higher realm than local Brown.

I found the mock-Gothic look of Yale’s campus rather romantic, even reassuring, like a Disney-animated landscape. And, there was the honor of being a son of Eli, a sort of easygoing status and a reward for my successes within Little Rhody’s public schools.

As our editor notes, there were 110 other *boychiks* in Yale’s Class of 1955 or 9.5%.¹ The average percentage of Jews for the classes of 1952 through 1961 was



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even higher – 11.3%. During the mid- to late-1960s, when class sizes grew, the average percentage of Jews reached 16.1%.

With the notable exception of a few Orthodox boys, we were mostly assimilationist, hidden, “passing” Jews. After graduation, there were one or two who went to rabbinical schools and even a few who made *aliyah* (settled in Israel).

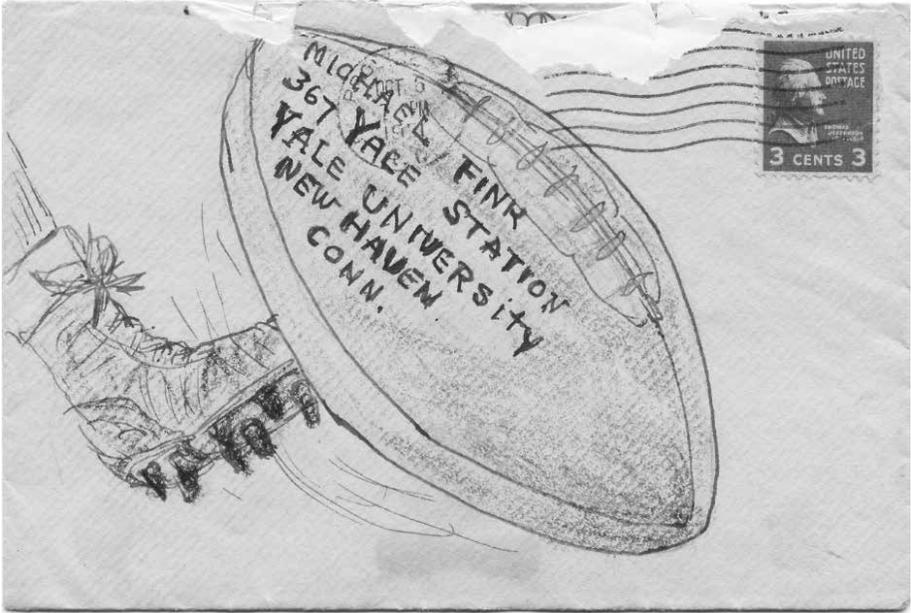
Here are some intimate personal memories of my years in New Haven, beginning in the autumn of 1951, when the university was celebrating its 250th anniversary. There were the twin bronze lions guarding the entrance court of Wright Hall, which had been built on the Old Campus in 1912. My chambers in Wright included a working fireplace, a window alcove for a nap between classes, and a fine view of Old Campus quadrangle. Harkness Memorial Tower rang out the hours from its belfry. My fine freshmen roommates included several from prep schools. Using postcards that cost a penny each, I wrote daily to family, friends, and classmates with reports and quotes from poems or plays I was studying.

Having been unfortunately exempted from freshman English as a sort of recognition of my perfect spelling and syntax, I was given advanced classes in modern poetry and its sources. T. S. Eliot and Ezra Pound’s “The Waste Land” were the rage, as were guest appearances by William F. Buckley, a 1950 graduate, who a year later published *God and Man at Yale*. I was later astounded to discover that despite his infamous anti-Semitism, Eliot was a chum and pen pal of Groucho Marx!

One of my Rhode Island classmates was Jules Cohen, a champion tennis player from Providence Country Day School. Another was Kerry Donovan, a champion swimmer from Phillips Exeter Academy. But I, who had little to no athletic ability, was the only graduate of Hope High.

Yale’s only physical requirement was to stand straight, spine pressed against the wall, for an official photograph. I did try to enjoy football games, but lapsed into waiting at a nearby bar with a lovely view of its backyard garden and a date perhaps. After victory or defeat in the stadium, my friends fetched me.

There was a boy from Hong Kong, Billy Ming Sing Lee, whom I invited to Thanksgiving at our family home. He brought a gift box of tea and a very useful cotton Chinese style robe. At our 50th reunion, he sat at my table, but had no memory whatever of that visit. “Diversity” was not yet an academic fashion – unless I introduced the concept.



I may add here that long before the success of the TV show “South Park,” I also scribbled outrageous and politically incorrect words on postcards sent to “Chick,” who was studying architecture and “The Arts of Tomorrow” at M.I.T. During those repressive, McCarthy and Rosenberg years, these words got me in big trouble with a Yale dean. At the same time, with a kind of Jewish irony, those same words also brought me good fortune – even triumph – for my brazen behavior was admired by my restrained and constrained fellow Yalies.

I also recall that I took a very long hike among the fallen leaves of that autumn of 1951, brooding that I would dismay and disappoint my parents. Then what would become of me? My pride in being a son of Eli morphed into a defeat and retreat.

And so, in sophomore year, when I had to choose chamber-mate buddies for the remainder of my undergraduate life, I had to accept the most likely and closest companions of the introductory semesters. Upstairs from our rather regal common room, with its separate bunks and study desks, which I shared with preppies and aristocrats of campus, there were two single rooms. One was assigned to Jan Deutsch, a survivor of the Warsaw ghetto! When subtle anti-Semitism slowly faded, he would be “tapped” for a senior society. (Much later anti-Semitism would be revived nationwide in the form of anti-Israel bias.) Confined in the cell next-door to Jan’s was H. James Greene, my class’s one and only African-American, whom we called “Jim.” These lonesome buddies wrestled together amicably, but somehow also symbolically, in those attic corridors.

But Jim would come downstairs to catch up with my news and my nostalgic tales of my family’s Jewish and immigrant background. I liked to regale whoever would listen with stories about my clan and neighborhood. I would salt and pepper my entertainments with jokes and *kloles* – the pet Romanian-Gypsy curses of my grandparents that I could summon up, somehow. These “insults” could protect you from the Evil Eye...or simply from false pride.

During sophomore year, Jim and I roomed together in Silliman College, a half-stone, half-brick concoction, imitating Gothic and Colonial styles, which had been completed in 1940 as the last and largest of Yale’s ten residential colleges. Named after the great 19th-century scientist, Silliman stood across from George & Harry’s, a bar/café on Wall Street. Our room, 1810, was directly opposite St. Mary’s Catholic Church, so every Sunday morning we heard, “Hail Mary, full of grace... blessed is the fruit of thy womb...”



I never introduced Jim to my parents, and he only visited Providence many, many years after our graduation. This is how private and separate my life became after diverging from my birthplace and the society of my youth. Those who suffer, however slightly, from prejudice, also hold bigotries of their own, or simply live among hidden partitions.

As a sophomore, however, I did gather up a group of classmates to expand my New Haven world. Joel Freedman, from Stamford, had his own red convertible, and he drove us to mixers at Vassar, our sister college, long before the sons of Eli shared their campus with sibling daughters. Joel also rang the Harkness bells, played saxophone with the Yale band, and raised a garden of begonias on his windowsill. Additionally, he invited our group of guys to his father's mostly Jewish country club in Pound Ridge, New York. Joel was a real find for me to add to our chambers!

Another was Henry Kranz, a Jewish boy from Manhattan, who seemed always to be suffering from a cold. While hidden within his bedroom, he would study so successfully that he always earned an "A" rather than the acceptable, gentleman's "C," which was also known as "shoe." A proper Yalie wore white bucks for an 8 AM class, loafers with leather (not rubber) heels to click importantly for noontime events, cordovans for the afternoon, and wingtips for evening wear. How you looked loomed up much more importantly than what you learned.

Doug Worthing, a Methodist from Fond du Lac, Wisconsin, was a blond lad, very clean and immaculate, but with some naïve, racist prejudices. He also disliked thoughtful women, especially those with glasses, accents or dark hair. Yet, at the inevitable Vassar mixer, he met a girl named Miriam, from Czechoslovakia, a scholarship student, short, bespectacled, and wearing a gold cross. He married her! It turned out that her mother had survived Theresienstadt. Miriam, who was quite distant from her mother, wore a crucifix to disguise and deny her background. In years to come Doug would become his mother-in-law's best friend. His closest comrades, it turned out, were Jim and me!

Tom Saurwein, a biology major and pre-med student from Cincinnati, was the final friend I gathered in our group. I guess he was of German descent. I didn't want to create a Jewish ghetto at Yale. I was a mixer by nature, for whatever reason, probably for disguise. I met Tom in a lab. I could help him with his English or French reports, and he could rescue me from our dissection responsibilities. I was always a sentimentalist about the specimens we were supposed to sac-

rifice, and he would rescue these doomed denizens and bring them to my room. I wasn't going to "pit" an innocent, sacrificial frog. I wanted to make friends with it, like a lost cousin.

There, in room 1810, I created a sort of zoo, an Eden or a Roger Williams Park. I had jars of protozoa. Poultry perched on the mantel served as an alarm clock for early AM classes. I even shaped a miniature clay goddess as a symbol of Mother Earth. (I suppose that long before a movement arose, I became a nature lover or an environmentalist. My friends always labelled me "Nature Boy," after the Nat King Cole song, which was taken from a Yiddish melody.)

Well, one dreadful day, I came back from a biology lecture to find my chicks dead! I only found out decades later that the future surgeon, my own lab-mate, Tom, had poisoned their corn feed to quiet the rooms.

To be quite frank, my years at Yale included many misadventures. For example, I was invited to a cocktail party upstairs, at a neighboring entry, which was given by another pre-med sophomore (who became a distinguished physician). You could drink at 18, but in Providence only at 21.

There stood a crystal bowl offering a pleasant mix of vodka – or was it gin? – and a clear tonic with a faint perfume of lemon or lime. I drank glasses of the lovely elixir and then sailed down and across to my bed. No, it wasn't a cot; it was a skiff. I rowed across the Atlantic Ocean all night long through endless swells and storms and awoke for a large art history course gathering at 8 AM. The slides of paintings from around the globe swayed and swerved on the screen – or so it seemed at least to me. Needless to say, for years I gave up martinis for sherry and French wines!

I had won "bursary" jobs as a small, almost token, scholarship, and I had two assignments. One was to help with the research into the social lives of 18th-century essayists, whose work had recently been discovered in an English attic. I had to type out on cards the notes about the letters of Dr. Samuel Johnson and his contemporaries. And serve tea to the scholars. The other job was serving wines and cocktails at receptions sponsored by college masters and professors. What was left in the bottles I could take back to my rooms. I would wait for my friends to finish up their papers and join me (and Jim) for a few nightcaps by the fireside. On occasion, we might walk or drive across town to Frank Pepe's, an alleyway pizza place in a garage on Wooster Street, with porcelain tables, beer service, and absolutely no advertising of any form!



Mike with Maria DeMatos,
1955

Were there, among the stag society, nevertheless girls who entered our lives? Joel had a good camera and recorded a few glimpses of our social and romantic weekends. With the cooperation and contributions of our sextet of sharers and

searchers, I once rented a mansion by the seashore. We put up our dates at the Taft Hotel, but we entertained them in the grand summer estate we had obtained for the soirée.

My date, Maria Johanna Teixeira DeMatos, came from French House at Smith. “Micky” came to our shores from Holland, but she had that Portuguese name. It turned out that she was a descendant of conversos, and her father was a diplomat. She was diplomatic as well. Though we drifted apart, she sent me a kind letter on the occasion of graduation. I bet I could still find it among the trunks of papers and mementos in my garage studio.

There was one solitary girl in the Yale Music School, Aviva Timoner, whom I would see at George & Harry’s. Wrapped in a scarf, she was a wee girl with round eyeglasses. Against all odds, she set her eye and mind on ... me! At the time, it somehow frightened me, even while it flattered my ego.

On still another weekend, at a Vassar mixer, I met a pianist. I was actually performing “Für Elise” (Beethoven’s bagatelle No. 25 in A minor), the last piece I could recall from my boyish years tickling the keys, on a baby grand. This girl was also a violinist, a dancer, and an illustrator, and she was willing to visit New Haven once. Even Providence once. And that was all! I would see her in newspapers, magazines, on television...

I had left Yale and my social circle there to spend my junior year at the Sorbonne through the Sweet Briar College-Yale program. Why? Perhaps because during the Korean War, when my roommates joined ROTC, they tried out their

rifles using rats in the dump. Or maybe it was because I had lost my sense of purpose. I had given up on both law and medicine, and literature and language had replaced more practical pursuits. My father opposed the idea of a year abroad, but my mother supported it. Until the last moment, I remained uncertain myself, but it was an excellent choice. I studied the existential movement, learned a language other than English, made my way around France, and even entertained visiting Canadian aunts and uncles. But this memoir is about Yale!

When I returned to New Haven for my senior year, I resided in room 1895 of Silliman. I put up a slim, wood-framed, nearly full-length portrait of my young aunt, Polly Fink, née Olive Anne Norton, who was married to my uncle, Herb.² In the painting she was casually garbed with her head turned away from the viewer. Herb, who was a graduate student in Yale's School of Art, had painted the portrait. On weekends the Finks welcomed me for dinner and a tour of their studios.

Herb requested that, upon my graduation, I return the portrait to him. But the painting has disappeared, and there is no record of the image. But it has retained its value as a figurehead of my undergraduate life. Ironically, Polly claimed descent from Eli, Yale's founder.

During my senior year I won the Montaigne Prize for excellence in French. My essay was in the form of a dialogue between my Parisian landlady, Mme. Dauchez, and me. She insults my French, and I offer Camel cigarettes to her husband. Having won the Montaigne competition, I also received a congratulatory letter from Henri Peyre, one of several Sterling professors and chair of the French department.

I took the prize money to J. Press, gentlemen's clothiers, and purchased a complete wardrobe. It included a tweed suit and a sports coat, a raglan-sleeve raincoat, a pumpkin-colored fedora, an ancient madder necktie, stockings with garters, and cordovan shoes. I would now at last become "shoe," a chic Yale senior.

Another professor, one of the resident masters, assumed that I was a budding playwright. He asked me to create a theater in Silliman's common room. I cast my double-salon of roommates – Doug, Joel, Tom, Henry, and Jim – in key roles for several productions. These included: the play within a play from "Midsummer Night's Dream," Fielding's "The Life and Death of Tom Thumb," and Wilder's "Our Town" (in which I took the part of the drunken organist). No, I was not a member of the notable Yale Drama Club. Although more playful and

amateurish, my productions were still gestures of creativity and collaboration.

Was I a worthless liberal arts major, wasting my family's investment and ignoring all the options open to one lucky enough to acquire an Ivy League degree? Well, perhaps, indeed so. I had abandoned the idea of going on to law school. Poetry, by contrast, offered no vigorous options, only impressions, the more ambivalent, ambiguous, paradoxical, and difficult, the more elegant! Forcefulness and rhetoric, the arts of persuasion, like the certainties and quests for confirmation of facts within the sciences, were irrelevant to the pursuit of poetry!

A boy named Murray Solomon claimed the upholstered chair besides a classics professor's walnut desk. I had the key to the wine cabinet. Murray often dozed off, and I made a bit of fun about it in our private rooms. On Commencement Day, who was the last person at the gate to bid me goodbye as I entered the car to be driven back to Rhode Island with my mother and father quarrelling or falling silent and my mood darkening? It was Murray, who told me my conversation in class had pleased and impressed him. He looked a bit pale and even just a touch puffy. I read in the very first alumni magazine of my postgraduate life that he had died of leukemia. So, of course, I felt, with poignancy and genuine sympathy, that his nodding in that envious chair of privilege had been totally misunderstood by me! Oh, I could add many such moments I might live to regret or at least to reexamine.

Coming back to the close of my Yale lifetime, I had, nevertheless, applied to a number of law schools, but rejected my acceptances from Chicago, Columbia, and Harvard. I was already doubtful whether I would aim so high or instead steer a bit lower, to teach the values I had learned from such professors as Cleanth Brooks in English, John Silber in the philosophy of education, and Bill Jordy in art and architectural history. I saw these "useless" values as also marvelous and magical, which I could bring back home – like treasures to share – in the public schools where I had grown up.

So, having won a Charles H. Smith Scholarship, which was available to graduates of Providence public schools for study in any undergraduate or graduate program at Harvard, I enrolled for a new degree, a master of arts in teaching, at Harvard's Graduate School of Education. Of course this decision disappointed my parents, aunts, uncles, brothers, and neighbors.

But three of my Yale buddies also ended up at Harvard. Joel Freedman and Doug Worthing went to the law school, and Henry Kranz went to the



Mike with Joel Freedman

business school.

Henry inherited two businesses – a candy manufacturing fortune and a construction empire – but he endeavored to build a utopian community in upstate New York.

Eventually, he lost his legacy. Alas, he never married and lunches at a café for the elderly and publishes a column in a small newspaper. Joel is deeply dismayed and disappointed by Henry's destiny.

Jim Greene, who rose to major in the Air Force, is currently working on a genealogical quest for ironic truths. He has discovered some of his Southern cousins, descended from slave owners, who are longtime members of the Klu Klux Klan!

Jan Deutsch, with whom Jim and I shared rooms freshman year, made his professional home at Yale. Having earned a law degree and a doctorate in political science there (both in 1962), he eventually became the Walton Hale Hamilton Professor of Law. His expertise resides in corporations and securities regulations.

After Harvard, I earned another master's at Brown, but I never found the magic, charm, and glamour that I had known at Yale. I consider it my alma mater, my soul and spirit "mother."

But a few years after Brown, I was drinking a glass of ale at a rundown bar near South Station in Boston. The habitués of this hole-in-the-wall were a pretty sorry lot, but they comforted me with their sodden sorrows. I had run out of enough coinage to treat the regulars to a round of beers or boilermakers, so I pawned my Yale ring at the shop next door. This pathetic ancient anecdote earns a few poignant laughs when I recount my sense of defeat – at respectable cocktail parties or alumni gatherings.

In due time, however, I found a future, and among its diverse decades was the fact that my first-born child, Emily, followed in my footsteps to New Haven. As a daughter of Eli, she earned her bachelor's degree in 1998. Was it more than a coincidence that her residential college, built within a more intimate quadrangle in 1962, was named for Ezra Stiles, a Yale alumnus and president? In 1773, while

minister of Newport's Second Congregational Church, he had studied Hebrew at our very own Touro Synagogue with Rabbi Haim Carigal. By this time, however, two Hebrew words from Leviticus (8:8) had already been part of Yale's seal for nearly 40 years.³

Emily gives me credit for the "legacy" that supported her application, but I am aware that she totally earned her admission upon her own merits as a poet, debater, and scholar. Incidentally, she visited her great aunt, Polly Fink, the lady in the painting, to write a history thesis about World War II's G.I. generation.

Even beyond Emily's achievement and my attendance at various reunions, my visits with Joel Freedman remain a very important link to my youth. They are a comfort and a delight. He and his hospitality bring me much nostalgia – even for the follies of yore. They echo the words from Yale's 1881 alma mater about "the shortest, gladdest years of life."

Editor's Notes

1

Dan A. Oren, *Joining The Club: A History of Jews and Yale*, Vol. IV: *The Yale Scene* (Yale University Press, 1985), "Appendix Five: Enrollment at Yale College (and Sheffield Scientific School, Where Indicated), 1902-1969," 320-12.

2

For a portrait of Michael's uncle, see "L'Chaim to Herb Fink," *Rhode Island Jewish Historical Notes* (November 2007), 79-85.

3

Oren, "Appendix One: The Yale Seal," 305-14.

Old Campus





Relief on Bingham Hall, 1928

Michael Fink's Predecessors:

The Earliest Jewish Rhode Islanders at Yale

George M. Goodwin

It is quite difficult, if not impossible, to identify all of Mike's predecessors because of limited accessibility to the university's alumni records, particularly online. Of course alumni in such directories are not ordinarily identified by religion or ethnicity, so a search must be generally limited to Jewish-sounding surnames.

The Yale alumni directory published in 1926 lists about 33,000 individuals (all of them still living). This number can be divided into about 24,000 graduates as well as about 9,000 individuals who had not earned degrees. Because the directory lists alumni and attendees' current addresses, there is no way to know how many Jews living beyond Rhode Island once lived here. The only way to gain a better idea of the actual number who originally lived here would be to trace the records of every graduating class- at least since the 1880s- a daunting task.

The 1926 alumni directory lists approximately 250 alumni and attendees living in Rhode Island. Of course the largest number resided in Providence, but many others can be found in smaller cities and towns. Apponaug, for example!

Having carefully examined the 1926 directory, I was able to identify only six Jews living in the Ocean State, but all these men were graduates. Two had received bachelors' degrees: one from Yale College, the other from the Sheffield Scientific School. Three men were graduates of the Law School, and a sixth earned a doctorate in the Graduate School.

The earliest graduate, Charles Shartenberg of Pawtucket, was Yale College, Class of 1911, which had 11 other Jews. He was the younger brother of Henry Shartenberg, a 1896 graduate of Pawtucket High School, who was probably one of the first Jewish Rhode Islanders to enroll in and graduate from Harvard College, in 1900. As explained in my article in the 2014 issue of *The Notes*, Henry and Charles were sons of Jacob Shartenberg, a German émigré who became a highly successful merchant in Pawtucket before expanding his dry goods business to Newark and New Haven. Charles (1888-1955) also enjoys the distinction of having been the first Jewish Rhode Islander to graduate from Phillips Academy in

Andover, Massachusetts, or perhaps any of New England's elite Protestant boarding schools.

Charles joined the family business, and his son, Charles, Jr., Yale College's Class of 1938, worked there too. Charles and his wife are buried beside his parents in the cemetery of Congregation Sons of Israel and David (Temple Beth-El) in Providence.

Harold Cohen, who was born in Pawtucket in 1891, graduated from its high school in 1911. He was the youngest child of Adolph and Rachel Rosenthal, who, like the elder Shartenbergs, were members of Sons of Israel and David. Adolph, another German émigré, operated a shoe store on Main Street in Pawtucket. The 1900 federal census shows that he was successful enough to employ a live-in Irish servant. Harold's older brother, Samuel, 20, was living away "at college."

Unlike most Jewish students enrolled at Brown, Samuel lived on campus for four years while studying chemistry. In the yearbook of 1902, "Sammy," a senior, was known as a storyteller ("even better than Abraham Lincoln"), whose usual greeting was not "Hello," but "Have you heard?" A yearbook staff member also commented, "Life will lose a good man if Sam carries out his threat of going into business."

Harold and Samuel Cohen had an older brother, misidentified in the 1900 census as August. This was actually Bernard Cohen (1878-1970), who had been Henry Shartenberg's 1896 classmate at Pawtucket High and four years later his classmate at Harvard College. His career as a dentist and his life in New York City are also highlighted in the 2014 article in *The Notes*.

Today, as more than a century ago, it seems totally improbable that Adolph and Rachel Cohen were able to nurture and to some degree support three sons who graduated from Ivy League colleges – Harvard, Brown, and Yale- long before the Ivy League was organized as an athletic conference.

But Adolph and Rachel's devotion to education was even more impressive, for Harold, the Yale graduate, had graduated from Phillips Academy, Andover, in 1910, three years after Charles Shartenberg. In his class of 152 boys, with only one other from Rhode Island, 80 enrolled at Yale – in either the College or Sheffield School.

It is not known why Harold did not follow in Bernard's footsteps to Harvard, but relatively few Andover alumni went there. Like Samuel, Harold studied

chemistry. His draft registration, in 1917, shows that he was initially employed as a chemist at Attleboro Braiding Company in South Attleboro, but he enlisted in the Army and served as a pilot based in Toulouse, France. After his discharge in 1919, Harold joined his family's retail business. Indeed, he was later its manager and owner. The 1930 census shows that Harold was prosperous enough to employ two live-in servants while his two sons were still quite young.

The oldest Cohen son, Bernard, never married, and is buried with his parents in Israel and David's cemetery. Samuel, the middle son, was at least briefly married, and he too is buried in the Cohen family plot. It is not known where Harold and his family are buried. The eldest of Abraham and Rachel Cohen's children was Gussie, born in Rhode Island in 1877. Nothing about her education or later life can be determined.

The first three Jewish Rhode Islanders who graduated from Yale Law School earned their degrees between 1913 and 1926. According to Melvin Zurier and Jeremiah Gorin's article on early Jewish lawyers in Rhode Island, which appeared in the 1996 issue of *The Notes*, only 38 Jews had been admitted to practice in the Ocean State through 1926, when the Yale alumni directory was published. As the nearby chart illustrates, most of these lawyers studied at Boston University or Harvard Law Schools. Boston University was partially inviting because it did not require a bachelor's degree. Before law schools became *de rigueur*, a few of Rhode Island's earliest Jewish lawyers may have apprenticed with established practitioners.

Leon Harry Semonoff (1888-1970) was the first Jewish Rhode Islander who graduated from Yale Law School. Born in Minsk, Russia, he came to Providence in 1891. His father, Wolf, was a tailor. Leon studied briefly at Brown in the Class of 1911, but did not graduate. He must have been an impressive student at Yale, however, for in his senior year he won the highest of three Munson Prizes. Semonoff practiced in Providence, was a president of the Young Men's Hebrew Association, and published *The Rhode Island Review*, a Jewish weekly newspaper.

Joshua Bell (1884-1951), who had been born in Chritovka, near Minsk, Russia, arrived in Baltimore in 1904 and was naturalized in Providence in 1911. (This was the occasion when he changed his name from Beliavasky to Bell.) One of the two witnesses at Bell's naturalization ceremony was Judah Charles Semonoff (1888-1960), Leon's twin brother, who was also Bell's Brown classmate. Judah, who, with three other Brown alumni, earned his law degree at Harvard

in 1914, served as the first Jewish president of the Rhode Island Bar Association from 1957 to 1958. He practiced with his son, Ralph (Brown '39 and Harvard Law '47), who was president of the Bar Association from 1978 to 1979.

Joshua Bell's native language was Yiddish, and he had an extensive Jewish education, which possibly included ordination. Bell was also fluent in Russian and may have taught some classes while still a Brown undergraduate. He earned his bachelor of philosophy degree in 1911 and served as a tutor, probably in Hebrew, for the next four years. In 1913 he married Hannah Burke, and the first of their three children, Miriam, was born in 1915. Their second, Bernard (1920-2015), also became a Brown graduate, Class of 1942, as did Bernard's children, Daniel, Jonathan, and Deborah. In 1917, when Joshua registered for the draft in New Haven, he was still helping to support his family as a teacher.

At that time, only 119 students were enrolled at Yale Law, including 27 students in Bell's Class of 1918. Fourteen of these men had earned Yale bachelors degrees. At least four of these same classmates were probably Jews, including: Harry Birnblum, Bernard Greenberg, Solomon Levenstein, and Morris Rabinowitz. Only one other classmate, Benjamin Case, Jr., was from Rhode Island, and he too was a Yale College graduate.

Between 1912 and 1921, after having served as President of the United States and before serving as Chief Justice of the Supreme Court, William Howard Taft was the Kent Professor at Yale Law School. No doubt Joshua Bell had been his student. In a survey of Brown alumni in 1923, Bell stated that Taft had appointed him to serve on the National War Labor Board, in Washington, DC, from 1918 to 1919.

Although Bell was a solo practitioner, he often shared an office in downtown Providence. For example, during a portion of the 1930s, he shared space in Room 628 of the Hospital Trust Building with David C. Adelman, the future founder of the Rhode Island Jewish Historical Association.

Bernard Bell thought that, for a variety of reasons, his father struggled hard to make a living. One reason was that Jewish clients preferred a somewhat younger generation of native-born lawyers.

The Bell family, which resided in South Providence, was active in Temple Beth-Israel. Indeed, Joshua, a founder, served as an officer for 25 years. He was also active in Zionist affairs. In 1927, for example he was associate chair of the Rhode Island branch of the American Jewish Congress.

The Bells did not seriously consider making *aliyah* until the early 1930s, however. Miriam Berman, a Jewish Palestinian who was a member of Pembroke College's Class of 1932, urged them to strongly consider this option. Having sought a kosher home, she had lived with the Bell family for four years at 129 Prairie Avenue. After Miriam's graduation, Hannah Bell and her three children followed her to Tel Aviv, became fluent in Hebrew, and stayed about two years. Joshua remained in Providence to support his family. (Ms. Berman, who had studied biology at Pembroke and later worked in the hygiene department at Hebrew University, married a farmer, Aaron Kaplan, and eventually settled in Gedera, Israel. She was never active as a Pembroke alumna.)

After serving in the Army during World War II, Bernard and his young wife, Claire, a Wellesley alumna, moved to New Haven so he could enroll at Yale Law. But he soon left to begin working in his father-in-law's business back in Providence.

Alfred E. Rosenhirsch (1904-1967) graduated from Yale Law School in 1926. The son of a German-born father and a Russian-born mother, he had grown up in a three-decker house at 10 Goddard Street in Providence's North End. Indeed, his father, Harry, resided there from 1900 until his death in 1925. As explained in my article about three-deckers in the 2012 issue of *The Notes*, Harry, an importer and manufacturer of bristles, had been a founding member of Providence's Gemilath Chesed (Hebrew Free Loan Association) in 1903. The third of five children – all born in Rhode Island – Alfred (identified as "Allie" in the 1920 census), graduated from Hope High School and Brown.

Before enrolling at Yale, his middle name had been Eli. Thereafter, he became known, at least informally, as Elihu.

By 1930, when he married, Rosenhirsch was living in Brooklyn. Two of his brothers would relocate their bristle business to New York City, and their mother would also move there. Alfred established his law practice in Manhattan and lived with his wife, Blanche, on the Upper West Side. The couple traveled widely and in 1950 visited Israel. Yale Law School's website shows that in 1958 he established an endowment for general support.

Hymen Samuel Mayerson (1900-1985), a Providence native, earned his Ph.D. at Yale in 1925. His father, Moses, an Austrian émigré, established a dry goods store in Woonsocket. The Mayerson family, which included five children, continued to reside in Woonsocket while Hymen, the middle child, studied for

his Brown bachelor's degree, which was awarded in 1922. The 1920 census shows that the Mayersons' neighbors were Simon and Ida Colitz, who would become the maternal great-uncle and great-aunt of Gov. Bruce Sundlun.

Mayerson studied physiology at Yale and taught there for a year after earning his doctorate. In 1926 he joined the faculty of Tulane University, in New Orleans, where he ascended the academic ranks and served as chair of physiology from 1945 until his retirement in 1965. From 1962 to 1963, Mayerson, a widely-published researcher, served as president of the American Physiological Society. For ten years following his Tulane retirement, he served as associate director for research and education at Touro Infirmary, the large hospital named after the family associated with Newport's synagogue.

No doubt there were many other promising and accomplished Jewish students from Rhode Island who preceded Michael Fink to Yale, but are listed in post-1926 directories. For example, Irving Strasmich Stowe, a Brown alumnus who earned his law degree at Yale in 1939, became a pacifist and a founder, in 1972, of Greenpeace, the international environmental organization. He was profiled in my article in the 2013 issue of *The Notes*. Another prominent graduate of Yale Law School, in 1954, was Richard J. Israel, also a Brown alumnus. In 1971, as a Republican, he was elected the first Jewish attorney general of Rhode Island. Judge Israel wrote about himself in our 2005 and 2006 issues.

But perhaps the most illustrious Jewish Rhode Islander at Yale was Harry A. Shulman (1903-1955). He was a graduate of Providence's Classical High School, earned a bachelor's degree and a Phi Beta Kappa key at Brown in 1923, and then received two degrees from Harvard Law School: a bachelor's in 1926 and a doctorate a year later. After clerking for Justice Louis D. Brandeis, this Russian émigré began to ascend Yale Law School's academic ladder. Beginning as an instructor in 1930, he achieved the rank of full professor in 1937 and later held the Lines and then the Sterling chairs. Shulman became Yale's first Jewish law dean in 1954 but soon succumbed to cancer. He was a specialist in torts and administrative law. According to *The Yale Biographical Dictionary of American Law* (published in 2009), Shulman was considered "one of the most influential people in the history of American labor arbitration."

**Jewish Lawyers Admitted to the Rhode Island Bar:
1883 to 1927**

This list, created by Melvin L. Zurier and Jeremiah Gorin for the 1996 issue of our journal, has been updated by your editor. I received key assistance from Stefanie B. Weigmann, associate director for research at Boston University's Law School Library, and Marcia L. Oakes, reference librarian at the Rhode Island State Law Library.

Well into the 1920s, a bachelor's degree was not required for admission to law school. Although much information is still missing, it also appears that a law degree was not required for admission to the Rhode Island Bar until the 1910s. Alas, there is still a glaring need for a comprehensive article about Jewish lawyers in the Ocean State. Accountants, bakers, car dealers, farmers, florists, and teachers have theirs!

	Year Admitted	Undergrad & Law Degrees
David C. Adelman 1892-1967	1919	Brown '14
Walter Adler 1896-1991	1923	Brown '18 & MA, Harvard '23
Charles Z. Alexander ?-1970	1907	Brown '05, Harvard '08
Joshua Bell 1887-1951	1920	Brown '11, Yale '18
Frank H. Bellin 1880-1932	1898	
Henry D. Bellin 1883-1960	1906	
Morris Berick 1903-1976	1927	Boston '26
Solomon S. Bromson 1885-1941	1910	Georgetown '10
Robert Brown ?-1965	1926	
Robert M. Dannin 1902-1943	1924	
Arthur H. Feiner ?-1977	1925	Brown '22, Harvard '25
Daniel W. Fink 1859-1926	1883	
Charles S. Finkelstein ?-1930	1915	
Harry I. Goldshine 1900-1976	1926	Boston '26
J. Jerome Hahn 1868-1938	1891	
George Helford ?-1940	1917	
Isadore S. Horenstein ?-1964?	1918	Boston '18
Fred Israel 1903-1975	1926	Boston '25
Samuel I. Jacobs 1895-1980	1921	
Archie O. Joslin 1898-1973	1918	Boston '18
Philip C. Joslin 1886-1961	1908	Georgetown '08
Arthur J. Levy 1897-1972	1920	Brown '19, Boston '20

	Year Admitted	Undergrad & Law Degrees
Max Levy 1872-1941	1901	
Ira A. Marcus 1893-1971	1916	Brown '14, Boston '16
Philip V. Marcus 1883-1947	1911	Brown '06, MA '07, Harvard '10
Lester W. Millman* 1874-1947	1908	Brown '98
Samson Nathanson ?-1951	1915	Brown '12, Columbia '15
Charles M. Robinson ?-1934	1913	
Maurice E. Robinson ?-1952	1911	Brown '11, Boston '10
John J. Rosenfeld 1871-1942	1912	
Alfred E. Rosenhirsch 1904-1967	1926	Brown '25, Yale '26
Judah C. Semonoff 1889-1960	1914	Brown '11, Harvard '14
Leon H. Semonoff 1889-1970	1913	Yale '13
Harry A. Shulman 1903-1955	1926	Brown '23, Harvard '26
Walter I. Sundlun 1890-1976	1922	Boston '22
Samuel S. Temkin 1897-1963	1926	Brown '19, Georgetown '26
George Triedman 1903-1951	1926	Boston '24
Morris S. Waldman 1901-1973	1925	Boston '25
Max Winograd 1899-1970	1921	Boston '21
Samuel H. Workman 1895-1949	1919	Brown '15, Harvard '18
Leonard N. Zisman 1878-1935?	1901	

*not on Zurier & Gorin's list

John J. Rosenfeld



Judge Philip C. Joslin



Echoes of My Musical Upbringing

Joel Cohen

Born in Providence in 1942, the author is nationally and internationally renowned among devotees of early music. For 40 years, beginning in 1968, he led the Boston Camerata and is now director emeritus.

Under Cohen's baton, the Camerata, in addition to making numerous appearances at the Tanglewood Festival, performed at such major American venues as Lincoln Center, The Cloisters, the Smithsonian Institution, and the Library of Congress. His ensemble, which has toured in Canada and throughout Europe, has also performed in Japan, Singapore, and Israel.

Cohen's concerts with the Camerata have resulted in more than 50 CDs and videos on the Erato, Harmonia Mundia, Nonesuch Telefunken, Glissando, and Warner Classics labels. In 1989 he and his colleagues won France's Grand Prix du Disque for its interpretation of the medieval Tristan and Iseult legend. As the founder of the Camerata Mediterranea, Cohen works extensively and lives much of each year in France. As director of the Camerata Mediterranea, he was a recipient of the Netherlands' Edison Prize in 2000.

Joel's American home is in Amesbury, Massachusetts (the site of one of New England's best preserved 18th-century meetinghouses). Since childhood, he has enjoyed all kinds of American folk songs and spirituals. In 1995 and 1996, the Boston Camerata's recording of Shaker chants and spirituals reached number one on *Billboard* magazine's chart of classical recordings.

But the author's deep interest in religious music spans Christian, Jewish, and Muslim traditions. Accordingly, since 1982, he has led numerous "Sacred Bridge" concerts as well as other interfaith programs, perhaps most notably a Camerata Mediterranea CD of medieval Spanish music recorded in *Fès*, Morocco. Writing in the June 2016 issue of *New English Review*, the critic, poet, and visual artist Richard Kostelanetz, a Brown graduate of 1962, called his contemporary "the greatest classical musician ever to graduate from Brown."

As I reflect, fears of anti-Semitism existed throughout my childhood in Providence, even though my parents tried to shield my late sister, Esther, and me from their own anxieties.

To begin with, my Russian-born grandfather, Israel Cohen (1871-1933),

had been an active rebel for the *Arbeter Bund* (the Jewish socialist movement). My Russian-born father, Jacob Israel Cohen (1893-1969), was also drawn to left-wing causes.¹ He kept numerous books and pamphlets on political and Jewish cultural subjects, in English and Yiddish, in the basement library of our home at 50 Carr Street in South Providence. That most of the politically-themed books disappeared from the basement shelves during my years at Classical High School was but one symptom of his and my mother, Beatrice's (1912-1986) fears. A fear of McCarthy was rampant in those years; my folks made no secret of their loathing of the man. Still, the imperative was there: act normal, don't talk about the past, and don't make waves.

I remember an article in *The Evening Bulletin* about a jeweler/ goldsmith downtown (his son was a colleague of mine in the Youth Philharmonic) who had been called before the House Un-American Activities Committee and queried about his previous leftie – perhaps Communist – associations. My father, as I recall, grew pale reading the story. As a young man during the 1920s, he had given public lectures on the Russian Revolution. Later, all the articles he had written for the Yiddish and English press, which had been kept in an album, disappeared. I despair, wishing that I could now read what he wrote.

Two Temples

I was a studious and brainy kid, overweight, not in the least athletic. Esther, who was three years younger, and I were required to attend religious school at Temple Beth-El three times a week. Every Saturday I sang in the children's choir, and I was a soloist in "Etz Chayim Hi" until my voice cracked. My religious school education culminated with my bar mitzvah.

There were upsides and downsides to my religious education. On the one hand, my familiarity with elements of liturgy led me to compose two sacred services: one for my senior thesis at Brown, the other for my master's in composition, under Randall Thompson, at Harvard. And my interest in Jewish civilization and music has continued to this day.

One downside of attending religious school at Beth-El was the social isolation it incurred. I had a dreadfully long, weekday commute to and from the new temple on the East Side. My parents had built a small house in a gradually decaying neighborhood of South Providence, near the Cranston city line. When, because of my father's bad health and his failing business, they had to sell the



The author, age 4

house, about 12 years after moving in, they incurred a loss. Anyway, the hours I spent taking two infrequent buses back and forth most certainly took a toll on my interactions with other kids. One afternoon, after descending from the Butler Avenue bus and walking towards Beth-El, two bigger kids came forth and threw me to the ground, calling me “dirty Jew.”

For two or three years, Esther and I were also sent to a Zionist summer

camp, Tel Noar, in Hampstead, Hampshire, which was run by Frieda Hohenemser and her husband, Cantor Jacob of Temple Emanu-El.² Even though my Uncle Leo sang in Emanu-El's choir, my family attended services there only once in a blue moon. But I felt uplifted by its services, especially Cantor Hohenemser's rich, bass-baritone voice.

In many ways I much preferred Emanu-El's approach to music over Beth-El's. At the Conservative congregation there was a real organ, the choir was drawn from the ranks of its members, and others within the sanctuary sang along with the melodies. At the Reform congregation, where the organ was electric, the sound was piped into the sanctuary via a series of loudspeakers. I found this sound to be very creepy, like the music for scary radio stories. Rather than a choir of congregants, Beth-El had a quartet of professional singers. ("You know, they aren't Jewish," my mother observed several times with a hint of pride in her voice.) I did not appreciate their loud-and-louder, vibrato-laden approach. During my years, before Cantor Harold Dworkin's arrival in 1960, the congregation sat silently as it was inundated with sound. I attribute this coldness and rigidity to the neo-Protestant aspirations of Beth-El's leaders, who wanted to distance themselves, as strongly as possible, from anything that could be perceived as "Eastern" or "Oriental."

Nevertheless, the vocal music of both congregations was the neo-Mendelssohnian repertoire of the 19th-century, German-Jewish *aggiornamento*. During my years at Beth-El, the organist and music director happened to have been Alice Liffman, a German Holocaust survivor.³

The bittersweet dénouement to my religious education took place in my late teens, when my father declared to me that he was a "Jewish atheist." Why, then, had he and my mother required of us all those hours of religious training? It had to do, I think, with our parents' wish to inculcate a cultural identity. My father was not exactly detached from the Jewish community, however. Between about 1930 and 1945, for example, he had served as executive director of Providence's Jewish Community Center, then located at 65 Benefit Street. And my mother was later a social worker, so she too knew the value of community.

While some things in this mix of religious and cultural education stayed with me, other things have fallen away. For example, although I no longer have much sympathy for Zionist ideology – or for nationalism of any kind – my Jewish cultural identity is still alive and strong.

These days, as a fascist candidate runs for president on the ticket of a major party, I often think back on my childhood. And on those fears. Lately, they even enter my dreams. My mother had warned us children that the electrician/TV repairman with a storefront on Broad Street had Nazi sympathies. She also remembered that there had been a pro-German faction or cell in South Providence during the war.

Perhaps today's news makes my memories of childhood more somber than they really were. I was inspired by Rabbi Braude's beautifully constructed, profound sermons and by Cantor Hohenemser's mellifluous sounds. Against the darker patches, may those good memories prevail!

Miss Gorman

Miss Gorman was the music teacher at Broad Street School (at 1450 Broad, near Eddy), and our paths probably collided when I was in second grade. Our relationship consisted, mainly, of intense mutual hatred.

As I recall, music lessons were once or perhaps twice a week. I try to remember the inane, spiritless songs she attempted to teach the class. Every single one, I think, was in a major key with monotonous, tonic-dominant, implied harmony. They were about namby-pamby Victoriana, which had nothing to do with our own experience as American kids circa 1949. One text, with music, comes to mind:

*Centa, sweet Centa
Refuses her polenta;
No wooer
To sue her,
She'll eat never a bite today.
Gather buds, yellow and red and blue,
Twist a knot, yellow and blue and red;
Patience lad, cheerily bide your time!
Girlish moods are quickly fled.*

I thought Miss Gorman was a drip, and that all her repertoire was drippy.

I much preferred songs like "John Henry," or "Drill ye, terriers, drill." At home, my mother, at her upright Mason & Hamlin piano, played me those and other songs from the *Fireside Book of Folk Songs* (Simon and Schuster, 1947). At

home we also had Burl Ives records from his pre-HUAC days. Burl was no guitar virtuoso, but as I recall he at least knew about subdominant chords.

Miss Gorman had a baritone speaking voice (as did my teacher, Nadia Boulanger, years later), but when she pulled out her pitch pipe and sang forth an initial note she became a wobbly mezzo. All little girls found favor in her eyes, but little boys were only allowed to sing if they could produce a falsetto. The class was divided into “singers” and “listeners.” The singers were all girls, plus one or two boys who could do the required trick. The “listeners,” all the other boys, formed the immense majority. When one wonders why American high school choirs, and classical music ensembles in general, have trouble nowadays recruiting males, the answer in part may have to do with the “sissification” and alienation that was part and parcel of those music lessons.

I was, of course, a listener, even though I spent a good part of my spare time at home singing and loving it. I could reproduce any pitch Miss Gorman required, in the octave that was natural to me, but I refused to make that squeaky falsetto sound. She would request; I would refuse. She would request; I would refuse. I could imagine her saying, “OK, small, repulsive, recalcitrant semi-American, there you go, onto the ‘listeners’ refuse heap.”

Yearning to sing, I resented like crazy my categorization as human garbage. As I recall, the mutual enmity that sprung up between Miss Gorman and me was so intense that my parents were called in for a talk. I do not recall any particular dénouement; perhaps it was decided to keep Miss Gorman and me as far apart from each other as possible. At any rate, I was soon to change schools, and my next music teacher was a much nicer person, even if the songbook repertoire remained reliably insipid.

Miss Barry

Miss Barry of Henry Barnard School (part of downtown’s Rhode Island College of Education) was young, warmhearted, and good with kids. She also introduced me to the music of Johann Sebastian Bach, and for that favor I am forever in her debt.

Part of the class music lesson, for which we would all troop into a dedicated Music Room, involved listening to 78-rpm records on a tinny phonograph. When Miss Barry put the needle down on a recording of Bach keyboard music (it might have been Wanda Landowska on a harpsichord, as

I recall hearing a kind of jangly sound), I was immediately transported and enchanted by the crystalline stream of sixteenth notes. There was a purity and a freshness I had never heard before. Did Miss Barry mention to us the English translation of Bach's name? In any case, it felt like a brook flowing over me. I was washed clean.

Other works that came out of Miss Barry's record player were those of Mozart, Grieg, and Richard Strauss. The program of *Till Eulenspiegel* was explained to us; we laughed with delight at the comic moments and cringed at the punishment.

Which schools still offer music classes in the lower grades? What is the content of such classes?

A few years ago I did some classroom teaching at a Southern university. The students were mainly music majors and graduate students. I spent some time after class socializing with them; they were bright and intelligent young adults. But, as it turned out, there was not one of them who listened to classical music for pleasure. They all turned for recreation, spontaneously, to pop and rock. I surmise that they never had a Miss Barry in elementary school. Learning about the music of dead white men was required in order to obtain a degree and, potentially, a job teaching music.

How many American kids of this and coming generations will grow to adulthood, never having been baptized during childhood in the clear brook of J. S. Bach?

Children's Concerts

The Rhode Island Philharmonic gave children's concerts. My mother and her friend, Gladys Kapstein (1918-1993),⁴ who taught "music readiness" classes from her home to very small children, were big supporters of this activity. I just loved going to these events, which, I understand, continue, although I remember little about their actual content.

The founding conductor, Francis Madeira (born in 1917), whom I eventually came to know a little as a young adult, would present the program from the podium, announcing each piece with a little banter. I was utterly charmed. "Frank" Madeira as concert presenter, I now realize, was a big influence on my later career, as Boston Camerata concerts often featured (and still feature, under my successor, Anne Azéma) commentary from the stage. I was considered

an innovator when I started doing this, but I think it was my inner child acting up, and I owe the procedure to Frank. He retired in 1978. I talked to him in Portland, Maine, where he had moved, in the mid-80s, but I am unable to find online a record or mention of his possible decease. *Sic transit gloria mundi.*

The children's concerts were held at the RISD Auditorium at the foot of College Hill. The place seemed to me vast at the time, but when Boston Camerata performed there about five years ago, I realized how small it really was- perhaps 350 seats. I also realized what excellent acoustics it had, way better than any comparable small hall in Boston, but was shocked to find it in a state of relative neglect. The backstage area, foolishly transformed by the school into classrooms, made it impossible for any but the smallest classical music groups to do serious work there.

Francis Madeira, whose career centered around the tiny state of Rhode Island, was the other, less well-known half of a celebrated classical music marriage. His glamorous partner was the operatic mezzo Jean Madeira, who had an international career singing the title role in "Carmen," among other parts in her repertoire, a number of them Wagnerian. The moms who helped organize the RIPO children's concerts were all abuzz one morning because Madame Madeira, in a very rare, side-by-side moment, was going to sing for us kids, accompanied by her husband and his orchestra. I, too, was excited.

It was explained to me that an opera, in which Madame Madeira specialized, was a play in which the characters sang their lines instead of speaking them. What a terrific idea, I thought to myself, and I was full of anticipation when Madame Madeira arrived onstage in a flouncy dress and took her place, just stage right of her husband on the podium.

Oh, dear.

I was instantly repelled by what I heard coming from the stage. First of all, I couldn't understand a word of it. What conceivably was the point of a play you couldn't understand? (I note that during the early 18th century, Joseph Addison and Richard Steele, in an early number of their literary periodical, *The Spectator*, applied the same commoner's criticism to Italian opera performed in London.) And then, OMG, the *singing*. It was NOTHING like Burl Ives, my favorite vocal artist of the moment. The voice was loud, so very loud, it quavered up and down. You couldn't tell if there was a melody or not; it didn't appear to me to be singing at all. What was all the fuss about? I tuned out immediately, and spent the next

ten minutes (or ten hours, it seemed at the time) in intense moral and aural discomfort.

Now, thanks to YouTube, I am able to catch a couple of excerpts of Jean Madeira singing Bizet and Wagner in the 1950s, and I am awed. That was a bombshell of a voice! As a child, I was not in any way able to appreciate that fine artist's qualities, however.

Reflecting back on my childhood reaction, I rather suspect that "classical" music singing, in its 20th and 21st century manifestations, may be like olives—something of an acquired taste. The thrill of a very big, unamplified singing voice may be lost on kids, and on most of mankind for that matter. Many of us may instinctively want to hear singing that relates to the spoken voice, that maintains steady pitch, and that proffers comprehensible text.

My aversion to most classical music singing persisted for years, even within the jazz world, where I lived for much of my adolescence. I preferred the crystalline clarity of Ella Fitzgerald to the creamier, vibrato-y (and at times self-referential) sound of Sarah Vaughan. And, to this day, I am quick to recoil from the "park and bark" manner of middle-tier opera and oratorio singing.

And of course all of this had a lot to do with my later attraction to early music, and my early-career attempts to impose a lighter, more "instrumental" vocal sound on a 1970s generation of conservatory singers who had been trained to do something else. There were some ferocious moments in that struggle, and at one point the Boston Camerata nearly exploded under the strain. At any rate, I think my core tastes/ atavisms took root in me quite early. Even today, I will in general more willingly listen to recordings of Lenya or Holiday or Azéma than to those of Flagstad or Madame Madeira, notwithstanding the magnificent talents of those latter ladies. The inner child is alive and well.

Piano Lessons

As a child and young woman, my mother, Beatrice, had learned to play piano on an upright Mason & Hamlin. It made the voyage from the Bronx to Providence when I was about seven, probably in 1949. At the time, our family — all four of us — lived in a small rental unit, the upper story of a two-family house at 91 Homer Street in South Providence. My first experience of transcendental, vertiginous awe came when movers removed an upstairs window frame from the building, hoisted the big piano on a frame, dangled it ominously overhead for

several eons (or minutes), and then inserted it, successfully, into our home.

I loved music, and I wanted to play an instrument. Clarinet would have suited me fine. But my mother, who had achieved near-virtuoso status on the piano as an adolescent, insisted on the piano. “It’s the basis of everything,” she said, and not without good reason. “You’ll start with piano; later on you can take up another instrument if you want.”

And so, I was introduced to Barbara Barnes Kruhm, who came highly recommended by the neighborhood circle of progressive mothers, even if she wasn’t Jewish.

At my first lesson Mrs. Kruhm played for me, and just for me, and it was wonderful. I even remember what the piece was: a fantasia on Stephen Foster’s “The Camptown Races” (probably not the Louis Gottschalk piece, but something flashy along those lines). It was florid and virtuosic, and I was overwhelmed – seduced by the proliferation of notes and their volume – and by Mrs. Kruhm’s engagement with the material.

That was the high point of my career as a piano student. It was all downhill from there.

My issue, as nobody then realized and one I only began to figure out years and years later, was that I was developmentally retarded concerning my motor skills. My childhood dentist told me, years later, that I had had rickets in utero. In daily life I was a total mess, clumsy and uncoordinated, pigeon-toed, constantly messing up the simplest manual tasks, unable in kindergarten to make my way around a jungle gym. I couldn’t run worth a nickel. The bigger and tougher kids used to beat me up on my way home from Broad Street School. (The later good news was that my fallen arches eventually kept me out of military service during the Vietnam War.) The immediate bad news, for me, Mrs. Kruhm, and my disappointed parents, was that I was unable to coordinate my right hand and my left hand. It was just too damned hard.

So I lurched through my lessons, massacring one simple piece- Anna Magdalena Bach or Aram Khatchaturian- after another. The fact that I couldn’t do what was expected of me (except in music theory, where I was relatively good learning treble clef and “guesstimating” my way around bass clef) made me reluctant to practice or even to approach the piano, a theater of my conspicuous failures.

The traumatic low point of my career as a pianist came at one of Mrs.

Kruhm's Saturday afternoon musicales. All the kids in attendance were expected to prepare little pieces and to perform them for the other pupils and their moms. When my turn came around, I was totally unprepared and could barely play three notes of the assigned piece. I had shunned learning it, shunned practicing, and just put the whole thing out of my mind – until my humiliating comeuppance came due. I remember being publicly shamed and tongue-lashed by Mrs. Kruhm and held up to the others as a terrible example of failed, corrupted childhood. I am not sure how long after that I was allowed to drop piano lessons, but it was probably fairly soon.

It's a wonder that, on the heels of that awful experience, I ever attempted to perform in public again. And yet, somehow I managed, not only to go in front of a public and deliver a musical performance, but also to enjoy it. I rarely get stage fright, and I almost always find the chance to share music with an audience to be joyful and invigorating.

Mrs. Kruhm's Saturday, however, comes back to haunt me at night: not in that precise setting, but in some other disguise. The basic plot of the dream is always the same: I am about to go onstage for a performance, but then realize I am totally unprepared, or that the group I am directing on a tour is unrehearsed. Sometimes there is a definite setting: a public school auditorium, a music camp, a major concert hall in Europe. Sometimes, the presenter is snippy or unpleasant to me, pre-performance. Sometimes, I manage to stumble onstage, confused and disoriented, to find the audience whispering unpleasant things about me. Generally, variants of the Kruhm Dream cause me to awaken in the middle of the night with a fairly high level of anxiety, which I can generally quell by doodling with my tablet on Facebook.

The Duke

During the summer of 1956, when I was a socially immature 14-year-old, I had the enormous good fortune of meeting Duke Ellington backstage at the Newport Jazz Festival. This was about an hour before his history-making set, when he played his *Diminuendo and Crescendo in Blue* and Paul Gonsalves, the tenor saxophonist, took a long, long white-hot solo, and the crowd went wild. I must have 15 Ellington CDs in my collection, but oddly enough not one of this Newport concert.

I watched Ellington charm into helplessness the middle-aged, Jewish,

liberal, lesbian lady whose charge I was. She was the proprietress of Bella Vista Lodge, a bed and breakfast inn at 1 Sea View Avenue (at the corner of Cliff Avenue), where my family stayed in Newport. It was one of very few inns that not only accepted black musicians but also treated them with exactly the same dignity and respect as white guests.⁵

Ellington signed my copy of the festival program book, and I also had autographs from Count Basie and Jimmy Rushing, who wrote, “Thanks for asking.” How I wish, how I wish, that I still had that book.

I guess that Ellington ties with Nadia Boulanger and Olivier Messiaen as the most powerful musical personality I ever managed to encounter. But neither of those two French worthies ever gave me a lesson in how to seduce a pretty woman.

The A Capella Choir

Classical High School was abuzz (circa 1957, I think) because a new musical ensemble was about to be formed. And this was fine with me, because I had flunked band in my freshman year, trying to improvise the right guitar chords as the marching band tootled “The Stars and Stripes Forever” in A flat major. Hopeless.

I think as a junior I was ready for some kind of better challenge. It came via Dr. Louis Pichierri, an energetic and appealing man with an advanced degree (in early American music history, as it happens), who had just been made superintendent of music for the Providence public school system. Classical was a school for college-bound adolescents, and he wanted to start a showcase singing group there. In 1957 he also founded the Rhode Island Civic Chorale and Orchestra.

Dr. Pichierri went from class to class, talking up his project, making the case for a mixed choral group with real musical standards; he was an excellent pitchman. He called his new dream the A Capella Choir and – though I had only a foggy notion of what the term meant – I was intrigued. Along with my buddy, Charlie Capwell, and a bunch of other kids, I joined.

The repertoire of the previous choir had been largely show tunes and songs from TV specials, but Pichierri had his newly formed ensemble sing real music of substantial value. There were English madrigals and Italian villanelle, and also major choral works: the Fauré *Requiem* one year, the Mozart *Coronation*

Mass the next. “Andiamo,” he would exclaim as he launched the Mozart “Gloria” in rehearsal.

Charlie and I were even able to convince him to hire an orchestra for the Fauré performance, and the thrill of singing that choral music with strings and brass was intense. What a fabulous opportunity for young ears and minds! I also tried to get him to hire a band for the Mozart Mass, but to no avail that time; we did it to piano accompaniment. At least he gave the solo in the “Agnus Dei” to a pretty young girl named Alice, and because I had a crush on her at the time, I was reasonably satisfied.

During our senior year, Pichierri would call Charlie and me into his office and play us recordings of new music he was planning to produce with his adult group in Providence. As I recall, Carl Orff’s *Catulli Carmina* was on the list, four pianos and a raft of percussion banging away. (The piece was a downscale rip-off of *Les Noces* but who knew at age 15?). Charlie and I went scurrying to a Latin-English dictionary to decrypt some of the racy verses that had been mistranslated – or not translated at all – on the back of the record jacket. Thus musical discovery and obsessive, teenage curiosity about sex combined to ignite an early passion for research.

I was off to college the next year, so I foolishly lost touch with a man who had done a lot to awaken a musical vocation in my soul. Around my junior year at Brown, there was some sort of exposé in *The Providence Journal* concerning reputed poor teaching in the Providence schools: obsolete methods and such. There was surely plenty of that, but somehow Pichierri got cited for not using the approach du jour. I wrote an indignant letter in his defense, which got printed, but I owed him a lot more than that, as I now realize so many years later. Sincere love of music, commitment to genuinely important and challenging works by first-rate composers, the gift of communication: such were his gifts to us and to society. May many thousands of future Pichierris flourish all across our culture-parched land.

Providence shaped me in many ways – as a person and as a budding musician. I still return occasionally to see an old teacher/mentor. In 2013, when my Brown class held its 50th reunion, I was asked to provide a short musical program, something I was more than happy to do.

A few years ago, across the street from Beth-El and a handful of yards away from the spot where, as a child, I was knocked down and abused, I directed

a concert of Christmas music at St. Martin's Church with the Boston Camerata. I felt at that moment there was some kind of symbolic reconciliation, and that's still how I view that moment.

Editor's Notes

1

Jacob Cohen was one of six Francis Wayland Scholars in Brown University's Class of 1919. He also won departmental honors in social and political science.

2

For another recollection of the Hohenemser, see: Phillip Miller, "Cantor Jacob Hohenemser," *Rhode Island Jewish Historical Notes* (November 2004), 253-60.

3

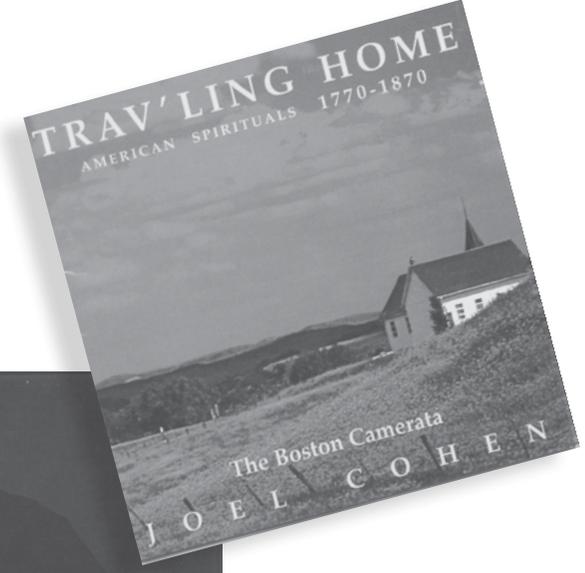
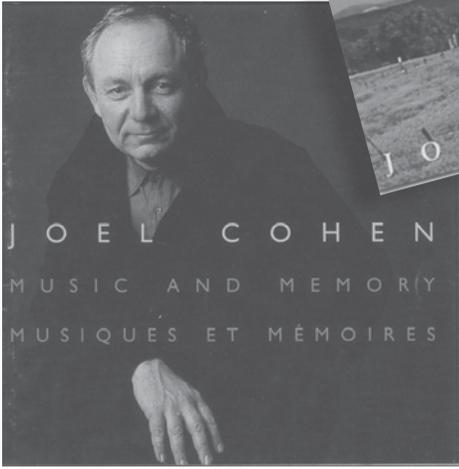
Liffman's predecessor, from 1943 to 1948, was Heinrich Schalit (1886-1976), a Viennese-born organist, pianist, and composer who served the Great Synagogue in Munich from 1927 until 1933, when he fled to Rome, where he became music director of its Great Synagogue. Having emigrated to America in 1940, Schalit served as music director of B'rith Kodesh, Rochester's Reform congregation, before arriving in Providence. He briefly served Temple Israel of Hollywood, California, and settled with his family in Evergreen, Colorado. See: Seebert J. Goldowsky, *A Century and a Quarter of Spiritual Leadership: The Story of the Congregation of the Sons of Israel and David* (Providence: Temple Beth-El, 1989), 330, 346; www.milkenarchives.org/artists/view/einrich-schalit/. Schalit's papers belong to the Jewish Theological Seminary of America. Its music archivist, Dr. Elliott Kahn, portrayed him as "one of the most important creators of American synagogue music in the 20th century." See: www.archive.chazzanut.com/jewish-music/msg00647.html.

4

For glimpses of Mrs. Kapstein through her husband's tenure on the Providence School Committee, see: Geraldine Foster, "An Interview with Sherwin J. Kapstein," *Rhode Island Jewish Historical Notes* (November 2003), 53-8.

5

The proprietress, who had moved to Bella Vista (originally known as Grove House) in about 1945, stayed there into the 1980s. Reared in Buffalo, New York, she had begun serving in 1942 as a program director with the national Jewish Welfare Board's USO office in New Orleans. By October 1943, she was assigned to the JWB's USO office at Commercial Wharf in Newport, where her extensive duties for more than a 1,000 Jewish servicemen (and perhaps some women) also included running a weekly program for "Negro Troops." For decades after the war, this energetic woman served on the staff of the Newport Community Center, operated thrift and antique shops, and was active in several civic organizations, including the Women's Chamber of Commerce. For nearly 40 years, the proprietress's widowed mother also lived at Bella Vista Lodge, which may have had only a half-dozen guest rooms.





Camp Hess Kramer:
Teddy & George, kneeling [left]
1958

My Family's Summer Camps

George M. Goodwin

This is the third article in a series about summer camps. The first, by Stephen Logowitz in our 2014 issue, featured "Camp Shandah." The next, by Ronald Markoff in our last issue, portrayed his beloved Camp Alton. Please consider writing about your summer camp for our next issue.

As it had been for my mother, summer camp was one of the glories of my childhood. It was as significant as religious school (begun in kindergarten) or music lessons (begun in fourth grade), but a lot more fun and probably much more memorable. Surely my many happy summers of camp in Southern California, Northern California, and beyond also had a positive impact on my children. I'm hoping that camp will have a similarly beneficial impact on a fourth generation of our family.

I must clarify, however, that I am not referring to "camping." Except for occasional overnight excursions from summer camps' wooden cabins, I do not recall ever carrying heavy packs, sleeping in tents or craving warmth. Toasting marshmallows over campfires, yes.

My twin brother, Theo (once known as Teddy and later as Ted), and I never went camping with our father, Eugene, whose well-earned, weekly recreational activity was golf. There was one hilarious midnight, however, when the three of us went grunion hunting on a Santa Monica beach and actually grabbed a bucketful of slippery and slimy creatures, which tasted horrible for breakfast.

As children of the Depression, Dad and his siblings, city dwellers, worked perpetually at odd jobs to augment their father's income. Although our paternal grandfather was an engraver, he never taught manual skills to his progeny. Success in school is what mattered!

By contrast, our mother, Madeline, enjoyed a privileged upbringing, which included private school, a country club, and travel abroad. By 10 years of age, through cooking and sewing skills, she had also proved that she was handy.

Vega

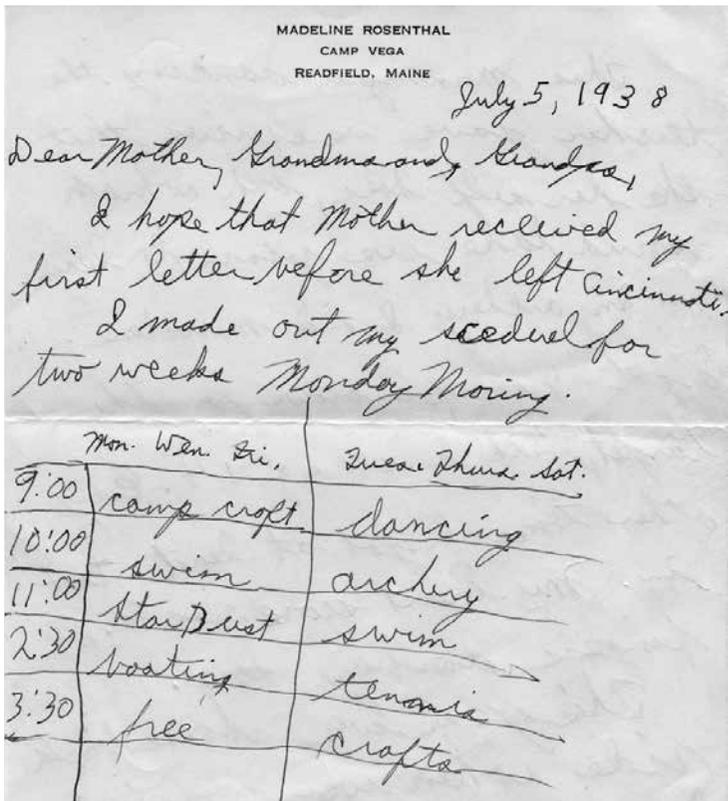
In 1936, at 11 years of age, Mom began attending Vega, a girls' camp in Readfield, Maine, and returned for four summers. Even journeying there was an

adventure. Mom and two friends took a train from their home in Cincinnati to Grand Central Station, where they met fellow campers before boarding a train to Boston. Campers then traveled by bus to Echo Lake. Mom's older brother, George, made similar pilgrimages to Kennebec, a boys' camp in Belgrade, Maine.

These two camps were Jewish in that they were owned by Jews, enrolled mostly Jewish kids, and had many Jewish counselors. But there were probably no dietary restrictions and, except perhaps for a few Shabbat blessings, there was little Jewish observance. Mom mentioned none in her extensive letters home; 19 survive from 1938 alone. It was no coincidence that she had her own camp stationery because her father, George, was in the printing and publishing business.

Based on a Vega alumnae directory published in 1958, which listed approximately 450 attendees, most girls came from or later lived in greater New York City and Boston. Another cluster resided in the Midwest; four made their homes in New Orleans. Needless to say, very few girls came from the West, but several settled there.

Only one girl, Diana Kane, grew up in Rhode Island. According to the 1940 federal census, she had been born in Massachusetts in 1934 but resided with her parents, Sidney and Edith, at 81 Hazard Avenue in Providence. Diana "graduated" from Vega in 1949. By this time, the Kanes had built a Cape-Cod style



home, designed by the prominent architect Royal Barry Wills, at 35 Balton Road in Providence. Sidney, who once owned a retail furniture store, became president of a manufacturing company, Senak Company of America. I'll mention another SCA later.

Mom enjoyed numerous activities at Vega, including swimming, tennis, baseball, and writing for *Star Dust*, the camp newspaper. Perhaps her favorite, however, was archery, for she suggested that her parents build a range (at least 40 yards long) in their backyard. As a horseback riding enthusiast, Mom particularly enjoyed a mount named "Pep." She also enjoyed dances with neighboring boys' camps, though not particularly those with Kennebec. Camp Winnebago, also on Echo Lake, was far preferable.

Not everything met Mom's expectations, however. She missed fresh fruit; her parents did not visit every summer; and in 1938 she often fought with a bunkmate, Janet Weiss, whom she truly "hated."

Mom's most harrowing experience at Vega occurred on July 21, 1938. As the director, Ruth Cohen, explained in a letter home to Cincinnati, Mom had tripped over a trunk in her cabin, fractured her right arm in two places, and was hospitalized for three nights in Augusta. Nevertheless, Madeline (also known as "Maddy") was determined to stay the rest of the summer at Vega- and did so.

Day Camp

Theo and I, who grew up in Los Angeles, began going to camp in 1955 at six years of age. This was of course a day camp, whose literal name was Dayaway (pronounced "Day-Away"). It met in a public park, not far from our suburban home, and included swimming and diving lessons, races, games, and crafts. We brought brown-bag lunches.

It was already evident to our parents- and perhaps to Theo and me- that we were not promising athletes. Or at least not yet! At Dayaway, we received citations for excellence in checkers, table manners, and "conduct on the bus." Another memento I received was a small, wooden plaque, noting that I belonged to the Golden Eagle Tribe. Yes, an award for showing up!

Camp Dayaway enrolled many Jewish kids, though I do not recall any from our Reform congregation, Wilshire Boulevard Temple (to which we rode back and forth, an hour each way, on a yellow school bus). But Dayaway's owners, Sol Pearlman and Jim Kolber, were young Jewish teachers, and our parents must

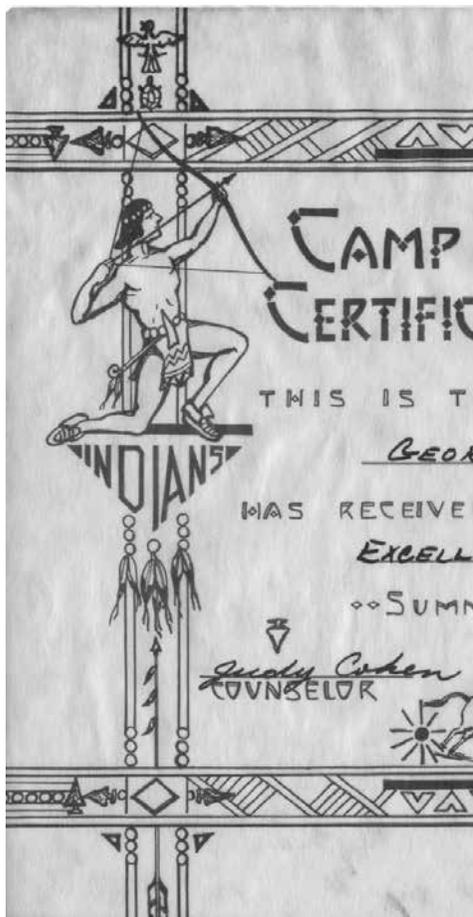
have assumed that we were in good hands. Indeed, the camp prospered and eventually purchased its own land. Theo and I happily attended Dayaway for three summers. Betty, our younger sister, attended well into the 1960s.

For those who believe in universes – the interconnectedness of all things – then here’s a fine example. Dayaway’s second location, farther from our home, in Culver City, was on land where Temple Akiba eventually built its home. One of the congregation’s early rabbis was Mordecai Soloff, who, during the mid-1930s, had been the educational director of Providence’s Temple Beth-El! Yes, Betsey often says that far too much trivia clutters my brain. I call this Jewish history!

Rangers

Theo and I began attending sleepover camps by age seven. These belonged to a youth organization, Woodcraft Rangers, which we joined around that time. Even assuming that a Cub Scout pack had been sponsored by our elementary school, we would have been too young to join. Our parents also seemed to object to Cubs’ emphasis on uniforms and marching – perhaps because Dad had once been a Boy Scout – or he and Mom were liberal Democrats. Our temple did not sponsor a youth group, and there was neither a Jewish community center nor a YMCA in our neighborhood.

In 1902, before the creation of the international Boy Scout movement, Ernest Thompson Seton, a Canadian writer, naturalist, and artist living in Cos Cob, Connecticut, had founded Woodcraft Rangers. He sought a constructive outlet for neighborhood kids who had vandalized his property. Seton soon became acquainted with the Scouts’ founder, Robert Baden-Powell, and served as that organization’s first chief. Seton is memorialized through a library and a museum at Philmont, the nationally known Scout ranch in Cimarron, New Mexico.



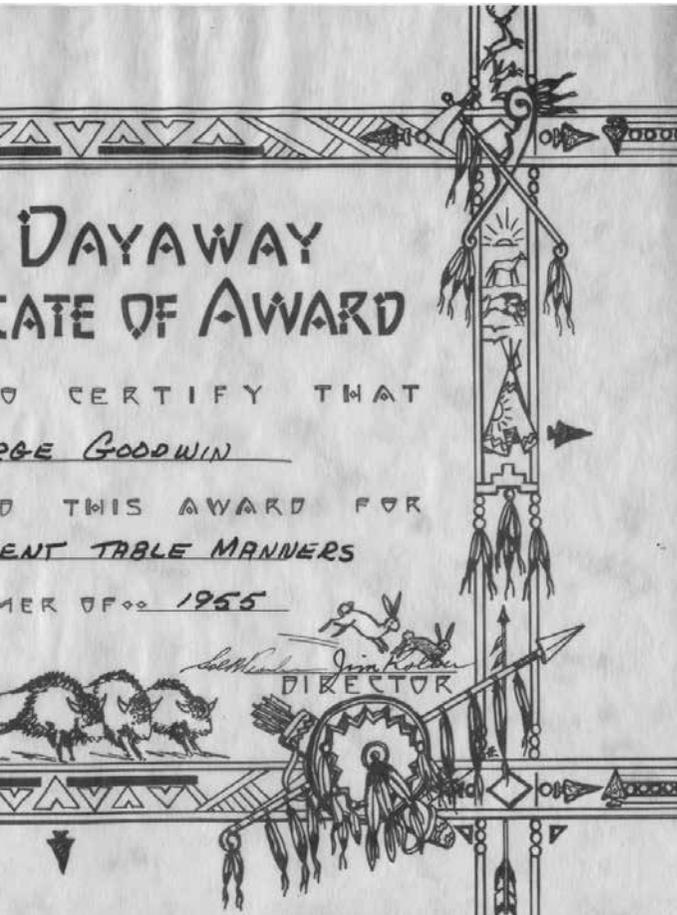
Indian lore became Woodcraft's focus- indeed, the basis of an ecumenical dogma. As taught in Seton's handbook, *The Birch Bark Roll*, Native Americans were spiritual, peaceful, and nature-loving people. Their beliefs and rituals were further described in Seton's compilation, *The Gospel of the Red Man: An Indian Bible* (published in 1936).

Of course Spanish explorers, settlers, and missionaries had decimated Southern California's tribes, but elementary school kids in Los Angeles visited some of the missions and the splendid Southwest Museum, a treasure trove of Native American art and artifacts that was eventually subsumed by Gene Autry's museum. That museum, by the way, has devoted exhibitions to Southern California's pioneering Jews.

Rangers were organized around tribes, and ours met once a week, usually in a park or on a playground. Fathers were of course working, so many tribes were led by mothers, who, presumably, had nothing better to do. Thus, Mom, always an activist and do-gooder (we probably did not know the words *mitzvah*

or *mensch*), became the "guide" of the King Snake Tribe. Indeed, she made a fabric replica of a snake, which we carried aloft on a stick and displayed at "council" meetings.

These ceremonies included the recitation of speeches by first and second chiefs (yes, Theo and I were often assigned these roles) and the lighting and extinguishing of a ceremonial "grand central fire." We recited Woodcraft's "Twelve Laws," which were organized around "Four Torches" emanating from an actual fireplace or a



homemade fire cloth. To this day, I can recite many of the chiefs' speeches (translated from Indian languages) and most of the laws. For example, the three laws of the torch of "Service" are: "Be kind; be helpful; be joyful." I also remember the Omaha Tribal Prayer, recited at the close of each council meeting ("a meeting of success and happiness"), which beseeched Wakonda, "The Great Spirit," to "guide our footsteps here again."

At weekly meetings and at home, Rangers earned coup feathers, comparable to merit badges, in a wide variety of activities. The coups were displayed on an "honor band"- an orange, felt sash worn diagonally across a boy's chest. We also wore orange neckerchiefs (fastened by homemade ornaments) as well as orange caps and Woodcraft t-shirts.

One of my favorite coups was earned for sandpainting, which imitated Navajo designs. The ingredients, however, often consisted of household detergents and bleaches as well as flour, sugar, and cornmeal, which insects eagerly devoured.

Theo and I attended two of Woodcraft's three camps. During the summer of 1956, while still enrolled at Dayaway, we went with a few of our non-Woodcraft cousins to a rugged, hillside enclave at Lake Arrowhead, a few hours east of Los Angeles in the San Bernardino National Forest. We slept outdoors, took cold showers, ate in a communal dining hall, and were eaten, in turn, by swarms of mosquitoes. In addition to swimming and hiking, we said grace at meals, gathered around council fires, and were frightened to death by ghost stories.

Long before "diversity" became *de rigueur*, Mom and Dad thought Ranger camps were important because they exposed us to many kinds of people-campers and counselors alike – whom we would never have met within our cozy orbit. Primarily blacks and Hispanics, these minorities were usually characterized as "underprivileged" (as opposed to us, who were, no doubt, "over-privileged"). The basic idea was to make new friends, and we did. Under the shadows of towering (but fake) totem poles, all of us, pretending to be Native Americans, got along together.

Theo and I eagerly returned to Lake Arrowhead Camp in 1957 and also spent a few weekends, during many school years, at another Woodcraft camp, Stanley Ranch, to the north of Los Angeles, in Newhall. (This too would become suburbanized and, eventually, the site of a Six Flags theme park.) While focused

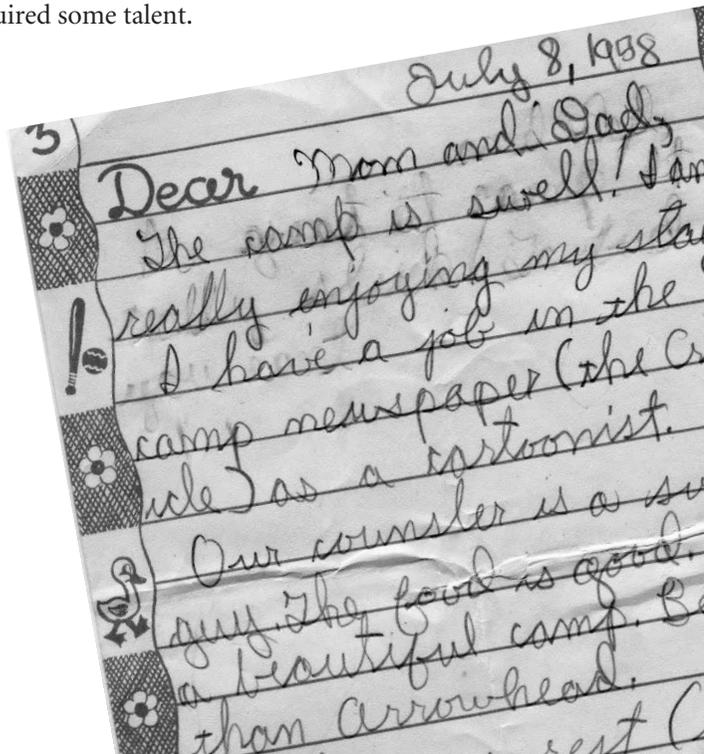
on horseback riding, Stanley Ranch included many vigorous outdoor activities, such as swimming, archery, and tracking and trailing.

Frequent council meetings, like those of our King Snake Tribe, included “Ranger reports.” Such typically astute observations were: “I saw a full moon,” “I was nearly attacked by a gopher or a hawk,” and “I thought I saw a white buffalo.” No doubt my career as an enthusiastic letter writer was propelled by Ranger reports.

Filling our honor bands with coup feathers, Theo and I remained active in Woodcraft through elementary school. And I became a counselor at Stanley Ranch during the summers following my junior and senior years at boarding school. (When I asked a history teacher to write a character reference for me, he replied, “Yes, you are a character.”) Rather than mastering riding or roping, I became a specialist in arts and crafts. While seated with boys around a table, I taught such survival skills as lanyard-weaving, copper-enameling, and leather-embossing.

Although I did not think of myself as a teacher, it was the first in a series of steps that led to my certification at the high school level and my identity as an educator. Because I somehow knew – even at Stanley Ranch – that teaching was essentially an intuitive and improvisational skill, I would later reject much of the plodding and arcane methodology that pedagogues impart. I suppose that I also understood through Woodcraft that, although teaching skills could be improved, they also required some talent.

Camp Hess Kramer,
1958



Teaching also resembled performing. At Stanley Ranch I always wore a ten-gallon hat. Now I'm embarrassed to confess that, as a referee of counselors' fake wrestling matches, I also wore a long black wig and darkened my skin to resemble a Native American. Was this comparable to performing in a minstrel show?

Perhaps all of Stanley Ranch was in some sense a stage because country Western songs by Marty Robbins, Hank Williams, and Johnny Cash were frequently played over its public address system. The camp anthem was "I'm an Old Cowhand with the Stanley Brand."

Though I earned a day and a night off every few weeks, I did not have a car to go home (or anywhere else). Consequently, my devoted mother schlepped me back and forth through the Santa Clarita Valley's intense heat and thick dust.

Years later, while a graduate student, I helped again at Woodcraft's summer camps by chaperoning kids on lengthy bus rides from and back to Los Angeles. This is when kids taught me about "The Jackson Five." But Mom stayed with Woodcraft Rangers far longer than I – indeed, for half a century. She became the board's first woman and first Jewish president and helped continually with fundraising. In 1974 she received the organization's highest honor – an Indian name, *Hohiyo* – which, fortunately, nobody ever called her. Mom never received nor chose a Hebrew name!

Woodcraft and Judaism did coincide in the summer of 1983, when I attended an orientation for graduate students of the School of Jewish Communal Service at Hebrew Union College's Los Angeles campus. This weekend retreat was held at Lake Arrowhead. Indeed, Woodcraft's former camp now belonged to the Jewish Community Center of Long Beach. Thus, while my classmates and some professors were seated around a roaring campfire, I recited some Woodcraft council speeches and even sang a few Ranger songs. I laughed harder than anybody!

Last year, Theo, Betty, and I attended a Woodcraft program in Los Angeles where Mom was honored posthumously. Alas, the King Snake Tribe had faded away, and our neighborhood school closed its doors because of a steep decline in school-age children and wildly increasing property values and taxes. As far as I'm concerned, however, the need for Woodcraft's influence has never been greater. I still think that a week at summer camp does more good for many kids than an entire year at school.

I, for one, still benefit from Woodcraft's fundamental values. In addition to remembering much about Indian lore, I feel at ease among people from many walks of life. Having become a leader at Providence's Eastside YMCA, for example, I think that I am fulfilling a kind of civic, patriotic, and moral duty. Indeed, my early morning Ping-Pong group has become another King Snake Tribe!

By the way, in Providence I eagerly participated in Central Congregational Church's Pack 88, when my son, Michael, joined Cub Scouts. This had been Mom's idea. Although he never went to a Scout camp and barely tolerated weekly Cub meetings, I much enjoyed horsing around with other fathers. We probably had far more fun than our blasé offspring. I remained active in Cub leadership for a few years even after Michael decided to terminate such tomfoolery.

Temple Camp

As twins, Theo and I would share bar mitzvah ceremonies, and both of us would continue in religious school through Confirmation. But at some point our parents decided that, after two summers at Lake Arrowhead, we ought to at least try our Temple's own renowned seaside camp in Malibu, which had been named Hess Kramer in honor of its major benefactor. So, at nine years of age, we went for two weeks.

Our basic difficulty was trying to figure out how this experience resembled camp. First, it was coed. Second, there was an emphasis on singing, dancing, and journalism (for which I won an award). Third, kids were expected to be neat and clean- even to wear freshly laundered clothes on Shabbat. (My cabin, Joel, led by senior counselor Cliff and assistant counselor Mayer, won an award for "cleanest among men".) Fourth, blessings were recited before and after meals, and little happened on Saturday mornings other than services within an outdoor chapel. Fifth, evening activities concluded with "Friendship Circle," when kids and counselors joined hands, swayed together, and sang Hebrew lullabies. Yuck!

I can't remember a single ghost story. Indeed, this was not camp, but religious school in a sycamore canyon. Adding insult to injury, there were indoor showers and flush toilets!

One counselor, perhaps a Woodcraft alumnus, actually recognized my Lake Arrowhead t-shirt. He gave me a quizzical look, suggesting, "What are you doing here?" I could have said that there were a few similarities, such as flag-raising and lowering.

Although Camp Hess Kramer became so successful that our temple built another on a nearby hilltop, Theo and I, who always wore suits and ties and carried briefcases to religious school, longed for something rougher and tougher. Even Betty, after spending a few sessions at Hess Kramer, sought a bolder challenge.

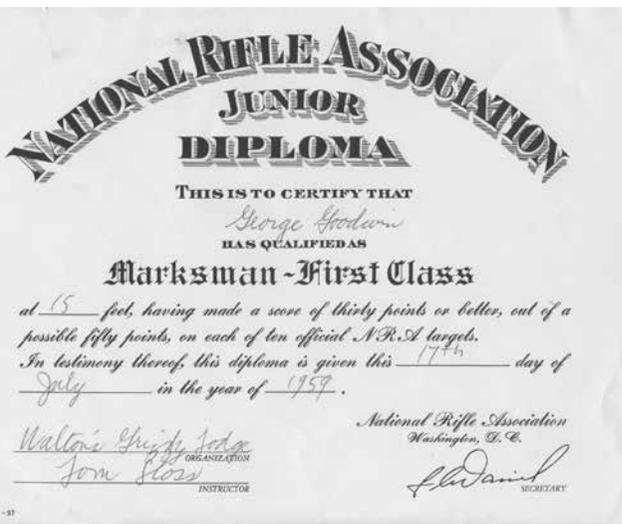
Grizzly Lodge

So a boys' camp, lasting most of summer, seemed quite logical. But Mom and Dad did not know where to send us. In Vega's alumnae publication of 1958, she asked for suggestions of a boys' camp that might "measure up" to her memories of Echo Lake. Eventually, Mom and Dad invited a few camp directors to make presentations in our living room, and we boys were largely entrusted with the final selection.

We gravitated toward "Mom" and "Pop" Walton, who ran a rugged outpost, Grizzly Lodge, in Northern California's remote Plumas National Forest. Part of this camp's allure was riding an airplane to Fresno, California, then another to Reno, Nevada, and finally boarding a Greyhound bus that took us near the Feather River hamlet of Portola, California. Grizzly had been built

beside a small lake or a large pond that, in winter months, was used to harvest ice. Ironically, we learned about this camp from a contented Jewish alumnus whose grandfather was our temple president!

Suffice it to say that Theo and I had such a thrilling experience at Grizzly Lodge in 1959 that, after six weeks, we wanted to sign up for an optional week. Our parents, however, were hardly keen about the idea. Although they had visited during parents' weekend, they probably missed us more than we did them. Fol-



lowing a major forest fire in the area, they were also somewhat worried about our safety.

Boys from Southern California were not Grizzly's only Jews. Several came from San Francisco and the Bay Area, and perhaps a few more from smaller cities. Although nondenominational prayers and ethical aphorisms were spoken before meals, the Lord's Prayer was recited nightly in cabins before lights were turned off. Theo and I felt grounded enough in our Jewish upbringing to politely abstain, and we were never criticized by counselors or other campers for doing so. Perhaps they were a bit jealous.

Part of Sunday mornings, however, was devoted to "The Church in the Wildwood," a hillside, wooden amphitheater where devotional songs resounded. I later learned that the "Wildwood" hymn, which gave the Grizzly church its name, was written in Iowa during the mid-19th century and was popularized during the 1930s through a recording by the Carter family. The refrain, often sung at Grizzly as a round, included the line "no spot is so dear to my childhood..." Was this proselytization?

After Theo and I returned home from our first summer at Grizzly, Mom and Dad determined that there was something far more threatening than The Church in the Wildwood. Theo and I had learned to shoot rifles- yes, .22s. We loved this activity, and both of us earned numerous certificates and medals from the National Rifle Association! My sharpshooter medal, with three dangling bars representing increasing levels of achievement, still adorns a bookshelf in my study. Although our marksmanship had focused on paper targets- not hunting- we clearly became indoctrinated within a movement to bear arms.

Mom and Dad were also appalled to discover that we enjoyed reading comic books, especially *Mad* magazine, which had been brought by or sent to other boys. At Grizzly we were expected to advance our reading (even though Mom had written home from Vega requesting the Sunday "funnies").

In 1959, I also enjoyed reading Erle Stanley Gardner's mysteries – probably because I was already a fan of his weekly "Perry Mason" TV show starring Raymond Burr. Dad was so circumspect about discussing his own law practice that Mason's cases became an opportunity, I thought, to learn what lawyers did. In the sixth grade, however, I remember a teacher scolding me for reading such drivel. "Wasn't it time for Twain, Poe or Dickens?" she asked.

In addition to writing home about twice weekly, Theo and I were expect-

ed to send letters to other relatives, especially grandparents, as Mom had done at Vega. In one unforgettable epistle, written to me on August 2, 1960, she declared that “there is going to be Hell to pay” unless I wrote immediately to her parents in Cincinnati. “You are almost 12 years old,” she explained, “and have to show a little respect for your elder relatives.” So I wrote those letters. Indeed, I must have enjoyed writing because I boasted in other letters that my articles were printed in *The Grizzly Growl*.

It may appear, at least in retrospect, that Theo and I were highly disciplined- and possibly driven – children. Such criticisms sound a bit harsh, but our parents clearly held us up to extremely high expectations. Surely they wanted the best from and for us – perhaps to compensate for some of their own shortcomings. I dare say, however, that Dad and Mom may have occasionally confused good character with high achievements.

About the same time as the “Hell to pay” letter, however, Theo set off a small panic attack at home. He was hospitalized for a night or two in Portola’s tiny hospital. In her letter to our parents, “Mom” Walton explained that he probably suffered indigestion or a related illness. But the true reason was a bit more complicated.

To enhance our highly structured and privileged upbringing, Theo and I were learning to swear. Thank you, Grizzly campers, for that favor. After many warnings by his counselor, Theo uttered “oh, sh--” one more time. Consequently, his mouth was washed out with soap, and he probably swallowed a shard. No doubt this caused vomiting and perhaps other ailments.

Grizzly was the source of still another embarrassment – or a considerable disappointment. At Vega, Mom had worked hard in 1938 to earn Red Cross’s junior life saving certification (and a red patch to sew on her bathing suit). During the summer of 1960, Theo and I worked just as hard, many times a week, to acquire the necessary skills. Perhaps due to our small size, however, we were unable, during our final exam, to rescue a hulky counselor. So, along with three other kids in a class of seven, we were denied certification. I wrote home on August 4 that I was “heartbroken.”

Unlike one of our close Woodcraft friends from Los Angeles, however, we did not seriously hurt ourselves. Steven Bear, while gripping Grizzly’s rapidly descending “ride for life” cable, suffered a deep cut that required numerous stitches. Steven had already been in hot water with his parents for seldom writing home.

Theo and I enjoyed almost all camp activities, including: boating, trout fishing, hiking, horseback riding, softball, volleyball, badminton, horseshoes, Ping-Pong, caroms, and capture-the-flag. Partially due to receiving many private lessons, I was considered a talented painter, so I sought further instruction. On June 28, 1960, I wrote to Mom and Dad that Grizzly's art counselor was so impressed with my efforts that I "reminded him of a basketball teacher with a seven foot student."

Lapidary – grinding and polishing rocks to wear as belt buckles or jewelry- was another of my favorite Grizzly activities. Doesn't this sound kind of girly? I do not remember owning a Brownie, but photography instruction would probably have intrigued me.

After all, so much about Grizzly and its environs was breathtaking. Consider: meteor-filled skies, snow-capped buttes, high mountain lakes, rushing and winding streams, and evergreens galore! Ironically, however, there were no activities focusing on nature study. So, regrettably, I did not learn the names of many trees, flowers or cloud formations.

But "Mom" and "Pop" Walton, like the staff of Camp Hess Kramer, were probably guilty of a more serious omission. Perhaps words were unnecessary, but I cannot recall ever hearing about a connection between divinity and nature. This too was probably a deficiency of my religious school education. Yes, kids might have sensed a connection in Wilshire Boulevard Temple's main sanctuary between God's majesty and architectural grandeur, but it was never discussed. Why weren't there theology or philosophy seminars for 11-year-olds?

Through the brilliance of hindsight, I can also probably criticize Grizzly for a lack of musical exposure. Couldn't a massive pipe organ fit in our outdoor tabernacle? In the spacious dining room, kids were merely welcome to fool around on an upright piano.

In place of frequent campfires, Grizzly offered other forms of evening entertainment. These activities included indoor sports and games but also skits, mock beauty pageants, and movies. There were never competitions with neighboring boys' camps or – for that matter – dances with girls'. A very special treat might be riding to Portola to buy candy, ice cream or magazines.

As for food, I do not recall either excellent or mediocre meals. Sure, lots of hot dogs, watermelon, and s'mores. I vividly recall, however, that upon returning home, Mom's cooking tasted ever more scrumptious. Whatever weight Theo

and I may have shed was quickly replenished.

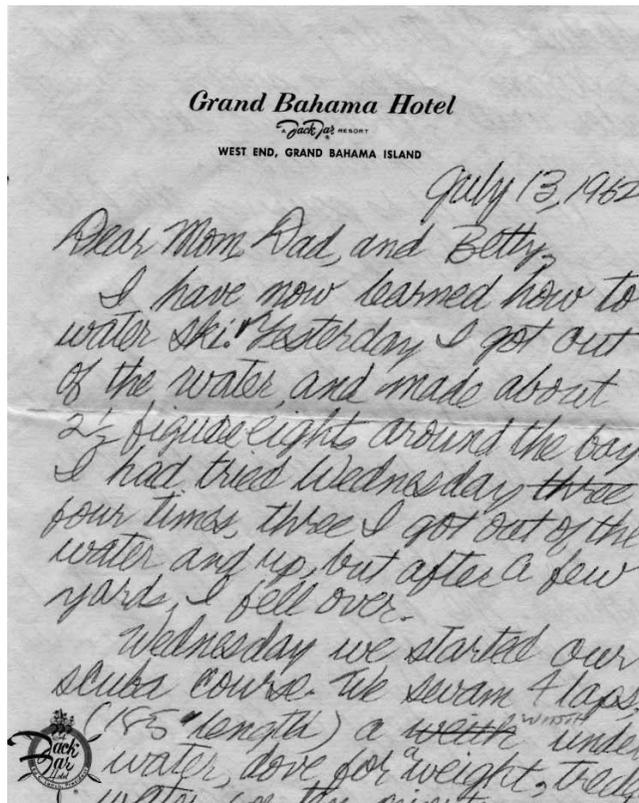
I should mention that Grizzly Lodge, now owned and operated by a fourth generation of the Walton family, thrives as a coed camp. Unfortunately, kids can now attend for only a week at a time. I wonder if cell phones and laptops are permitted.

SCA

During the summer of 1961, in preparation for our early September bar mitzvahs, Theo and I were required to stay home and study. To help pass the time, we also took advanced courses at our junior high school, which was named after a famous Yankee, Ralph Waldo Emerson, as was a neighboring junior high, Paul Revere. (There was no Roger Williams.) As an indication of our approaching manhood, an English teacher once remarked, "So what are you doing, boys, besides growing little moustaches?" Nevertheless, I enjoyed reading Hemingway, Saroyan, and Steinbeck. (Oh, yes, Theo and I had a junior high math teacher, John Steinbeck, who, on the first day of class, remarked, "I'm not that Steinbeck!")

I'm not sure why Mom and Dad may have had enough of Walton's Grizzly Lodge, but during the winter of 1962 our family began to consider other options. Along with *Life* and *Look* magazines, we subscribed to the equally panoramic *Holiday*, which was devoted to travel. At the back of many issues, there were classified advertisements for summer camps (and military schools).

I do not recall how or why I became smitten, but I expressed an interest in attending a canoeing camp in the wilds of Minnesota. I had probably never sat in or even seen a canoe! I later learned from one of Mom's 1938 letters home from Vega, however, that she had enjoyed many three-day canoeing and portaging expeditions.



Ironically, before moving to Little Rhody in 1987, Betsey and I had lived in St. Paul for two years. Perhaps my most strenuous activity there had been attempting to bicycle to and from work, but on my first ride home I suffered a spiral fracture in my right leg that required two weeks' hospitalization!

Through a *Holiday* ad, Theo heard the call of Summer Camp Afloat, based on Grand Bahama Island (which later became well known for its casinos). Mom and Dad investigated the canoeing and floating camps, and I eventually decided that it made sense for me to go with Theo. Passports and mosquito repellent were not required.

So in July of 1962, when we were still 13, Mom and Dad put us on a National Airlines plane to Miami. That evening Theo and I took a limousine to Miami Beach, where we dined at the Eden Roc Hotel and explored Collins Avenue before spending the night at an airport hotel. The following morning, we arose early to take a brief flight to Ft. Lauderdale and then another to West Palm Beach. Finally, with other campers and counselors, we took a short flight, also on Mackey Airlines, bound for the airstrip of West End, Grand Bahama.

As Theo and I quickly discovered, there were not a lot of kids at SCA- no more than 25 teenagers, including perhaps seven girls. We lived in the sprawling Grand Bahama Hotel, part of the small Southern chain of Jack Tar resorts. Maid and laundry service were provided.

Three kids shared an air-conditioned room on the hotel's ground or upper floor. Most campers were 13 or 14, so Mom and Dad could never figure out- neither could I - why my roommates were 16-year-olds. Theo's, a better match, taught him the rudiments of poker.

Campers and counselors ate together at one long, cloth-covered table in the main dining room. We usually wore coats and ties to dinner. Occasionally, kids went for snacks or ate missed meals in the nearby coffee shop or Turtle Walk Nightclub, which featured live music and "limbo" contests. Campers also often helped themselves to conch fritters and other sea creatures at weekly poolside buffets, where calypso musicians frequently entertained.

Largely through our father's LPs, Theo and I had already become familiar with some of Harry Belafonte's hits, such as "Banana Boat Song" and "Day-O." Another of his calypso melodies that I learned to enjoy on Grand Bahama was "Yellow Bird."

Yes, in 1962 the Goodwin family had roared with laughter over Allan

Sherman's hit album, "My Son, the Folk Singer," which included the camp parody, "Hello Muddah, Hello Faddah." Theo and I actually knew Sherman's zany son, Robert, who rode the school bus with us.

Unlike a "Camp Granada," SCA did not provide a lot of supervision. Indeed, hardly any. There may have been three or four counselors, but they too soaked up the hotel's ambience and amenities.

SCA's founder and director was Alfred C. Emerson, a retired businessman from Bronxville, New York, who referred to himself as "Captain" and as the executive officer of the United States Intracoastal Marine Squadron – whatever that was. Here's a laugh: Theo and I are now about the age that Emerson was! We kids called him "ACE" behind his back, but we think that he rather liked the moniker.

Emerson had a lovely wife, Mary, who enjoyed playing shuffleboard, cards, and Scrabble with us. ACE preferred tennis, but neither Emerson taught us anything. And neither did Peter, their overweight but mischievous son, who was supposed to help look after the kids but was often missing.

So what did campers actually do at SCA? Essentially, whatever we wanted. We wore our white sailors' uniforms, with black ties and white hats, only on special occasions. For example, a reporter and a photographer from *Sports Illustrated* visited for several days in 1962 to prepare an article about America's most unusual camps. It appeared in the August 6 issue.

Many kids, myself included, grew fond of wearing locally made straw hats. The bigger the better! Some were adorned with brightly colored cloth bands. Usually, we wore flip-flops, Bermuda shorts, and SCA t-shirts. But for much of each day we wore nothing but bathing suits.

Our favorite gathering places were the hotel's huge saltwater pool (185 feet by 90 feet) and nearby beach. Otherwise, we learned to waterski, sail small boats (including catamarans), and snorkel. Some kids enjoyed tennis, and a smaller number played golf.

Theo and I continued to enjoy springboard diving (doing flips and twists), but one of SCA's most popular activities was scuba diving (which stands for "self-contained, underwater, breathing apparatus"). After taking introductory lessons in the pool and proving that we could assemble and disassemble our own equipment, we dove from a small motorboat into the mostly tranquil ocean. To submerge, one actually fell over backwards into the sea. The first few dives, which

lasted 30 to 40 minutes, were only to 20 or 30 feet. Eventually, we went as deep as 90 feet. On one such dive, I discovered that I had run quite low on oxygen, so I was forced to ascend while “buddy breathing.” My ascent could not be too quick, however, because it might cause “the bends” (decompression sickness) or worse!

Although we dove in small groups, it was a miracle that nobody drowned or disappeared. Or nobody was attacked! When diving we frequently saw turtles, barracudas, stingrays, remoras, eels, and small sand sharks.

Needless to say, scuba diving was a visual delight- a veritable revelation. The turquoise water was crystal clear, and we usually swam above rainbow-colored coral reefs. We kids saw all kinds of beautiful and odd-shaped creatures- fish swimming swiftly in schools, critters crawling across crevices, and seaweed dancing in the currents. We did not hunt, but occasionally brought a fascinating shell to the surface. Underwater was also a silent world.

Some kids preferred fishing rather than scuba diving. Grouper, for example, was a big, heavy fish that required considerable energy to land. But both activities could be indulged when the entire camp took three or four-night cruises to smaller islands (known as keys but pronounced as “cays”). Typically, cruises were on two-masted ships, approximately 75 feet long, which were propelled by as many as five sails (and emergency engines). These schooners, captained by professionals but often steered by kids, included *Bonfire*, *Pinocchio*, and *Traveler II*. A few daredevil campers jumped from their rigging into the sea.

During one voyage, when provisions ran low, everybody felt obliged to cast a fishing line or set a crab or lobster trap. Despite occasional squalls and downpours, most campers and counselors slept on deck. Although boys and girls were assigned to separate ships, some close friendships formed. I’m not aware that any teen couples or their counselors slept together, but I would probably have been the last to know.

After lunch in the hotel, I frequently read novels or wrote letters. Indeed, I exchanged several with my junior-high sweetheart, Nancy. Her family belonged to Sinai, one of Los Angeles’s large Conservative congregations, and she was sent to a Jewish camp, Alonim, not far from Stanley Ranch.

Although Theo and I were habitual correspondents, we often fell short of our parents’ expectations. In a letter written on July 28, for example, Dad urged me to write to his parents. On August 9, Mom warned, “Remember, don’t come home if you haven’t written to Grandma.”

The majority of SCA kids came from New York City, Westchester, Long Island, and New Jersey. Others came from Washington, DC, the Midwest, and Florida. There were more than a few sets of brothers and sisters. Several kids attended private schools or had traveled widely. Oddly to us, some kids were accustomed to flaunting their parents' achievements and wealth.

Perhaps a third of the kids were Jews. No prayers were recited at meals, and no religious services were offered at the hotel. But on a few Sunday mornings, some curious kids walked to a quaint Anglican church to see what it was all about. Most of its Bahamian congregants were blacks. We knew a few of the kids, who worked as pinsetters in the hotel's bowling alley or at other menial tasks.

Theo and I were shocked to discover a few anti-Semites among SCA's campers. Two boys from rural Illinois, whom we considered hicks, had probably never encountered a Jew. So they mimicked whatever they had heard or been taught. Although hurtful, their remarks were essentially ignored. By contrast, some Jewish and Italo-American campers seemed to bond easily with each other. Just ask Theo about his friend, Jackie! I was probably too shy to say much to the radiant Sue Shakespeare, who claimed to be the bard's direct descendant.

Without giving it much thought, Theo and I had decided to learn how to shoot trap and skeet (with shotguns) at the hotel's range, which overlooked the ocean. We actually became rather accomplished at this skillful sport. Perhaps Dad's primary objection was the exorbitant cost- about \$10 for 25 shots. Our grandfather, George, did not seem to object, pointing out that his company had published *Sportsmen's Review*, a magazine for gun clubs, for over 60 years. Also a Republican, he could not figure out how his daughter and son-in-law had gone wrong.

Mom and Dad expressed no reluctance over our eagerness to return to Grand Bahama in the summer of 1963. We followed the same itinerary, but there were perhaps 15 to 20 more campers – probably due to the *Sports Illustrated* article. The new kids hailed from mostly the same places, but there was a wider range of ages. The youngest may have been 10 or 11.

Once again, our freedom seemed almost limitless (as long as we did not annoy other hotel guests or staff). I do not recall any camper ordering alcohol, but it would have been quite easy mixing rum with Coke. Nobody smoked. Kids were expected to go to their rooms by 10, but not necessarily go to sleep. So why bother bending whatever rules existed? This, after all, was paradise!



During our second summer, Theo and I brought our musical instruments- his a clarinet, mine an alto saxophone- presumably to practice but also to play in some kind of combo. Whether or not we fit the bill, there was a “talent night,” and we did perform. As with the previous summer, there was also an awards’ night, so Theo and I took home some trophies. No doubt a few were for good manners or penmanship.

Unfortunately, I do not recall any conversations at home about returning to SCA for a third summer. Perhaps some of the novelty

had worn off or “ACE” was no longer able to shrug off an unbalanced budget. As Theo and I approached 15 years of age, we were expected to take additional, advanced courses at summer school. Our family belonged to a country club, so many recreational activities, particularly swimming, diving, and tennis, were readily available (as long as Mom was willing to schlep us back and forth).

At least for a while, Theo and I stayed in touch with some of our best friends from SCA. During the summer of 1964, when our family visited the New York World’s Fair, Mom and Dad agreed to host a camp reunion at our hotel. Many kids attended, though the Emerson family was not invited. As the saying went, “We had a blast.”

But perhaps sooner than later, SCA went out of business. The U.S. Intra-coastal Marine Squadron, a figment of ACE’s imagination, disappeared. Based in Florida or the Caribbean, a number of other sailing camps soon sprung up. The Jack Tar Hotel was eventually demolished, however.

For a few more years, I was able to wear my naval uniform to Halloween dances. But I have quite seldom mentioned the extraordinary opportunity and luxury of attending SCA. Who would believe it? Where’s the proof that it ever existed?

Refrains

In addition to meeting different kinds of people, clearly one of the rewards of attending summer camp was gaining some sense of independence. Or at least allowing our parents to enjoy their renewed sense of independence!

In the summer of 1965, at 16 years of age, Theo and I were again allowed- even encouraged- to travel together. During a month-long, family trip to Europe, Theo and I explored the British Isles on our own for ten days. We experienced a few comical mishaps, but nothing worse. Indeed, we had a wonderful time finding our way by bus, rail, and ferry across Scotland, Northern Ireland, Ireland, and Wales. Attending college far from home as well as studying in Europe would become further manifestations of our growing independence.

Unfortunately, my wife, Betsey, a native of Andover, Massachusetts, never had much fun at summer camper. This may have been partially due to her father's legacy: his homesick experience at Bauercrest, a Jewish camp in Amesbury. But Betsey demonstrated her growing sense of independence by attending college in Northern California and a few years later by taking a computer job in Southern California, where we met.

Marriage surely represents its own sense of risk-taking or adventure and we soon moved to Minnesota, where Molly was born. Then we came to Rhode Island, where Michael was born. The fact that we settled in the Ocean State may seem rather odd, for it has remained a cocoon for so many of its natives. At least we know – after nearly 30 years here – that we'll never be considered Rhode Islanders!

Let me close with one more story about Woodcraft Rangers. Since devouring *Portnoy's Complaint* in 1969, I have savored just about everything Philip Roth has written. I wish that he would write more and had won the Nobel Prize (rather than that Minnesotan). One of Roth's last short novels, *Nemesis*, published in 2010, includes several scenes at a summer camp in the Poconos. Because I recognized many Native American speeches derived from Ernest Thompson Seton, I wrote him a fan letter. I'm still awaiting his reply.

Meanwhile, allow me to treasure some heartfelt words from Seton's rendition of the Omaha Tribal Prayer: "Father, a needy one stands before Thee; I who sing am he."



Twins Teddy & George as
Woodcraft Rangers, ca. 1957

Shul v. Shul:

Judge McConnell's Decision

In the previous issue of our journal, I wrote about the multifaceted meanings of *rimonim* (Torah finials). My focus was a set crafted by the colonial-era Jewish silversmith, Myer Myers, which lay at the heart of a bitter lawsuit in Rhode Island's federal district court. Two of North America's oldest Jewish congregations, Newport's Jeshuat Israel (as plaintiff) and New York's Shearith Israel (as defendant), had asserted claims over their control and ownership and related properties.

On May 16, 2016, Judge John J. McConnell, Jr. issued his 106-page decision, which is easily accessible on his court's website (www.rid.uscourts.gov/menu/judges/opinions/McConnell). As a highly learned analysis and interpretation of historical and legal issues, it will reward many careful readers. Judge McConnell's presentation to the Association on September 25, 2016 at Providence's Beth Sholom Congregation was similarly intriguing.

Unfortunately, however, the republication of his entire decision would consume much of the current issue. So I have asked Mel A. Topf to prepare an abridged version, which is about half the length of the original and contains far fewer footnotes.

In many ways, Mel was ideally qualified to shoulder this responsibility. A professor of writing, rhetoric, and composition at Roger Williams University since 1969, he is also a former department chair, provost, and president of its faculty senate. Additionally, Mel is an attorney whose numerous scholarly publications include *A Doubtful and Perilous Experiment: Advisory Opinions, State Constitutions, and Judicial Supremacy* (Oxford University Press, 2011).

A longtime member of our Association, Mel has chaired our publications committee since 2012 and currently serves as first vice-president. He is a former president of Temple Emanu-El's Men's Club. During this election year, he also eagerly points out that he grew up in Brooklyn on the same street as Senator Bernie Sanders.

Mel prepared the following introductory remarks. For the record, Shearith Israel has appealed Judge McConnell's decision to the U.S. Court of Appeals for the First Circuit in Boston. Its decision is expected within a year. Although Boston's Museum of Fine Arts continues to display the disputed Myers *rimonim*, it has not moved forward with their purchase.

This dispute arose in 2012 when the Newport congregation decided to sell a pair of colonial-era silver, valued at more than \$7,000,000, to Boston's Museum of Fine Arts. The New York congregation, the oldest in North America, claimed that it owned the Torah finials. In November 2012 the Newport congregation sued Shearith Israel in Rhode Island Superior Court, asking the court to recognize it as the rimonim's lawful owner, and to restrain Shearith Israel from interfering with the planned sale. Jeshuat Israel also asked that the New York congregation be removed as trustee for Touro Synagogue and its land, and that Jeshuat Israel's board of trustees be declared trustee. The New York congregation, after having the case removed to federal court, replied by asking the court to declare it the owner of the rimonim, to prohibit Newport from selling them, and to transfer possession of the rimonim to it. Shearith Israel also asked the court to declare that it is the owner of Touro Synagogue, its land, and all property used by the synagogue.

The litigation went on for three years, until it came to trial beginning on June 1, 2015. The trial, lasting nine days, was a "bench" trial, where both sides agreed to proceed without a jury and to have the judge decide the verdict. Admitted as evidence were about 900 exhibits totaling thousands of pages, in addition to the testimony of seven witnesses. Testimony ranged over two and a half centuries of complicated relations between the New York and Newport congregations. The transcript of the trial alone is over 1,800 pages.

Eight months after closing arguments, Judge McConnell issued his decision, a clear victory for the Newport congregation. He declared that "Congregation Jeshuat Israel is the true and lawful owner of the Rimonim, with full power to sell and convey them." He further ruled that the Newport congregation owns Touro Synagogue and its land as "a charitable trust for the purpose of public Jewish worship." He ordered that Shearith Israel be removed as trustee over Touro's charitable trust and that Jeshuat Israel be appointed trustee. Judge McConnell dismissed all of the New York congregation's counterclaims.

Editor's Note:

The following was provided by the office of the U.S. District Court of Rhode Island. We apologize for any transcription errors which may appear.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

CONGREGATION JESHUAT ISRAEL,
Plaintiff,

V.

C.A. No. 12-CV-822-M-LDA

CONGREGATION SHEARITH ISRAEL,
Defendant.

JOHN J. MCCONNELL, JR., United States District Judge.

Bricks and mortar of a temple, and silver and gold of religious ornaments, may appear to be at the center of the dispute between the two parties in this case, but such a conclusion would be myopic. The central issue here is the legacy of some of the earliest Jewish settlers in North America, who desired to make Newport a permanent haven for public Jewish worship. Fidelity to their purpose guides the Court in resolving the matters now before it.

After a thorough and exhaustive review of the evidence, determination of the disputed facts, and application of the relevant law, this Court concludes that 1) Touro Synagogue is owned in charitable trust for the purpose of preserving a permanent place of public Jewish worship; 2) the pair of Myer Myers Rimonim previously owned by Newport's earliest Jews is now owned by Congregation Jeshuat Israel, which is free to do with its property as it wishes; 3) Congregation Shearith Israel of New York should be removed as trustee of Touro Synagogue; and 4) Congregation Jeshuat Israel of Newport should be appointed as the new trustee.

I. CONCLUSIONS OF LAW

A. TOURO SYNAGOGUE AND LANDS ARE THE CORPUS OF A CHARITABLE TRUST

The first issue before the Court is ownership of Touro Synagogue. As explained below, the evidence is clear and convincing that Touro Synagogue is owned in trust for the purpose of public Jewish worship. *Desnoyers v. Metropolitan Life Ins. Co.*, 272 A.2d 683, 688-91 (R.I. 1971) (holding that certain types of trusts must be proved by clear and convincing evidence). The charitable trust established for public Jewish worship over 250 years ago – lives on to this day. Legal Standard

A “trust” is a term that describes a web of legal relationships among parties and property. The four basic elements needed to create a trust are a settlor, a trustee, a beneficiary, and some trust property. A. Hess, G. Bogert, & G. Bogert, *The Law of Trusts and Trustees* § 1 at 5-8 (3d ed. 2007) [hereinafter *Bogert*]. Most often, a settlor creates a trust by giving legal title over trust property to a trustee, while imposing on the trustee a duty to use that property solely for the benefit of a third party, the beneficiary. *Id.* § 1 at 7. When the trust is a charitable one, «the beneficiary ... is the public, or a substantial class thereof, and not the institutions or individuals who obtain and administer benefits from the trust.» *Id.* § 1 at 8.

Unlike private trusts, which must have specified beneficiaries, charitable trusts must have a public purpose:

A fundamental distinction between private and charitable trusts lies in the character of the benefits to flow from their administration. In private trusts money or money’s worth is to be distributed by way of gift to the beneficiaries or in satisfaction of an obligation of the settlor. In charitable trusts the benefits to be provided through the trust are to be intangible advantages to the public or to some significant class thereof which improve its condition mentally, morally, physically or in some similar manner. The trustees pay out money and other property not for the personal benefit of the donees, but rather to secure for society certain advantages.

Bogert § 362 at 19-20.

Rhode Island defines a charitable trust as «any fiduciary relationship with respect to property arising as a result of a manifestation of an intention to create it and subjecting the person by whom the property is held to equitable duties to deal with the property for charitable, educational, or religious purposes.» R.I. Gen. Laws § 18-9-4. Therefore, the elements of a charitable trust in Rhode Island are a settlor, a trustee, some trust property, and a duty imposed by the settlor on the trustee to use that property for a charitable, educational, or religious purpose.

Creation of a trust simply requires “a present intent to make a trust or gift at the time ... [plus] an execution of the intent by some act, [which] ... must be such as to give a present right or benefit to the donee.” *Desnoye1-s*, 272 A.2d at 688 (quoting *People’s Savings Bank v. Webb*, 42 A. 874 (R.I. 1899)); see Br. of Att’y General at 6, July 10, 2015, ECF No. 95. Creating a trust does not require the settlor to use any special words or perform any particular ceremony. *Ray v. Simmons*, 11 R.I. 266, 268 (1875). “The intention to create a trust is the essential thing; this intention must be expressed and must be clearly established by proof, the nature of which naturally varies in different cases.” *Knagenhjelm v. Rhode Island Hosp. Trust Co.*, 114 A. 5, 9 (R.I. 1921). The court’s inquiry into determining whether the intention to create a charitable trust exists should not be derailed by formalism. See *City of Providence v. Payne*, 134 A. 276, 280 (R.I. 1926) (counseling that equity favors charitable trusts).

The Court must rely on the totality of the “circumstances which appear in evidence” to determine whether property was “intended” to be devoted to a “charitable object.” *Tillinghast v. Council at Narragansett Pie1 R.I. of Boy Scouts of Am.*, 133 A. 662, 663 (R.I. 1926). Even when title to land is “absolute in form,” the courts will find “a charitable trust if ... such appears to have been the [settlor’s] intention.” *Town of S. Kingstown v. Wakefield T1·ust Co.*, 134 A. 815, 816 (R.I.1926). Furthermore, “trusts which cannot be upheld in ordinary cases ... will be established and carried into effect when created to support a gift to a charitable use.” *Payne*, 134 A. at 280 (citing *Jackson v. Phillips*, 96 Mass. (14 Allen) 539, 550(1867)).

Jeshuat Israel argues Shearith Israel is only the

legal owner and trustee for Touro Synagogue, which is dedicated to public Jewish worship. Shearith Israel argues that that it owns Touro Synagogue outright, rather than in trust. The Court finds for Jeshuat Israel.

1. *Establishing the Trust*

The evidence in this case is clear and convincing: the Touro Synagogue and lands have been the corpus of a charitable trust since the lands were acquired and the Synagogue built. This charitable trust was established to ensure a permanent place for public Jewish worship in Newport.

The factual circumstances around the purchase of the land and the construction of the Synagogue support the recognition of a trust. We know that the Newport Jewish community was first “taxed for the purchase of the land,” and that the greater Jewish community was later solicited for funds toward the building of a temple. *Gutstein* at 87. It would defy common sense to think that these funds were gathered so three individuals could enrich their own stock. Primary documents from the time belie such an implausible assertion. *See, e.g.*, July 13, 1759 receipt for contribution to building the Synagogue (Exhibit P20) (referring to Messrs. Rivera, Hart, and Levy as “trustees for building the Synagogue”). The three men whose names are on the deed did not own this property outright. Rather, the Jewish community of Newport, organized as Congregation Yeshuat Israel, settled the trust and selected these three men to serve as trustees.

The legal circumstances of the time explain why the deed to the property listed Messrs. Rivera, Hart, and Levy, rather than Congregation Yeshuat Israel, as the grantees. Prevailing law forbade a religious “association ... in its aggregate name as an organization, [from] hold[ing] real estate or act[ing] as trustee.” *Guild v. Allen*, 67 A. 855, 857 (R.I. 1907). Therefore, Yeshuat Israel itself could not own the property. As a workaround, it singled out three leaders to take title to the real estate in its stead. *See Gutstein* at 82-83; *J(usinitz* at 42 (Exhibit D445 at 3). In light of this context, the lack of trust language on the face of the original deed is not indicative of the absence of a trust. *See* *Wlalley’s Estate v.*

Malley, 34 A.2d 761 (R.I. 1943) (disregarding ownership attribution on the face of a document because of circumstantial evidence); *Blackstone Canal Nat. Bank v. Oast*, 121 A. 223, 225 (R.I. 1923) (relying on circumstances of transaction and the relationship between the relevant parties to find existence of a trust).

One need not look far beyond the Last Will and Testament of a revered leader of Congregation Yeshuat Israel, Jacob Rodrigues Rivera, to reach the conclusion that the Jews of Newport intended to establish a trust. In his January 9, 1787 Will, Mr. Rivera stated:

Also I do hereby declare and make known unto All People, that I have no exclusive Right, or Title, Of, in, or to the Jewish Public Synagogue, in Newport, on Account of the Deed thereof, being made to Myself, Moses Levy & Isaac Harte, which Isaac Harte, thereafter Conveyed his One third Part thereof to me, but that the same was so done, meant and intended, in trust Only, to and for the sole Use, benefit and behoof of the Jewish Society, in Newport, to be for them reserved as a Place of Public Worship forever, THEREFORE, I do for myself and my Heirs hereby remise, release, and forever quit Claim to all exclusive right, title, or Interest therein or thereto and to every part and parcel thereof, Always saving and excepting such right as I have by being A Single Member of that Society.

Rivera Will at 19 (Exhibit D16 at 2).

Mr. Rivera's will recited that the three named purchasers - Messrs. Levy, Hart, and he - had always held legal title only, for the purpose of preserving public Jewish worship. The history of the Jews who built the Synagogue reveals the significance of that purpose. In Newport, Jews no longer had to hide their identities and pretend to believe what others forced upon them. They no longer had to fear persecution and burnings at the stake. Instead, they could gather at a beautiful temple, and say their prayers openly and proudly. Public worship was the embodiment of their freedom from oppression, and they dedicated their Synagogue to that purpose.

In his will, Mr. Rivera does not devise his interest in the Synagogue or declare that he is therein forming a trust. What he does is "declare" that he never had any "exclusive right or title" to the "Synagogue." He explains that although the deed to the Synagogue named Messrs. Levy, Hart, and him as owners, that this "was so done, meant, and intended, in trust only,"

for the benefit of “the Jewish Society, in Newport, to be for them reserved as a place of public worship forever.” Then, out of an abundance of caution, Mr. Rivera “quit claim[s]” any right to the Synagogue that a court might mistakenly attribute to him because of the language in the deed. Mr. Rivera’s will is not a conveyance, but rather it is persuasive evidence that the Synagogue was always the object of a charitable trust from the time it was built to the present.

Tracing the legal ownership of the Synagogue only confirms that position. From a legal standpoint, Moses Levy was the sole trustee for the Synagogue when he died in 1792, because he was the last surviving original trustee. *See Bogel*’t § 530 at 109 (co-trusteeship usually considered a joint tenancy under the common law). Mr. Levy did not name a successor trustee at his death, likely because his relative Moses Seixas was already taking care of the Synagogue. *See supra*. There are several terms that might describe Moses Seixas’ role at that point - de facto trustee, constructive trustee, or trustee de son tort⁴² - but suffice it to say that he was subject to the same obligations as the original trustees, and carried out those obligations. *Bogel* § 529 at 104-06; *see also Jones v. Katz*, 325 Ill. App. 65, 80 (Ill. App. Ct. 1945) (holding that an individual who “treated the trust as an obligation to which he had succeeded ... and exercised the same duties and responsibilities toward the beneficiaries of the trust as though he were the original trustee” therefore “became successor trustee . . . either by construction, implication or operation of law”).

After Mr. Seixas’ death, Moses Lopez likely took over the role of acting trustee. When Mr. Lopez left Newport in 1822, the Gould family took over on the ground, the Touro brothers contributed the necessary funding to preserve the Synagogue, and Shearith Israel provided religious oversight from New York. All those parties - the Gould family, the Touro brothers, and Shearith Israel - served a role in helping the Synagogue survive until Jews were once again practicing within its walls. By the time that Jews returned to Newport in the late 1800s, Shearith Israel was the lone surviving acting trustee for the Touro Synagogue and lands.

⁴¹ “[T]rustees de son tort are not expressly declared by the settler to be trustees but rather are deemed to be constructive trustees by operation of law, due to their meddling with trust affairs” Thomas and Hudson, *The Law of Trusts* ii 30.03 (2d ed. 2010).

Numerous documents spanning centuries support the conclusion of a trust drawn from Mr. Rivera’s Will. These documents include the 1894 deeds executed by several descendants of the original trustees, the 1903 and 1908 leases, a 1932 enactment by the Rhode Island legislature, the 1945 tri-party agreement, and numerous other references to Touro Synagogue trust throughout history.

The Court next turns to these documents:

- In 1894, in the face of a new Jewish settlement in Newport, Shearith Israel attempted to shore up its legal relationship to Touro Synagogue by drafting deeds and obtaining signatures from the descendants of the Synagogue’s original trustees. *See supra*. Several of these deeds explicitly stated that the Synagogue is subject to a trust. 1894 Deeds (Exhibits P50 at 4506, P51 at 4545, and P53 at 84) (“To have and to hold, the above granted premises ... IN TRUST”). It is telling that even when Shearith Israel was drafting documents that purported to give it a legal stake in the Synagogue, it acknowledged the existence of a trust.
- Recurring legal disputes between the Newport Jewish community and Shearith Israel about control of Touro Synagogue marked the period at the tail end of the 19th and the beginning of the 20th century. *See supra*. The culmination of this discord resulted in a lease of the Synagogue by Shearith Israel to Jeshuat Israel for the symbolic price of \$1 per year.⁴³ In that lease, signed in 1903 and renewed in 1908, the representatives of Shearith Israel identified themselves as “Trustees.” 1903 Lease (Exhibits P71 at 473 and D150 at 2) and 1908 Leases (Exhibit P76 at 1). The lease was consistent with the terms of the trust because Shearith Israel obligated Jeshuat Israel to use the Synagogue “for the maintenance of ... religious services.”⁴⁴ *Id.* These leases show Shearith Israel acting as trustee for Touro Synagogue.
- In 1932, the Rhode Island General Assembly enacted legislation exempting from taxation “[t]he property located on the corner of Touro and Division streets in the city of Newport,” because the property was “held in trust” and used by Congregation Jeshuat Israel “for

religious and educational purposes.” Rhode Island Acts and Resolves 427, Jan. 1932 (Exhibit P287 at 3076). This declaration by the Rhode Island Legislature served as a public affirmation of the trust’s existence and purpose.

- In 1945, Jeshuat Israel, Shearith Israel, and the United States Government entered into a tri-party agreement about the maintenance of the Synagogue. The agreement recognized that “the Shearith Israel Trustees [are] holders of fee simple title *upon certain trusts* in the Touro Synagogue.” Tri-Party Agreement at 1 (Exhibit D240 at 1) (emphasis added). By this recognition, Shearith Israel again acknowledged that its legal title to Touro Synagogue is subject to obligations under “certain trusts.” The remainder of the document reveals that Mr. Rivera’s 1759 Will dictated the substance of those obligations. In the agreement, Shearith Israel Trustees covenanted to ensure:

[t]hat the public shall be admitted to all parts of the said Touro Synagogue . . . so far as consistent with *the preservation of the Synagogue f01· the use, benefit and behoof of the Jewish Society in Newport as a place of public worship forever* and for the maintenance of divine services in accordance with the ritual, rites and customs of the Orthodox Spanish and Portuguese Jews as practiced and observed in the Synagogue of said Congregation Shearith Israel*Id.* at 4 (emphasis added). While the second part of the duty, (to worship according to certain “rituals, rites and customs”), is self-imposed by the 1894 deeds Shearith Israel drafted, the emphasized portion comes directly from Mr. Rivera’s Will. The Tri-Party Agreement is effectively an admission by Shearith Israel that it is obligated by the terms of Mr. Rivera’s Will.⁴⁵

- As recently as 1996, Shearith Israel’s vice president Alvin Deutsch (who later became president) reaffirmed that his Congregation is bound by the trust when he referred to Shearith Israel as “trustee of the building” in conversation with Jeshuat Israel’s then-president. Trial Tr. vol. 1, 157, 160, ECF No. 104 (Testimony of David Bazarsky). Mr. Bazarsky’s testimony is uncontroverted on that point.

Taking all the evidence together, the “proof of an intention” on the part of the Newport Jewish community “to establish a trust” for public worship is “clear and satisfactory.” *Blackstone Canal*, 121 A. at 225. The history, the documents, and the actions of the parties involved with Touro Synagogue confirm that it was built by the community to provide a permanent place for public Jewish worship in Newport, and is held in trust for that purpose. Certainly, Shearith Israel has helped the Synagogue remain dedicated to that purpose during the time when there was no permanent Jewish settlement in the city. By its actions, Shearith Israel assumed the role of trustee over the Synagogue, and continued in its role when Jews returned to Newport. However, Shearith Israel never did, nor could it, convert its role as trustee into an equitable title to the Synagogue. Shearith Israel is obligated just as Messrs. Rivera, Levy, and Hart once were – to preserve the Synagogue for the benefit of public Jewish worship in Newport. The Synagogue itself is the corpus of a charitable trust dedicated to that venerable purpose.

2. *The Trust is for a Valid Charitable Purpose*

The foregoing section sets forth the facts and law establishing that the Touro Synagogue and lands are the corpus of a trust; that the settlor was Congregation Yeshuat Israel; and that the original trustees were Messrs. Rivera, Hart, and Levy. The final element to finding this trust valid is that it must have a charitable purpose. This one clearly does. “It is well established that a trust creating a place for public worship for the benefit of an indefinite number of persons is a good and valid trust to a charitable use.” *Buchanan v. McLyman*, 153 A. 304, 305 (R.I. 1931); *see also Brown v. Nleeting St. Baptist Soc’y*, 9 R.I. 177 (1869); *Guild v. Allen*, 61 A. 855, 857 (R.I. 1907); *Brice v. All Saints Meml Chapel*, 76 A. 774, 781 (R.I. 1910); *Todd v. St. Ma1y Church*, 120 A. 577, 578 (R.I. 1923).⁴⁶

The best evidence about the purpose of this trust comes from the time closest to its creation, which in this case is Mr. Rivera’s ‘Will. The will recited that the property is “reserved as a Place of [Jewish] Public Worship forever.” Rivera

Will (Exhibit D16 at 2). Because the trust created a place for public worship for an indefinite number of persons, the Court concludes it has a valid charitable purpose.

3. *Shearith Israel's Arguments against the Trust Are Unpersuasive*

Shearith Israel has taken the position that no trust exists and that it alone owns the legal and equitable title to the Synagogue. Am. Answer and Countercl., Dec. 6, 2012, ECF No. 8 at 7, 9; Shearith Israel's Post-Trial Mem., ECF No. 90 at 60-68; Trial Tr. vol. 9 at 156-57, ECF No. 112 (Shearith Israel's Closing Argument). It poses five arguments against the existence of a trust. None is persuasive.

First, Shearith Israel argues that it became the owner of Touro Synagogue when the Jewish community left Newport in the 1820s, and confirmed its exclusive ownership via the 1894 deeds. Shearith Israel's Proposed Findings of Fact and Conclusions of Law, June 29, 2015, ECF No. 91 at 35-40, 43-46. That argument does not bear out in law or fact. Touro Synagogue was the corpus of a charitable trust from its inception, and nothing that Shearith Israel did or the trustees' descendants signed, altered that trust. *See Wakefield Trust Co.*, 134 A. at 817 (holding that passage of time, period of disuse, and even statutory enactments do not alter title of property owned in a charitable trust.)

Shearith Israel asserts that the 1894 deeds conveyed full title and ownership of the Synagogue to it. However, because the Synagogue and lands were always owned in trust, neither the original trustees nor their descendants ever held equitable title, and so did not have full title to convey. Moreover, because the descendants had never exercised the responsibilities of a trustee, they could not transfer that role. Shearith Israel assumed legal title and the role of trustee not because of the 1894 deeds, but because of its active involvement in the affairs of the Touro Synagogue when no Jews remained in Newport. The deeds are legal nullities with absolutely no effect on the rights adjudicated in this litigation.⁴⁷

Shearith Israel's second argument is that two court decisions from the

early 1900s preempted several of the claims and issues in this case. Shearith Israel's Post-Trial Mem., ECF No. 90 at 77-84. The Court disagrees. The first suit was a 1901 replevin action over a single Torah for which no primary documents survive. *Kusinitz* at 53 (Exhibit D445 at 14). The second was a 1903 federal action, which was dismissed on demurrer. Op. on Defs' Demurrer & Plea, *David v. Levy*, No. 2613 (D.R.I. 1903) (Exhibit D143).

No claim or issue preclusion can apply to the 1901 replevin action because the Court does not have sufficient information about the issues in dispute or the legal reasoning used to decide that case. The case appears to have concerned a single, recently purchased Torah scroll, and the outcome appears to have permitted the scroll to remain in Touro Synagogue. *Kusinitz* at 53 (Exhibit D445 at 14). The outcome of that case does not bar the Court from finding the existence of a charitable trust or deciding the ownership of the Rimoinim.

David v. Levy, which the court dismissed on demurrer in 1903, also does not result in claim or issue preclusion. As Shearith Israel correctly identified, a dismissal on demurrer is "the equivalent today of a motion to dismiss for failure to state a claim." Shearith Israel's Post-Trial Mem., ECF No. 90 at 79; *see also* 5 BC. Wright & A. Miller, *Federal Practice and Procedure* § 1355 at 351 (3d ed. 2004). For claim preclusion to apply, a court's judgment must be "upon the merits." *Cromwell v. Sac Cty.*, 94 U.S. 351, 352 (1876). While today, dismissals for failure to state a claim are considered on the merits, this is largely the result of the liberalized pleading requirements and the right of amendment afforded by the Federal Rules of Civil Procedure established in 1938. 18 J. Moore, *Moore's Federal Practice - Civil* § 131.30[3][e] at 108.1, 109 (Matthew Bender 3d ed. 2016). *David v. Levy* was decided well before that, when such dismissals were not generally considered upon the merits. *See Gould v. Evansvijle & C. R.R. Co.*, 91 U.S. 526, 533-34 (1875). Therefore, it would not be equitable to apply preclusive

⁴⁷ Even if the 1894 deeds had some legal significance, they would not alter the outcome of this suit. Contrary to Shearith Israel's assertion that they confirmed its legal and equitable ownership, several of the deeds only purported to give Shearith Israel ownership "in trust." Furthermore, Shearith Israel has not produced evidence that it has collected signatures from all of Moses Levy's descendants. These shortcomings alone would have precluded the deeds from giving Shearith Israel equitable ownership of the Synagogue.

effect to a decision that did not carry such effect when it was made, and the Court declines to do so now;¹⁸ *Moore's Federal Practice - Civil* § 131.30[3][e] at 108.1, 109.

In its third argument against the existence of a trust, Shearith Israel challenges the veracity of Mr. Rivera's claim in his will that Mr. Hart earlier conveyed his one-third interest to Mr. Rivera. Shearith Israel's Post-Trial Mem., ECF No. 90 at 62 (“[b]ut no independent evidence of [Mr.] Hart's will exists - no evidence of the alleged conveyance.”). At the outset, the Court notes that this point is not relevant to the outcome of this case. The only interest that Mr. Hart ever owned was his legal interest as trustee, and nothing in this case turns on whether Mr. Hart conveyed this interest to Mr. Rivera. Furthermore, there is absolutely no evidence suggesting that Jacob Rodrigues Rivera mischaracterized the original transaction or fraudulently conveyed property that belonged to Mr. Hart and Mr. Levy. *See Blackstone Canal*, 121 A. at 225 (noting that preference is to be given an interpretation “which assumes that [an] act was performed with a right rather than a wrong intention.”). It appears much more likely that Mr. Hart conveyed his legal interest to Mr. Rivera, than that Mr. Rivera fabricated this conveyance in a will that was then publicly probated.⁴⁹ Accordingly, the Court finds that Mr. Hart did convey his legal interest to Mr. Rivera.

Fourth, Shearith Israel protests that the will of Moses Levy “makes absolutely no mention of any trust,” which “makes patently clear that at least 1/3 of the Touro land cannot possibly be held in trust.” Shearith Israel's Post-Trial Mem., ECF No. 90 at 62. This Court finds more persuasive, given all the circumstances in this case, the explanation that Mr. Levy's will did not mention the Touro land because Mr. Levy never believed that he had any equitable ownership interest in it, and therefore had nothing to convey. That explains why Mr. Levy did not devise his purported one-third interest to anyone, despite devising his other real property interests. *See Levy Will* (Exhibit D18 at 2-3) (devising interests in Newport dwelling house, spermacetæ factory, and adjoining lands). When Mr. Levy's will is read in light of Mr. Rivera's, which three years earlier explained the nature of the legal relationship between the original trustees and the Synagogue, it is clear that Mr. Levy also viewed himself as only a

trustee. Before he died, his duties in that capacity had already passed into the able hands of his relative, Moses Seixas. *See supra*.

Mr. Levy did mention the Synagogue in his will once, forgiving all debts owed to him for the construction of the Synagogue, on condition that prayers are said in his name. Levy Will (Exhibit D18 at 1). This statement is further proof that the Synagogue was owned in trust, and that Messrs. Rivera, Hart, and Levy were its trustees. There are two reasons for this. First, this statement shows that Mr. Levy viewed his contributions to the Synagogue's construction as a loan to be repaid, rather than as an investment in its property value, as would have been expected if he owned an equitable interest in the Synagogue. Second, the condition requires the Jews of Newport to pray in Mr. Levy's name, in exchange for the discharge of the debt, which implicitly recognizes the Jews of Newport as the beneficial owners of the Synagogue. This condition is consistent with the finding that Touro Synagogue is the corpus of a charitable trust.

Fifth, Shearith Israel argues that the 1903 and 1908 leases, which identified Shearith Israel as the landlord and Jeshuat Israel as the tenant, preclude finding the existence of a charitable trust. That is not so. There is nothing incompatible about Shearith Israel's role as a charitable trustee and its decision to lease the Synagogue to Jeshuat Israel for the nominal price of \$1 per year. *See In Te Ryan's Estate*, 294 N.Y. 85, 91 (1945) (referencing an arrangement where the beneficiary renting the trust's property reduced his rent from approximately \$10,000 per year to a symbolic \$10). On the contrary, by leasing the Synagogue at no profit to a group that uses it for public Jewish worship, Shearith Israel was executing its duties as the charitable trustee. *Cf Ahuna v. Dep't of Hawaiian Home Lands*, 64 Haw. 327, 338 (1982) (requiring the state to lease land to eligible native Hawaiian trust beneficiaries).

Shearith Israel has pointed to no evidence, direct or circumstantial, that would lead this Court as fact finder to conclude that Shearith Israel possesses legal and equitable title to Touro Synagogue. The Court concludes, as a matter of fact and law, that the Touro Synagogue and lands are the corpus of a charitable trust, and that the original trustees were Jacob Rodrigues Rivera, Moses Levy, and Isaac Hart. Neither the Synagogue nor

the lands ever belonged to Messrs. Rivera, Levy, and Hart alone - each had only an equitable interest equal to that of any other single member of their community. Shearith Israel has only ever served as trustee for that charitable trust, which has operated continuously in fact and law for over 250 years, and whose valid purpose is best enunciated in Mr. Rivera's Will: "to be ... reserved as a Place of [Jewish] Public Worship forever." Rivera Will (Exhibit D16).

B. JESHUAT ISRAEL OWNS THE RIMONIM

1. *Summary*

Jeshuat Israel proved by a preponderance of the evidence that it is the owner of the Rimonim. The Court finds that Myer Myers made the Rimonim for Yeshuat Israel; that Yeshuat Israel transferred the Rimonim to Shearith Israel for safekeeping, with instructions to return them to the Jewish congregation thereafter worshiping in Newport; and that Shearith Israel complied with those instructions. As the Congregation worshiping in Newport, Jeshuat Israel became the owner of the Rimonim. Moreover, even absent the proof of Jeshuat Israel's ownership, its continuous possession of the Rimonim for the past century entitles it to a strong presumption of ownership, which Shearith Israel did not come close to overcoming. The Court concludes that Jeshuat Israel owns the Rimonim and is free to do with them as it wishes.

2. *Proof of Ownership*

Myer Myers made the Rimonim between the years 1766 and 1776 for use by Yeshuat Israel.⁵⁰ While there is no direct evidence about the provenance of the Rimonim, the Court concludes that Yeshuat Israel originally owned them for three reasons. First, Yeshuat Israel's payment to Mr. Myers for "mending rimonim," at a time when there were several practicing silversmiths in Newport and Boston, suggests that the Congregation was

employing the Rimonim's original maker to make the repair. Yeshuat Israel ledger (Exhibit P30).⁵¹ Second, as discussed *supra*, Shearith Israel took possession of the Rimonim in the 1820s for safekeeping, and sometime between then and 1869, engraved the words "Newport" on them, to differentiate them from a similar pair that it owned. *Barquist* at 160 (Exhibit P150 at 3254). The most natural interpretation of this act is that Shearith Israel regarded the Rimonim as belonging to Newport's congregation. This interpretation is consistent with Shearith Israel's return of the Rimonim to Newport sometime after 1869. *See supra*. Finally, there is a unanimous scholarly consensus, apart from Shearith Israel's trial experts, that the Rimonim originally belonged to Congregation Yeshuat Israel.⁵² Trial Tr. vol. 7, 45, 53-76, ECF No. 110 (Testimony of Vivian Mann) (admitting scholarly consensus against her); *see, e.g., Barquist* at 154 and 160 (Exhibit 150 at 3248 and 3254) (attributing the Rimonim to "Yeshuat (now Jeshuat) Israel"); Guido Schoenberger, *The Ritual Silver Made by Myer Myers* (1953) (Exhibit P99) (discussing "pair of [Myer Myers'] rimonim made circa 1770 for the new Synagogue at Newport"); Jeanette W. Rosenbaum, *Myer Myers, Goldsmith 1723-1795* 24, 33, 36 and 67 (Philadelphia, The Jewish Publication Society of America, 1954) (Exhibit P100) (attributing the Rimonim to Touro Synagogue since 1765); Tom L. Freudenheim, *Myer Myers: Ameican Silversmith* (The Jewish Museum, 1965) (Exhibit P114 at 1577) (explaining connection between Mr. Myers and Touro Synagogue); Library of Congress Exhibition: From Haven to Home: 350 Years of Jewish Life in America 2 (Exhibit P172 at 3226) (stating that the Myers rimonim belong to Newport's Touro Synagogue); Rabbi Marc D. Angel,⁵³ *Remnant of Israel* 63 (Riverside Book Company, 2004) (Exhibit P162) (stating that Mr. Myers made rimonim for Newport); Rabbi Marc D. Angel, *The Torah Bells of Mye Myers: Ancient Traditions in a New Land* 1, 3 (Lecture at Yale University Art Museum, 2001)

⁵² The consensus is so unanimous that when Shearith Israel filed its first pleadings in this case, it referred to Yeshuat Israel as the "original possessor of the Rimonim." Answer and Countercl. at 10, Dec. 4, 2012, ECF No. 6; Am. Answer and Countercl. at 11, Dec. 6, 2012, ECF No. 8. It made the same statement in the later filed and since-dismissed Southern District of New York action. Compl. at 6, *Shearith Israel v. Jeshuat Israel*, No. 12-CV-8406 (S.D.N.Y.), ECF No. 1.

Shearith Israel has since moved to excise these statements from its pleadings in this case by moving to amend its complaint. Defendant's Motion to Amend (ECF No. 92) is GRANTED. The amendment does not alter that Shearith Israel previously acknowledged Yeshuat Israel's original possession of the Rimonim in this action. In addition, Shearith Israel never amended this statement in its pleadings filed in the New York action.

(Exhibit P158) (same); Angel Dep. 41:9 42:13 (July 17, 2014)⁵⁴ (same); Edinger Dep. 91:23-92:19 (naming Yeshuat Israel as Rimonim’s original possessor).

Furthermore, there is simply no persuasive evidence in the record that these Rimonim belonged to any person or entity except Yeshuat Israel during the early colonial period.⁵⁵ The Court concludes by a preponderance of the evidence that Myer Myers made the Rimonim for Newport’s Synagogue. Yeshuat Israel used the Rimonim before regular services there ended in 1793. Sometime after 1793, the Rimonim were transported to New York, where Shearith Israel took possession of them for safekeeping. Shearith Israel agreed to store Yeshuat Israel’s religious items, including the Rimonim, which were “to be redelivered when duly required for the use of the Congregation hereafter worshipping in the Synagogue [a]t New Port Rhode Island.” Shearith Israel’s minutes (Exhibits D26 and D26A at 1, 3, and Exhibit P38) (discussing the four Torah scrolls that Yeshuat Israel deposited with Shearith Israel in 1833).

By accepting Yeshuat Israel’s religious items under these conditions, Shearith Israel assumed the obligations of a gratuitous bailee. See *Don-Lin Jewellery Co. v. The Westin Hotel Co.*, 877 A.2d 621, 624 (R.I. 2005) (describing gratuitous bailee as possessor of personalty subject to instructions for dealing with it without remuneration). The terms of bailment instructed Shearith Israel to deal with the Rimonim according to Yeshuat Israel’s directions, which it did by redelivering them to the congregation thereafter worshipping at Newport Synagogue. *Id.* This action terminated Shearith Israel’s obligations as bailee, and terminated any relationship it had to the Rimonim. Yeshuat Israel has proven that it is the owner of the Rimonim.

Presumption of Ownership

One of the few undisputed facts in this litigation is that for over 100 years, the Rimonim have been in the possession of Congregation Yeshuat

⁵³ Shearith Israel’s objections to the portions of Rabbi Angel’s testimony relied upon by this Court are overruled.

Israel. Jeshuat Israel's Prop. Findings of Fact, June 29, 2015, ECF No. 94 at 25 and Shearith Israel's Prop. Findings of Fact, June 29, 2015, ECF No. 91 at 72.⁵⁶ Even without the Court's findings about the provenance of the Rimonom, possession alone, especially of that length, entitles Congregation Jeshuat Israel to a strong presumption of ownership. *Hamilton v. Colt*, 14 R.I. 209, 212 (1883) ("the introduction of any proof . . . by the defendant, under his plea of property, to the action of replevin, is entirely unnecessary, his title by possession being sufficient until the plaintiff can show a better title"); see also *Baxter v. Brown*, 59 A. 73, 74 (1904) (requiring plaintiff to show "good title from some unimpeachable source in order to overcome the presumption of ownership which arises from occupation" in an ejectment action); *In re J. K Chemicals, Inc.*, 7 B.R. 897, 898 (Bankr. D.R.I. 1981) ("the general rule [is] that possession of property raises a presumption of ownership"). Shearith Israel is unable to overcome the presumption in favor of Jeshuat Israel.

The purpose, pedigree, and good sense of this presumption of ownership were discussed at length in a Fourth Circuit case that bears key similarities to our own. *Willcox v. Stroup*, 467 F.3d 409 (4th Cir. 2006). In that case, the plaintiff filed for a declaratory judgment that certain historic documents, which were valued at \$2.4 million and had been in his family's possession for over 140 years, were part of his estate. The State of South Carolina contended that these documents, concerning two of its Civil War-era governors, constituted public property and therefore belonged to the State. The Fourth Circuit could have been writing about the Rimonom when it observed:

⁵⁶ Over this entire time, Jeshuat Israel not only used the Rimonom in its services, but also exercised various other responsibilities of ownership with respect to them. In 2001, Jeshuat Israel paid \$25,000 for the restoration of the Rimonom. Trial Tr. vol. 1 at 147, ECF No. 104 (Testimony of David Bazarsky). Jeshuat Israel also paid the insurance premiums for the Rimonom, and conducted appraisals to ensure that they had adequate insurance. *Id.* at 155. Jeshuat Israel also facilitated displays of the Rimonom by loaning them to various museums and exhibitions, where the Rimonom were always attributed to Touro Synagogue or Congregation Jeshuat Israel. See, e.g., 1953 Boston MFA catalogue (Exhibit P97 at 1961); 1954 Brooklyn Museum catalogue (Exhibit P101 at 3720); 1955 Rhode Island School of Design catalogue (Exhibit P103 at 1390); 1965 Jewish Museum in New York catalogue (Exhibit P114 at 1581); 2001 Yale catalogue (Exhibit P150 at 3248). The Rimonom are currently on loan at the Boston Museum of Fine Arts. Trial Tr. vol. 3 at 203-04, ECF No. 106 (Testimony of Bertha Ross); MFA Display (Exhibit D564). When not on display, Jeshuat Israel now stores the Rimonom in a safety deposit box. Trial Tr. vol. 1, 133, ECF No. 104 (Testimony of David Bazarsky); Trial Tr. vol. 3, 63-66, ECF No. 106 (Testimony of Michael Pimental).

The exceptional nature of the [items] in dispute - their early vintage, their unknown history – presents issues distinct from those of the typical personal property case with out the benefit of clear chain of title, evidence of original ownership, eyewitness testimony, and any number of documentary aids usually helpful in the determination of ownership, the court must utilize the legal tools that remain at its disposal. In this situation, tenets of the common law that usually remain in the background of ownership determinations come to the forefront, their logic and utility revealed anew.

Id. at 412.

Those common law tenets dictated that long-standing “possession . . . trigger[ed] the presumption [] of ownership.” *Id.* at 413. The court in *Willcox* noted that this presumption, often stated as the “truism” that “possession is nine-tenths of the law” is nearly as old as the common law itself. *Id.* at 412 (citing a collection of adages from 1616 and other sources); *see also McFarland v. Brier*; 850 A.2d 965, 968 (R.I. 2004) (citing approvingly “the old saw that ‘possession is nine-tenths of the law’”). The Fourth Circuit summarized that “the presumption of ownership in the possessor[] resolves otherwise insoluble historical puzzles in favor of longstanding distributions and long-held expectations. Such a rule both protects the private interests of longtime possessors and increases social utility.” *Willcox*, 467 F.3d at 414. The court then ruled in favor of the plaintiff, finding that the State had adduced insufficient evidence “to rebut the strong presumption of possession.” *Id.* at 417. Faced with the same burden to overcome over 100 years of uncontested possession, Shearith Israel has also failed to meet the mark.

4. *Shearith Israel’s Arguments for Ownership*

To overcome Jeshuat Israel’s presumption of ownership, Shearith Israel mounts an effort to prove better title to the Rimomim. Shearith Israel introduced testimony from two experts in support of its position.⁵⁷ Relying on the experts’ testimony, Shearith Israel cited “three junctures

during which Shearith Israel would have obtained ownership rights to the [R]imonim.” Shearith Israel’s Post-Trial Mem., ECF No. 90 at 53. These three junctures are: 1) “Shearith Israel paid for the Rhmonim in 1765,” 2) “title to the Touro Synagogue and its contents passed to Shearith Israel in the 1820s,” and 3) “Shearith Israel reinforced its title to the Touro Synagogue ... and its contents [including the Rimonim], in 1894 by obtaining Deeds of Conveyance.” *Id.* Reviewing each juncture in turn, the Court determines that Shearith Israel failed to prove better title to the Rimonim.

a. *Failure to Prove that the Rimonim
Were Made for Shearith Israel*

Before this lawsuit, every scholar who had ever studied the Rimonim had concluded that the Rimonim originally belonged to the ancient Newport Congregation Yeshuat Israel. Trial Tr. vol. 7, 45, 53-76, ECF No. 110 (Testimony of Dr. Mann); *see supra*. Litigation has altered Shearith Israel’s view of this settled historical opinion.⁵⁸ Based on its experts’ testimony, Shearith Israel now maintains that Myer Myers made the Rimonim for its own Congregation and denies that Congregation Yeshuat Israel ever owned or even possessed the Rimonim.

The lynchpin of Shearith Israel’s novel theory is a record in its 1765 accounting ledger, which reads, “Cash paid Myer Myers Balla. of his accot. passed£36[.]4[.]1-.» Shearith Israel ledger (Exhibits D9 and D9A). Dr. Mann singled out this record to argue that it must have been a payment for the Rimonim. Dr. Mann pointed to the notation, timing, amount, wording, and circumstances of this notation as evidence for her position. On cross-examination, Dr. Mann’s position crumbled as Jeshuat Israel demonstrated that this record was actually a repayment of Myer Myers’s advance to the Congregation in his capacity as president, to cover Shearith Israel’s cash shortfall from the previous year. This payment had

⁵⁸ Shearith Israel’s experts were Dr. Vivian Mann and Dr. Linford Fisher. Dr. Mann is a professor of Jewish Art at the Jewish Theological Seminary in New York. Trial Tr. vol. 6, 97-98, ECF No. 109 (Testimony of Dr. Mann). Dr. Fisher is an assistant professor of history, with a focus on religious history, at Brown University. Trial Tr. vol. 8, 11, ECF No. 111 (Testimony of Dr. Fisher).

nothing to do with the Rimonom. The Court is persuaded that Jeshuat Israel's position is factually correct.

Dr. Mann acknowledged that Myer Myers was the parnas (president) of Shearith Israel in 1764. Trial Tr. vol. 7, 101, 105, ECF No. 110 (Testimony of Dr. Mann); David and Tamar De Sola Pool, *An Old Faith in the New World: Portrait of Shearith Israel 1654-1954* 502-03 (Columbia University Press 1955) (Exhibit P102 at 3193-94). She also acknowledged the practice at Shearith Israel that whenever the Congregation's debits exceeded its credits at the end of a year, the sitting President would cover that difference, and the Congregation would repay that same amount in the next year. Trial Tr. vol. 7, 106, ECF No. 110 (Testimony of Dr. Mann).

In 1764, the difference between Shearith Israel's credits and debits was

Shearith Israel ledger (Exhibit P23) (left side) (boxes added).

The Holy צדקה		AM 5524
To Cash paid to Jacob Froche his Ballance		£ 39 12 1
ditto to Abraham Fried for postage	52	4 0
ditto for 53 lb fine wine	5	6 4
ditto for wood to warm the bath	1	1
ditto for cleaning the long room for מדרש	1	7 0
ditto for 2 loads of 2 bushels of grain and flowers 12	1	9
ditto to Peter Marshall for wine to Shabbat and year	4	11 0
ditto to a cooper for lifting benches and paring desk	12	0
ditto for 1/2 to set out 21/6	2	10 0
ditto for 1/2 to buy wine 2/6	2	11 0
ditto to the 100 to complete one quarter new seat	2	11 0
ditto for buying, having, putting in oil, sugar, & honey, & flowers	13	3 0
ditto for cleaning the long room for מדרש	1	11 0
To Cash paid that Jacob has kept for delivery	13	11 0
ditto to the 100 his ballance of debt	15	
ditto to the 100 his half year of	17	10
ditto to the 100 his half year of	11	
To Cash paid to Jacob his half year allowance	11	
ditto to Abraham Fried for 6 months 2 1/2	6	
ditto to Peter Marshall for 12 months 3 1/2	6	
ditto to David Anderson for 6 months 2 1/2	22	11
To Cash by order to Dr. Anderson		10 10
		2
		216 2/2

List of Subscribers for the New House

⁵⁶ "And, on information and belief, Shearith Israel did say that it believed at the beginning of the lawsuit, before we spent countless amounts finding the evidence and paying the experts to tell us what we think - what the facts are, that Yeshuat Israel was the original possessor." Trial Tr. vol. 1, 61, ECF No. 104 (Shearith Israel's Opening Argument) (emphasis added)

exactly £36.4.1. Shearith Israel ledger (Exhibit P23). Shearith Israel’s debits, which appeared on the left side of its ledger, included such expenses as cleaning the Synagogue and purchasing wood and a ladder.⁵⁹ *Id.* They totaled £246.2.2. *Id.* On the right side of the ledger are Shearith Israel’s credits from various sources of income. *Id.* These credits include cash received for rent, payments from outstanding debts, cash from the charity box, and the year’s offerings from the congregants. *Id.* The total credits in 1764 were £209.18.1. *Id.* Below that amount, still on the credit side of the ledger, which tallies up the Congregation’s sources of income, is the notation “Balance Due to Myer

Shearith Israel ledger (Exhibit P23) (right side) (boxes added).



⁵⁹ The first expense on the debit side is actually a payment to the previous year’s president, with the notation, “To Cash Paid Mr. Jacob Franks his Balance 59.12.4.” Shearith Israel ledger (Exhibit P23); David and Tamar De Sola Pool, *An Old Faith in the New World: Portrait of Shearith Israel 1654-1954* 502 (1955) (Exhibit P102 at 3193) (listing Jacob Franks as the president in 1763-64, immediately before Myer Myers); Trial Tr. vol. 7, 102-03, ECF No. 110 (Testimony of Dr. Mann). The notation for this payment to Jacob Franks is similar to the notation for the payment to Myer Myers in 1765.

⁶⁰ While sedakah usually means “charity” in Hebrew, the “Holy Sedakah” was also “the name given to all the incoming disbursements of [Shearith Israel].” Trial Tr. vol. 6, 136, ECF No. 109 (Testimony of Dr. Mann). The Court concludes that in the quotation above, the word “Sedakah” refers to the debt owed Myer Myers for covering the Congregation’s budget shortfall.

Myers [£]36.4.1.” *Id.* When the ledger pages are viewed side-by-side, the conclusion is inescapable that Myer Myers contributed £36.4.1 in 1764 to cover the Congregation’s deficit, as was expected of him in his role as President of Shearith Israel.

Confirmation of this conclusion, if any is needed, appears in Shearith Israel’s minutes and ledger for the next year. At the beginning of the next Hebrew year, Shearith Israel’s minutes contain the following notation: “At a meeting of the assistants with the Parnassim [presidents] the following articles were agreed to, and resolved- 1st That Mr Myer Myers may be paid the Ballance of his Sedakah acct: £ 36.4.1.”⁶⁰ The Lyons Collection 88 (American Jewish Historical Society No. 21 Vol. 1, 1913) (Exhibit P78 at 3391). And in turn, the first expense tallied on the debit side of Shearith Israel’s ledger for the next year is “Cash paid Myer Myers Balla. of his acct. passed £36[.]4[.]1-” Shearith Israel ledger (Exhibits D9 and D9A). Given this trail of documents, it is incredible that Dr. Mann concluded that this payment is anything but a reimbursement of Myer Myers’ previous year’s advance for the Congregation’s deficit. The Court finds Dr. Mann’s testimony and opinions on this topic not credible.⁶¹

Dr. Mann also found persuasive the timing of the 1765 payment to Myer Myers, which occurred within the 11-year period between 1764 and 1775, when Mr. Myers used the particular maker’s mark that appears on the Rimonim at issue. Trial Tr. vol. 6, 110-11, 128, 132, and 143-44, ECF No. 109 (Testimony of Dr. Mann). More persuasive to the Court is that Mr. Myers was Shearith Israel’s president in 1764, and was responsible

⁶¹ Although clearly a learned scholar, the Court discounts Dr. Mann’s opinions because at trial she was a zealot rather than an objective expert witness. She was often blind to the many contrary facts. Moreover, her trial testimony differed from her prior testimony in important respects. See *id.* at 39-40 (changing her position about existence of a record dated 1910 or before that attributed the Rimonim to Shearith Israel), 60 (denying that Dr. Barquist is a recognized authority on Myer Myers after naming him as an author¹ity), 129-31 (changing her position on the significance of the Rimonim’s “Newport” inscription), 141 (refusing to answer a question she had previously answered in the affirmative), 143-44 (same), 152-53 (same), 203-04 (stating that it is inappropriate for a historian to ignore contrary evidence or only look at part of the available evidence, after saying the opposite at deposition). When quoting primary documents in her report, Dr. Mann simply excised portions not helpful to her position. *Id.* at 32, 115-16. She admitted to speculating in her explanations for parties’ actions. *Id.* at 139. She also admitted that she is not an expert on accounting ledgers, and that she did not know which side of a ledger debits and credits generally occupy. *Id.* at 30-31. For all these reasons, the Court found her testimony not credible.

could not be a reimbursement to a past president because it did not have the notation “late parnas” next to it. Trial Tr. vol. 6, 141-42, ECF No. 109 and Trial Tr. vol. 7, 106-07, ECF No. 110 (Testimony of Dr. Mann); Shearith Israel ledger (Exhibits DIO and DIOA) (containing notation “late Parnas”). She then concluded that it must be for an item, because she thought it similar to the following payment, which was for an item: “For balance due me per agreement (‘consiertto’) of the holy synagogue, on account of another item which is charged here.” Trial Tr. vol. 6, 142-43, ECF No. 109 (Testimony of Dr. Mann); The Lyons Collection at 40 (Exhibit P78 at 3378).

Dr. Mann’s opinion on this issue does not persuade the Court that the 1765 payment was for the Rimonim. First, when Shearith Israel paid Myer Myers for a different pair of Rimonim in 1774 and for a silver plate in 1759, it specified exactly which items it was paying for in its ledger. Trial Tr. vol. 7, 88-92, ECF No. 110 and Trial Tr. vol. 6, 146, ECF No. 109 (Testimony of Dr. Mann); Shearith Israel ledgers (Exhibits P16 and P29) (paying Mr. Myers £20.00 “for a piece of plate” and £10.15 for “rimonim”). Unlike those two examples, the 1765 payment does not say that it is for rimonim. Second, the presence of the words “late parnas” next to payments that all turn out to be reimbursements does not convert those words into a necessary condition for a reimbursement. All that Dr. Mann has proved is that the notation “late parnas” signals reimbursement, not that its absence signals non-reimbursement.⁶² Finally, the logical leap from discovering another payment for an unspecified item in the Shearith Israel ledgers, to concluding that the payment to Mr. Myers must also be for an unspecified item is astronomical. The wording of this payment in Shearith Israel’s ledger does not persuade the Court it was for the Rimonim.

Turning to circumstantial evidence, Dr. Mann opined that Yeshuat Israel could not have obtained the Rimonim through purchase or gift. She pointed to Yeshuat Israel’s financial difficulties in building the Synagogue as evidence that it could not have afforded the Rimonim.

⁶² In fact, a substantial payment to Shearith Israel’s president from the year before Myer Myers became president also lacks the notation “late parnas,” which Dr. Mann apparently dealt with by asserting that it must not be a reimbursement. Trial Tr. vol. 7, 102-03, ECF No. 110 (Testimony of Dr. Mann). This type of “heads I win, tails you lose” reasoning does not persuade the Court.

Id. at 117, 144. She also opined that it was unlikely that anybody gifted the Rimonim to Yeshuat Israel, because the Rimonim did not have a donor's name inscribed on them. *Id.* at 144-45. She specifically ruled out Shearith Israel and Myer Myers as potential donors because Shearith Israel did not have a record of the gift and Mr. Myers was allegedly frugal. Trial Tr. vol. 6, 117-18, 129, ECF No. 109 (Testimony of Dr. Mann). This evidence is speculative and insubstantial. Having discarded Dr. Mann's theory about the 1765 ledger, the Court finds her remaining arguments not credible and insufficient to prove that Shearith Israel has better title.

b. Failure to Prove Shearith Israel Acquired Title Around 1820

In the absence of any documents contemporaneous with the making of the Rimonim that clearly established their original owner, Shearith Israel turned to some later documents in attempting to prove its ownership stake. Shearith Israel argued that by returning the Rimonim to New York around the 1820s, Yeshuat Israel conceded that it originally only held the Rimonim on loan from Shearith Israel. In the alternative, Shearith Israel argued that Yeshuat Israel gifted the Rimonim to Shearith Israel when the Jewish community of Newport disbanded. The Court does not find either theory persuasive or supported by the credible evidence. Instead, the Court concludes that Yeshuat Israel brought the Rimonim to New York for safekeeping, with the instruction that Shearith Israel return them to the congregation thereafter worshiping in the Newport Synagogue. The evidence shows that Shearith Israel complied with that instruction when they returned them to Newport. *See supra.*

There is no extant record of the Rimonim leaving Newport or arriving in New York. One surviving record is Shearith Israel's minutes from February 10, 1833, which states:

Received from the family of the late Mr. Moses Seixas of New Port Rhode Island, Four Sepharim Belonging to the Congregation of that place, and Which are now to be deposited in the Synagogue In New York of the Congregation "Shearith Israel" Under the charge of the Trustees of said Congregation to be redelivered when duly required for the use of the Congregation hereafter

worshipping in the Synagogue At New Port Rhode Island casualties excepted New York 19 Kislev 5593 - 11th December 1832; In behalf and by resolve of the Trustees of the Congregation Shearith Israel Signed by N. Phillips; Isaac B Seixas.

Shearith Israel's minutes (Exhibits D26 and D26A at 1, 3, and Exhibit P38).⁶³

The parties drew vastly different conclusions from this record. Shearith Israel argued that this record proves that Yeshuat Israel used sepharim (Torah books) and other items that belonged to Shearith Israel, and that this record memorialized their return to New York. Shearith Israel's expert, Dr. Mann, testified that the minutes "lay the groundwork for [her] opinions that the items that were used in Newport [included] ... the silver [rimonim, which] w[ere] returned to C[ongregation] S[hearith] I[sraell]" Trial Tr. vol. 7, 111-12, ECF No. 110 (Testimony of Dr. Yiann).⁶⁴ That is not a reasonable reading of the record.

Shearith Israel's February 10, 1833 minutes do not advance its claim to the Rimonim; quite the opposite. This record plainly references four Torah scrolls arriving in New York from Newport, to be returned when needed by Newport's Jews. This is credible evidence that Shearith Israel served as the bailee for certain religious items, including the Rimonim, belonging to the Jews of Newport. Shearith Israel's other expert, Dr. Fisher, admitted, "the historical evidence, both primary and secondary, is that ... every Torah, [when possible], is adorned by a set of rimonim." Trial Tr. vol. 8, 165, ECF No. 111 (Testimony of Dr. Fisher). In its opening, Shearith Israel said of the Rimonim: "Their job is to stay with the Torah." Trial Tr. vol. 1, 69, ECF No. 104 (Shearith Israel's Opening Argument).

Although Shearith Israel's 1833 minutes do not specifically

⁶³ "Sepharam," which is a word that can be spelled in various ways, is the plural for books of Torah. See Trial Tr. vol. 7, 121, ECF No. 110 (Testimony of Dr. Mann) ("there was an entry in 1833 about getting the Sifrei Torah back, that's the Torah").

⁶⁴ Dr. Mann bolstered her opinion by referencing another document from that time, which allegedly memorialized Shearith Israel receiving silver back from Newport. Trial Tr. vol. 7, 121-24, ECF No. 110 (Testimony of Dr. Mann). The problem with that document is that Dr. Mann is the only person who remembers ever having seen it, and that it is now nowhere to be found. Id. at 122 (Question: "Now, that document [] seems to have disappeared; correct?" Dr. Mann's Answer: "That is correct.").

reference the Rimonom, they raise the inference – that this Court adopts as a finding of fact – that the Rimonom traveled with the Torah scrolls from Newport, and that Shearith Israel took hold of these items under the instruction to return them. This interpretation also best explains Shearith Israel’s later actions, specifically branding the Rimonom with the words “Newport” to differentiate them from its own pair, and returning them to the congregation thereafter worshiping in Newport. In other words, Shearith Israel’s handling of the Rimonom is fully consistent with the terms of bailment described in the 1833 minutes, not ownership by Shearith Israel, and the Court so finds.

The next record that Shearith Israel offered to prove its ownership claim was an 1869 inventory conducted by its own officials. Inventory (Exhibits D34 and D34A). Shearith Israel’s president asked Rabbi J.J. Lyons to undertake an inventory of the Congregation’s possessions on May 23, 1869, and less than three months later, he had completed the project. Shearith Israel’s minutes (Exhibits D33 and D33A) (requesting that Rabbi Lyons prepare an inventory). The Myer Myers Rimonom appear toward the end of the inventory, which describes them as “marked Myers New Port” and lists their weight. Inventory at 34 (Exhibits D34 and D34A at 36). This inventory is noteworthy because it is the first direct reference to the Rimonom in the record, but it is not helpful to Shearith Israel’s assertion of ownership. The relevant portion of the inventory is reproduced below:

Id. (boxes added).

	Pair of <i>Sh</i> known as Blackish hills, pair of 472 gm	117 1/4
	1 Pair of <i>Sh</i> marked "Myer (the maker)"	165
	1 Pair of <i>Sh</i> marked "Myer New Port"	165
	Pair of <i>Sh</i> same pattern as above without marks	48
	1 Pair of <i>Sh</i> same pattern as above they know them belongs to Shearith Israel	51
	3 pair of <i>Sh</i> made for Shearith Israel (all of the pattern each pair weighing 165 gm)	165
Since 4 pairs of <i>Sh</i> are broken and must be repaired.	1 pair of <i>Sh</i> like above	58
Property of Shearith Israel	1 pair of <i>Sh</i>	47
" Myer	1 pair of <i>Sh</i>	54
" Shearith Israel	1 pair of <i>Sh</i>	54
		817 1/4 816 1/4

The only appropriate inference the Court draws from this record is that the Rimonim were in Shearith Israel's possession in 1869. This record does not advance Shearith Israel's claim to better title, because its possession in the mid-19th century is fully consistent with Shearith Israel's role as bailee for the Rimonim. The parties do make arguments based on the position of the ditto marks and other aspects of this inventory to support their ownership claims, but these arguments are so tenuous they are most properly relegated to a foot note.⁶⁵ This inventory does not advance Shearith Israel's claim to better title.⁶⁶

c. 1894 Deeds Do Not Reinforce Shearith Israel's Ownership Claim

Shearith Israel argues that whether it originally held title to the Rimonim or if it obtained title in the 1820s, "the heirs and descendants of the colonial Newport congregation confirmed Shearith Israel's rights in the ... [Rimonim] in 1894 when they executed deeds conveying the synagogue and personalty to Shearith Israel." Shearith Israel's Post-Trial Mem., ECF No. 90 at 54. Shearith Israel further argues that the 1903 lease of the Synagogue, and the 1908 renewal of the lease, confirmed that position. *Id.* at 42-49. Shearith Israel points to language in the 1894 Deeds, which purport to convey the Synagogue "[t]ogether, with the appurtenances and all the estate" to its Congregation. Shearith Israel's Prop. Findings of Fact and Conclusions of Law, ECF No. 91 at 52 (citing 1894 Deeds at 2 (Exhibit D78)).⁶⁷ Then on January 30, 1903, following litigation between the parties, Shearith Israel and Jeshuat Israel signed a settlement agreement, where Congregation Jeshuat Israel agreed, "to admit and recognize without qualification the title and ownership of L. Napoleon Levy and other Trustees to the synagogue building, premises, and fixtures." Settlement Agreement (Exhibit P68). Three days later, on February 2, 1903, Jeshuat Israel and Shearith Israel signed a lease agreement for Touro Synagogue, which encompassed "the appurtenances and paraphernalia belonging thereto." 1903 Lease (Exhibit D148 at 2). The same words were included in the renewed lease in 1908. 1908 Lease (Exhibit D174 at 1). Shearith Israel's expert, Dr. Fisher, testified that "these various terms . . . appurtenances, paraphernalia, fixtures, furnishings

.... al refer to the same ritual items that are within a synagogue that are desirable and necessary to conduct services for a congregation.” Trial Tr. vol. 8, 26, ECF No. 111 (Testimony of Dr. Fisher). Shearith Israel’s argument that the 1894 Deeds reinforce its claim to the Rimonim fails from the outset, because the Court found that Shearith Israel never held or obtained title to the Rimonim. Instead, the Court found that in the 1820s, Shearith Israel became a trustee for the Synagogue and the bailee for some of its possessions; it did not usurp ownership over everything that previously belonged to the Newport Jewish community. It never owned the Rimonim. Shearith Israel does not argue that the Deeds gave them title, and it follows that the Deeds could not “reinforce” a claim to title that was never valid. Furthermore, the Court concluded *supra* that the Deeds were legal nullities, and therefore could not have any effect on the parties’ rights.

Likewise, the 1903 and 1908 leases could not create title to the Rimonim in Shearith Israel. Even if Shearith Israel purported to include the Rimonim within those leases, this action could not alter title to the Rimonim.⁶⁸ In any event, the leases do not clearly refer to the Rimonim, and are therefore not nearly sufficient to overcome Jeshuat Israel’s strong presumption of ownership.

5. Shearith Israel Cannot Block the Sale of the Rimonim

Failing in its bid to claim ownership of the Rimonim, Shearith Israel seeks to block their sale by relying on Jeshuat Israel’s 1897 By-Laws. Exhibit D95. The By-Laws vest the government of Jeshuat Israel “in the President, Vice President and three Trustees elected by this Congregation [Jeshuat Israel] and four Trustees appointed by the Spanish and Portuguese Congregation Shearith Israel ...” 1897 By-Laws at 1 (Exhibit D95 at 2). There is no evidence of Shearith Israel appointing trustees to govern Jeshuat Israel since 1899. *Compare* Shearith Israel’s July 1, 1897 minutes (Exhibits D99 and D99A at 1); July 1, 1898 minutes (Exhibits D105 and D105A at 2);

⁶⁸ Shearith Israel may have believed that it owned all of the property previously belonging to Jeshuat Israel at the signing of the 1903 lease. See, e.g., 1893 letter (Exhibit D67 at 2) (identifying Shearith Israel as “Trustees and owners of the [Toum] Synagogue and personal property therein”); Shearith Israel correspondence (Exhibit D151) (instructing Shearith Israel’s representatives in Newport to include the phrase “with the paraphernalia” into the 1903 lease). This belief gives short shrift to Shearith Israel’s obligations as bailee, and its duties to Newport’s new Jewish population as trustee for the Touro Synagogue.

and June 30, 1899 minutes (Exhibits D114 and D114A at 2) (appointing trustees to Jeshuat Israel's board) *with* Shearith Israel's July 2, 1900 minutes (Exhibit D128 and D128A) (resolving to close Touro Synagogue and failing to appoint trustees). Shearith Israel does not allege that it has appointed trustees to govern Jeshuat Israel in over 110 years.

The By-Laws also restrict the sale of property owned by Jeshuat Israel "unless by unanimous vote of the members present and represented by proxy at a Special Meeting convened for that purpose." 1897 By-Laws at 8 (Exhibit D95 at 10). The By-Laws prohibit amendment to these sale restrictions and to the status of Shearith Israel's four Trustees "unless the said four Trustees of the said Congregation Shearith Israel vote affirmatively for such proposed ... amendment." Nonetheless, on January 28, 1945, Jeshuat Israel adopted a new set of By-Laws, which prohibited Shearith Israel's Trustees from voting by proxy. 1945 By-Laws at 18 (Exhibit P85 at 689). The 1945 By-Laws also eliminated restrictions on the sale of Jeshuat Israel's personal property, and the requirement that Shearith Israel's Trustees must affirmatively vote to change their status. *Id.* at 22, 37-38 (Exhibit P85 at 691, 698-99). Jeshuat Israel provided these amended by-laws to Shearith Israel, with no record of an objection from Shearith Israel. *See* Jeshuat Israel's minutes from October 28, 1945 (Exhibit P90 at 101). Finally, in 1983, Jeshuat Israel amended its By-Laws again to remove any reference to Shearith Israel. Jeshuat Israel's 1983 By-Laws (Exhibit P129).

Over 110 years after last exercising power to appoint trustees, over 70 years after its power was restricted, and over 30 years after its power was rejected, Shearith Israel is now too late to challenge Jeshuat Israel's governance. *See Puleio v. Vose*, 830 F.2d 1197, 1203 (1st Cir. 1987) ("The law ministers to the vigilant not to those who sleep upon perceptible rights.") Jeshuat Israel has adapted to Shearith Israel's abdication by running its own operations at its own discretion, and Shearith Israel's attempted takeover of Jeshuat Israel's governance at this late date would cause it prejudice. Laches bars Shearith Israel's attempt at upending Jeshuat Israel's corporate governance in this way. *See Hazard v. E. Hi]]s, Inc.*, 45 A.3d 1262, 1271 (R.I. 2012) (applying laches and finding prejudice when party delayed an extremely long time in bringing suit); *Arena v.*

City of Providence, 919 A.2d 379, 395-96 (R.I. 2007) (applying laches in declaratory action). The Court finds that Shearith Israel cannot rely on the 1897 By-Laws to intervene in Jeshuat Israel’s governance or affairs.

6. *Jeshuat Israel Has Title to the Rimonim*

The Court found that Congregation Yeshuat Israel was the original owner and possessor of the Rimonim. When Yeshuat Israel disbanded, it left the Rimonim in the care of Shearith Israel, charging it with the duty to return the Rimonim to “the Congregation [thereafter] worshipping” in Newport. Shearith Israel’s minutes (Exhibits D26 and D26A at 1, 3). While Shearith Israel may have believed that it became the owner of Touro Synagogue and its contents in the 1820s, it nonetheless executed its obligations to Yeshuat Israel and returned the Rimonim to the congregation then worshipping in Newport - Jeshuat Israel. At that time, Jeshuat Israel became the lawful owner of the Rimonim, in accordance with the wishes of the original owners of the Rimonim - Yeshuat Israel.⁶⁹

Since that time, Jeshuat Israel has possessed and controlled the Rimonim for over 100 years. It has used them in its public worship, insured and repaired them, and sent them on various exhibitions all across the country. Even if Yeshuat Israel had not dedicated the Rimonim to the congregation thereafter worshipping in Newport, Jeshuat Israel’s long-standing possession of the Rimonim entitles it to a strong presumption of ownership, which Shearith Israel has failed to overcome. *Hamilton v. Colt*, 14 R.I. 209, 212 (1883) (treating possession of property as prima facie evidence of ownership). On the record before us, and in the absence of other challenges to Jeshuat Israel’s title, the Court finds, as a matter of fact and law, that Jeshuat Israel is the true and lawful owner of the Rimonim. There are no outstanding challenges before this Court that would prevent Jeshuat Israel from dealing with its personal property in any manner that it deems appropriate.

C. SHEARITH ISRAEL IS REMOVED AS TRUSTEE

Jeshuat Israel seeks to remove Shearith Israel from its position as trustee over the Touro Synagogue and lands. Shearith Israel argues first that Jeshuat Israel does not have standing to call for removal, and second that grounds for removal do not exist. The Court concludes that Jeshuat Israel has standing as an interested third party, and that the overwhelming weight of the evidence compels this Court to remove Shearith Israel as trustee.

1. *Jeshuat Israel Has Standing to Bring an Action Removing the Trustee*

Who has standing to remove a charitable trustee can be a thorny question and requires some further background about trust law. In private trusts, beneficiaries are the equitable owners of a trust's corpus and the natural parties to police trustees. Charitable trusts are different, because everybody - the public - benefits from their existence. By definition, charitable trusts must have a charitable purpose that benefits society, rather than just one person or group. *See generally Bogert* § 362-63 at 19-36. For that reason, states' attorneys general, as the representatives of the public, have traditionally shouldered the responsibility of enforcing charitable trusts. *Id.* § 411 at 11-12.

Although a charitable trust must benefit the public at large, oftentimes "the settlor directs that his bounty be distributed among a class or group," which serves as the "conduit through which the settlor desires the public benefits to flow." *Id.* § 365 at 45. In other words, charitable trusts often work through a conduit, who uses the trust's assets to further the trust's purpose. Sometimes, courts colloquially refer to these conduits as "beneficiaries," although it is more accurate to say that the real beneficiary is the public or community and the persons involved are merely instrumentalities through which the community benefits flow." *Id.* § 363 at 28. In Rhode Island, the party that directly benefits from a charitable trust is considered the holder of the beneficial interest in the trust, and is colloquially referred to as the

«beneficiary.» See *Webster v. Wiggin*, 31 A. 824, 827-28 (R.I. 1895) (“[T]he beneficiaries [of charitable trusts] are a succession of persons, in each of whom the beneficial interest vests from time to time, in the future, to remote ages.”); *Bogert*’t § 411 at 3.

When the conduit of a charitable trust is a religious organization, 70, courts have often allowed it to enforce the terms of the trust, without invoking the attorney general:

If a trust exists ... to advance the cause of religion through support of [a] local church, the members and pewholders of that church have a rather certain and definite interest in the enforcement of the trust. Though the benefits will go to all in the community who elect to take advantage of the services, and also to the general public, it is nearly certain that all the members of the church will obtain some advantage. Therefore, a number of courts have allowed a church member or pewholder in such a case to sue to enforce the trust’s charitable purpose.

Bogert § 414 at 56.

This is an altogether sensible approach that alleviates the burden on the attorney general and involves the actual parties in interest, all without opening up the floodgates of vexatious litigation. It is also endorsed by the Restatement, which grants standing “for the enforcement of a charitable trust” to any “person who has a special interest in the enforcement of the trust.” Restatement (Third) of Trusts § 94(2) (2012). Simply said, when there is a ready party that has a distinguishable interest in enforcing a charitable trust, there is no justification for also requiring the attorney general to join as plaintiff. See *Cannon v. Stephens*, 159 A. 234,237 (Del. Ch. 1932).

This is true under Rhode Island law as well. Rhode Island does not vest exclusive enforcement power over charitable trusts in the attorney general. Instead, the law requires that “[t]he attorney general shall be notified of all judicial proceedings ...in any manner dealing with[] a trustee who holds in trust within the state property ... for charitable[] or religious purposes . . . and [the attorney general] shall be deemed to be an interested party to the judicial proceedings.” R.I. Gen. Laws § 18-9-5. This provision

would be illogical if the attorney general were required to be a plaintiff in all such proceedings, because that would obviate the need to deem the attorney general an interested party.⁷¹ By requiring notification of the Attorney General, Rhode Island law presupposes that third parties may commence suit, and proceed without the attorney general as a plaintiff.⁷² In fact, Rhode Island state courts have entertained numerous challenges brought by interested third parties against charitable trustees, without the attorney general joining as a plaintiff. *See* e.g., *Darcy v. Brown Univ. & Pine*, C.A. No. KC 94-774, 1997 WL 839894 (R.I. Super. Feb. 20, 1997) (plaintiff is potential recipient of a charitable fund for needy students); *Meyer v. Jewish Home for the Aged of R.I.*, C.A. No. 93-5374, 1994 WL 930887 (R.I. Super. Jan. 19, 1994) (plaintiffs are residents of charitable home).

Having decided in Rhode Island that third parties may enforce charitable trusts without joining the attorney general as a plaintiff, the Court has little difficulty concluding that Congregation Jeshuat Israel has standing to do so in this case. Any concerns about vexatious litigation arising in such enforcement suits are incorporated into a standard standing inquiry. *See Chu v. Legion of Christ Inc.*, 2F. Supp. 3d 160, 171 (D.R.I. 2014) (applying standing inquiry to determine who can sue a religious charity in a different context). The standing inquiry prevents “kibitzers, bureaucrats, publicity seekers, and ‘cause’ mongers from wresting control of litigation from the people directly affected.” *Id.* at 170 (citing *Valley Forge Christian Coll. v. Ams. United for Separation of Church & State, Inc.*, 454 464, 471 (1982)). These same considerations animate the inquiry into third party standing to remove a charitable trustee. Jeshuat Israel satisfies the constitutional and prudential standing requirements to bring this suit for removal because it has been the only congregation praying at Touro Synagogue for over 100 years and is now facing eviction.

a. Constitutional Standing

To satisfy the constitutional minimum standing requirements, a plaintiff must allege an injury in fact caused by the defendant, which could be redressed by a favorable court decision. *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560 (1992). Jeshuat Israel easily satisfies this floor. Among other

harms, Jeshuat Israel is facing eviction at the hands of Shearith Israel, the trustee. Am. Answer and Countercl., ECF No. 8 at 23 (asking this Court to “order the eviction of the Plaintiff [Jeshuat Israel] from the Touro Synagogue and related real property.”) Potential eviction from its place of worship certainly qualifies as an injury in fact, caused by the defendant, which could be redressed by the requested relief of removing Shearith Israel as trustee.

b.

Prudential Standing



The standing inquiry also incorporates three prudential considerations: “(1) whether a plaintiff’s complaint falls within the zone of interests protected by the law invoked; (2) whether the plaintiff is asserting [its] own rights and interests, and not those of third parties; and (3) that the plaintiff is not asking the court to adjudicate abstract questions of public significance.” *Chll*, 2 F. Supp. 3d at 171. Jeshuat Israel again easily satisfies all three. The zone of interests protected by the process of removing a charitable trustee includes protecting the interests of third parties who serve as conduits of the trust’s benefits. Here, Jeshuat Israel is asserting its own rights and interests because it has been worshipping at Touro Synagogue since the late 1800s, and it has developed strong ties to the building and lands.⁷³ Finally, as Shearith Israel admits, there is “a live dispute and controversy ... over the ownership, rights, status, and legal relations relating to the building, real estate, and any and all personalty used by or for Touro Synagogue.” Am. Answer and Countercl., ECF No. 8 at 20. If any third party has standing to enforce this charitable trust, that party is Congregation Jeshuat Israel.

2. *Shearith Israel’s Conduct Requires its Removal as Trustee*

Shearith Israel’s single role as charitable trustee is to ensure the preservation of Touro Synagogue for public Jewish worship. When Jews returned to Newport, Shearith Israel executed its duties by facilitating the use of the Synagogue by the new community. In 1903, after some unfortunate legal spats, Shearith Israel again executed its duties as trustee

by leasing the Synagogue to Jeshuat Israel for only a nominal fee. By this action, Shearith Israel recognized that Jeshuat Israel is the representative of the Jews of Newport. Since that time, Jeshuat Israel has been the only congregation worshipping at Touro Synagogue.

“Trustees exist for the benefit of those to whom the creator of the trust has given the trust estate.” *Petition of Statte1* 275 A.2d 272, 276 (R.I. 1971). In this case, Yeshuat Israel created the trust estate for the benefit of public Jewish worship, which can only be accomplished if Jews have access to the Synagogue. Under Rhode Island law, the present beneficial interest in the charitable trust is held by Jeshuat Israel. *See Webster*, 31 A. at 827-28 (holding that beneficial interest in a charitable trust vests in the party receiving its benefits). Shearith Israel’s single obligation is to act for the benefit of Jeshuat Israel, unless doing so no longer ensures public worship at Touro Synagogue.

Removal of Shearith Israel as trustee is appropriate because it has strayed from that obligation. *See Petition of Statter* 275 A.2d at 276 (“In deciding [removal] cases, the court’s paramount duty is to see that the trust is properly executed and that beneficiaries are protected.”) Specific grounds for removal can include a serious breach of trust, a lack of cooperation between the trustee and beneficiary, or even a substantial change of circumstances. *See generally* Unif. Trust Code § 706(b) (Removal of Trustee). Here, Shearith Israel repudiated the existence of the trust and sought to evict Newport’s only Jewish congregation from the trust estate. Furthermore, the conditions that required Shearith Israel to step in as acting trustee no longer exist. In these circumstances, the Court finds it necessary to remove Shearith Israel from its position as trustee, for the reasons stated below.

a. Serious Breach of Trust

No breach of trust is more egregious than when a trustee claims to own the trust property outright, and refuses to admit the trust’s very existence. “[R]epudiation of the trust is a clear ground of removal even

though the trust property has not yet been devoted to personal uses.” *Bogert* § 527 at 87; see also *In re Matthew W.T. Goodness Trust*, No. PM/08-7349, 2009 WL 3328364, at *6-7 (R.I. Super. May 4, 2009), 5-8 (discussing appropriation of trust property by trustees as grounds for removal).

In this action, Shearith Israel claims to own the trust property - Touro Synagogue - outright, and refuses to acknowledge that a trust exists. Shearith Israel claims in its pleadings that “[f]or over 100 years Shearith Israel has owned the Touro Synagogue, including its land, building, and religious objects,” and seeks “a declaration of Shearith Israel’s ownership of legal and equitable rights in the Rimonim along with the land, building, and other personalty used by Touro Synagogue” Am. Answer and Countercl., 7, 9, ECF No. 8. Shearith Israel denies that Jacob Rodrigues Rivera’s Will and Testament provided sufficient evidence of a trust, and repudiates any acknowledgement of a trust that could be gleaned from the 1894 deeds, the 1945 Agreement with the federal government, or any other sources. Shearith Israel’s Post-Trial Mem., ECF No. 90 at 60-68. At closing argument, when the Court directly asked Shearith Israel about this issue, it provided the following response:

Our position ... is that *Shearith Israel owns equitable and legal title*, and the title is subject to a condition And when we obtained title, it was with the understanding that there was going to be a public place of Jewish worship in accordance with the specific kind of ritual forever. That is how we hold it. We will have breached - *I’m not sure who can enforce it at that point* - but will have breached it if we ever tried, if we turned it into a bowling alley or a bingo alley. So there is plenty that we have the right to do.

Trial Tr. vol. 9, 156-57, ECF No. 112 (Shearith Israel’s Closing Argument) (emphasis added). In its briefing, Shearith Israel doubled down on its position, arguing “the Shearith Israel trustees ... hold [the Touro Synagogue] property *for the benefit of Shearith Israel*” Shearith Israel’s Post-Trial Rebuttal Mem., ECF No. 97 at 80 (emphasis added).

Shearith Israel’s claim to own legal and equitable title to Touro Synagogue renders it unsuitable to act as trustee. By claiming to own the Synagogue outright, Shearith Israel committed a serious breach of trust. Such a renunciation of one’s role requires a trustee’s removal.

b. Lack of Cooperation

“When friction between the trustee and beneficiary ... impairs the proper administration of the trust ... or if the trustees’ continuing to act as such would be detrimental to the interest of the beneficiary, the trustee may be removed.” *Petition of Statter*; 275 A.2d at 276. Charitable trustees are subject to the same standard. See *Nugent ex rel. Lingard v. Hanis*, 184 A.2d 783, 785 (R.L 1962) (stating that a charitable trustee’s “lack of sympathy for the objects of the trust” is grounds for removal).⁷⁴ The animosity between the parties is evaluated by a subjective standard from the point of view of the holder of the equitable interest. See *Petition of Statter*, 275 A.2d at 276 (“When the ill feeling has reached the point that it interferes with the administration of the trust, the trustee may be removed even though the charges of his misconduct are either not made out or greatly exaggerated.” (internal citations omitted)).

Congregation Jeshuat Israel is currently the holder of the equitable interest in the Touro charitable trust. It has used the Synagogue for public Jewish worship for over 100 years. As discussed *infra*, the trustee, Shearith Israel, has not had any relationship with the trust property or with Jeshuat Israel for at least the past 20 years. Furthermore, Shearith Israel’s positions in the current litigation have engendered such animosity in the relationship, that its continued service as trustee would be detrimental to the trust’s purpose.

Jeshuat Israel had absolutely no relationship with Shearith Israel when David Bazarsky became president of Jeshuat Israel in 1993.⁷⁵ Trial Tr. vol. 1, 162, ECF No. 104 (Testimony of David Bazarsky). Mr. Bazarsky testified that during his tenure as president, he unsuccessfully attempted to

⁷³ Jeshuat Israel is the only congregation that presently prays at Touro Synagogue, and some of its members’ families have been praying there for four generations. Trial Tr. vol. 1, 104, 112, ECF No. 104 (Testimony of David Bazarsky). Jeshuat Israel has also purchased land abutting the Synagogue, and built a visitor center there, from where it runs tours from Memorial Day through Columbus Day. Id. at 118-19.

Furthermore, Jeshuat Israel is the only Jewish congregation in the city of Newport. Id. at 128. Of the 1,000 Jews or 300 Jewish families living in the six towns of Newport, Middletown, Portsmouth, Jamestown, Tiverton, and Little Compton, approximately 100 families belong to Touro Synagogue. Id. at 128-29.

⁷⁴ The Court found Mr. Bazarsky to be a credible witness, and his testimony was compelling.

reestablish a connection with Shearith Israel. In 1996, he organized a trip to New York to meet with members of Shearith Israel, in part to discuss fundraising efforts to restore Touro Synagogue. *Id.* at 163-64. He summarized Shearith Israel's response as, "{w}e're not paying; [w]e're not giving you any money; [y]ou're on your own - - - We have our own synagogue to take care of; [w]e're not taking care of your synagogue." *Id.* at 165. He testified that Shearith Israel even refused to provide Jeshuat Israel's delegation with its membership list, because they did not want Jeshuat Israel syphoning off its members' resources. *Id.* Mr. Bazarsky reported that Jeshuat Israel's delegation left that meeting with the impression that Shearith Israel had "no interest in us." *Id.* at 166. Mr. Bazarsky's impression was confirmed by another fruitless meeting between the two Congregations about restoring Touro Synagogue in 2004. *Id.* at 166-69. The record is entirely devoid of any meaningful interaction or cooperation between the two Congregations for the past several decades. This shows a lack of sympathy by trustee Shearith Israel toward the object of the charitable trust.

Through this litigation, Shearith Israel is seeking to evict Jeshuat Israel from Touro Synagogue, without any other congregation standing ready to take its place. This act would undermine the very reason for the trust's existence - public Jewish worship in Newport. Witnesses for Jeshuat Israel have testified with one voice that the eviction threatened by Shearith Israel "would be devastating ... [because] it would be the destruction of ... the congregation." Trial Tr. vol. 1, 126-27, ECF No. 104 (Testimony of David Bazarsky).

Bertha Ross, the current co-President of Jeshuat Israel, described the relationship between the two Congregations as follows: "I would say there is a lot of friction, a lot of tension between the organizations. I think Shearith Israel has been disloyal to us." Trial Tr. vol. 4, 56, ECF No. 107. 76 Ms. Ross concluded that Jeshuat Israel could no longer work with the leadership of Shearith Israel. *Id.* Shearith Israel offered no evidence to refute this testimony of an acrimonious relationship between the two Congregations.

⁷⁵ The Court found Ms. Ross to be a credible witness, and her testimony was compelling.

Shearith Israel's bid to evict the only organized Jewish congregation in Newport from Touro Synagogue does not bode well for its continuing capacity to maintain the Synagogue for public Jewish worship. The contentious course of this litigation also renders unlikely "the smooth functioning of the [t]rust" with Shearith Israel as trustee. See *Dennis v. Rhode Island Hosp. Trust Nat. Bank*, 571 F. Supp. 623, 639 (D.R.I. 1983) *aff'd as modified* 744 F.2d 893 (1st Cir. 1984) (citing parties' litigation positions, rather than any conduct by trustee, as independent reason for removal). In sum, the Court finds that the lack of cooperation between Jeshuat Israel and Shearith Israel over at least the past 20 years, and the recent animosity between the parties engendered by this litigation, require the removal of Shearith Israel from its role as trustee.

C. *Substantial Change of Circumstances*

Shearith Israel was a valuable trustee for Touro Synagogue from the 1820s through the 1880s, when no Jews were permanently settled in Newport. Several times during those lean decades, Shearith Israel sent its own religious representatives to officiate lifetime events in Newport. See *supra*. While the Synagogue was maintained and restored with funds from the Touro brothers, Shearith Israel stepped in to provide a religious lifeline to the Newport Jewish tradition.

Likewise, Shearith Israel was instrumental in restarting organized Jewish worship at Touro Synagogue by sending its own officials to hold regular services there in the late 1800s. It then arranged for the father of its own rabbi to relocate from London to Newport and serve as Touro Synagogue's first permanent rabbi for Newport's new Jewish community. In sum, despite some discord at the turn of the 20th century, Shearith Israel contributed positively to Newport's Jewish revival.

These events all took place well over 100 years ago. In the meantime, Shearith Israel's involvement with public Jewish worship in Newport waned. By 1993, there was no longer any communication between Shearith Israel and Jeshuat Israel. It is natural that Shearith Israel's involvement with Touro Synagogue receded over the last several decades, while Jeshuat Israel has assumed responsibility for the building and lands. Speaking plainly,

Shearith Israel has long ago ceased to function as the trustee.

Shearith Israel's attempt to disturb that desuetude by seeking to evict Jeshuat Israel from Touro Synagogue in this legal action is contrary to its duties. It did not need to do so to prosecute its claim for the Rimonom. By disavowing the trust and seeking to evict Jeshuat Israel from its place of worship, Shearith Israel has shown itself unfit to continue to serve as trustee. The law and the evidence in this case support removing Shearith Israel from its position as trustee over the Touro Synagogue and lands, and the Court does so now. As a result, Shearith Israel no longer holds legal title to Touro Synagogue.

D. THE COURT APPOINTS JESHUAT ISRAEL AS THE NEW TRUSTEE

Having removed Shearith Israel, this Court must next address the question of who shall serve as the new trustee. The documents the Court relied upon to find that the trust exists, do not name a residuary trustee. In this circumstance, the trial court is authorized to appoint an appropriate successor trustee. *Lux v. Lux*, 288 A.2d 701, 705 (R.I. 1972) (citing R.I. Gen. Laws § 18-2-1) (“the Superior Court ... is authorized to appoint a trustee whenever an instrument creating a trust fails to name the residuary fiduciary”). Because this Court, when sitting in diversity, has the same role as the state superior court, and because it is familiar with the parties and issues animating this charitable trust, this Court will exercise its power to appoint a new trustee in order to avoid an interruption in the operations of Touro Synagogue.

“A trustee is held to something stricter than the morals of the market place. Not honesty alone, but the punctilio of an honor the most sensitive, is then the standard of behavior. As to this there has developed a tradition that is unbending and inveterate.” *Cuzzone v. Plourde*, No. 03-0524, 2005 ,NL 2716749, at *3 (R.I. Super. Oct. 17, 2005) (quoting *Meinhard v. Salmon*, 249 N.Y. 458, 464 (1928) (Cardozo, C.J.)). The new trustee must serve with “the punctilio of an honor the most sensitive” in the furtherance of the

trust's original purpose, passed down from Yeshuat Israel through Jacob Rodrigues Rivera's Will, by preserving the Touro Synagogue and lands for public Jewish worship. *Id.*

For over 100 years, Congregation Jeshuat Israel has done exactly that. Jeshuat Israel "maintains the synagogue [and] pays the utilities ... mow[s] the lawn ... [and] make[s] repairs on the synagogue." Trial Tr. vol. 4, 17, ECF No. 107 (Testimony of Bertha Ross). But more than just taking care of the building, Jeshuat Israel has ensured that Touro Synagogue is available for public Jewish worship. It holds services at Touro Synagogue at least twice a week, which are open to any member of the public. Trial Tr. vol. 1, 104, 112, ECF No. 104 (Testimony of David Bazarsky). In the summer, the Congregation opens up the Synagogue seven days a week to accommodate visitors from all over the world. *Id.* at 117, 119. The Congregation also offers free membership to naval officers serving at the nearby Naval War College. *Id.* at 118. Significantly, Jeshuat Israel is the only Jewish congregation in the city of Newport. *Id.* at 128.

This litigation has clarified that Jeshuat Israel is the party responsible for public Jewish worship in Newport. Even without the Court's appointment, Jeshuat Israel has been executing all of the duties of a trustee for many years. Evicting it from Touro Synagogue is unthinkable. Appointing it as the legal owner and trustee for the Synagogue only recognizes in law, that which is already obvious in fact.

CONCLUSION

A. PLAINTIFF'S CLAIMS

I. The Court finds for Plaintiff, Congregation Jeshuat Israel as to Count I and DECLARES, pursuant to the Uniform Declaratory Judgments Act, R.I. Gen. Laws §§ 9-30-1, *et seq.*, that Congregation Jeshuat Israel is the true and lawful owner of the Rimolim, with full power to sell and convey them, and to deposit the proceeds of such sale into an irrevocable endowment; and

II. The Courts finds that Count II is moot in light of its finding on Count I and therefore DISMISSES Count II; and

III. The Courts finds that Count III is moot in light of its finding on Count I and therefore DISMISSES Count III; and

IV. The Court finds for Plaintiff, Congregation Jeshuat Israel as to Count IV and DECLARES that the Touro Synagogue and its lands are owned in a charitable trust for the purpose of public Jewish worship. The Court orders the removal of Congregation Shearith Israel as trustee over that Touro Synagogue charitable trust. The Court appoints Congregation Jeshuat Israel as trustee of the Touro Synagogue and its lands; and

V. The Court dismisses Count V because the declaration sought is overly broad and therefore not justiciable.

B. DEFENDANT'S COUNTERCLAIMS

The Court DISMISSES all of Congregation Shearith Israel's counterclaims. Both parties' requests for attorneys' fees and costs are DENIED.

John J. McConnell, Jr.
United States District Judge

May 16, 2016



When A Congregation Vanishes:
Warwick's Am David

Mel Blake







While anchored and uplifted by the presence of Touro, North America's oldest synagogue building, Rhode Islanders may overlook a disturbing fact. Here, as elsewhere, many small congregations come and go. Some merge, relocate or struggle mightily to survive. Others simply disappear.

Reflecting sweeping changes, many larger congregations must also work hard to redefine and reinvent themselves. Somehow, we honor tradition by continually rediscovering and reaffirming it.

In our 2009 issue, Alice and Sidney Goldstein, longtime and loyal members, wrote a history of their beloved congregation, Temple Am David. They called it "Fifty Years of

Conservative Judaism in Warwick." For the most part, this was a celebratory story, reflecting decades of dedication, optimism, growth, and achievement. Indeed, the Goldsteins, like others, looked forward to a new era of service and sustenance.

Although it still exists as a legal entity and will always remain a glowing memory, Temple Am David is no more. It fell victim to numerous external and internal pressures – who knows how many? – which resulted in the formation of two smaller congregations; the departure of its longtime cantor and rabbi, Richard Perlman, from Rhode Island; and the sale of its building and contents this past summer.

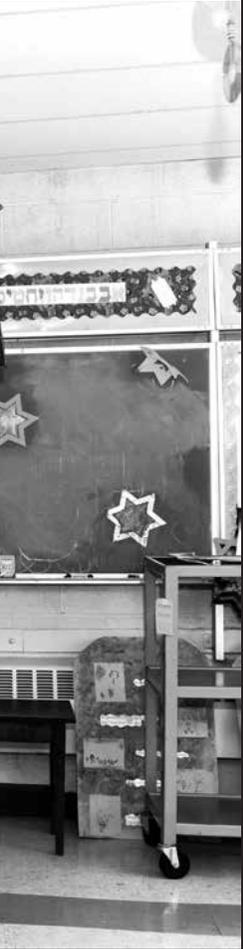


For the time being at least, West Bay Community Jewish Center gathers for services as a tenant of the Phyllis Siperstein Tamarisk Assisted Living Residence in Warwick. Likewise, Or Chadash (“New Light”) Congregation gathers for services as a tenant in Am David’s former home, now the sanctuary of the Rhode Island Hindu Temple Society. Yes, a house of worship endures.

Serving as an impartial witness, Mel Blake, our gracious board member, photographed the former Am David Synagogue before its contents were auctioned on August 28 and then dispersed. Unfortunately, he has acquired some expertise documenting bygone eras. In addition to photographing the sorry state of the former Broad Street

Synagogue, Mel has portrayed Rabbi Leslie Gutterman’s study shortly before his retirement from Temple Beth-El.

To perpetuate our respect for the never-ending past, our Association was pleased to accept several of Am David’s documents and two cornerstones that had belonged to parent congregations. Fortunately, Or Chadash was also able to purchase several Torahs, *rimonim*, and other liturgical objects and return them to their intended, loving use.





Two Homes:

Thirteen Rhode Islanders Who Have Made ‘Aliyah’

Shai Afsai

Over many decades and for a rich variety of reasons, scores of Rhode Islanders from many congregations and backgrounds have made *aliyah* (literally “ascent” or moving to the spiritually elevated Land of Israel). And others have been buried there. Several writers, attempting to tell this hugely important and challenging story of emigration and immigration, eventually felt overwhelmed and gave up.

Fortunately, Shai Afsai, through a combination of personal insight and professional skill – faith and fortitude – has been able to prevail. We owe him our congratulations and a debt of gratitude. He has not only stimulated our brains but touched our hearts. *Yasher koach!*

Of course Shai could have written an even more comprehensive article, but our journal is bound by practical limitations. I thought, perhaps arbitrarily, that it made more sense to publish one long article rather than several shorter articles consecutively.

Shai, who has written for numerous popular and scholarly journals and won the Association’s 2013 Horvitz Award for his article on Jews and Freemasons in Providence, has narrowed his approach to *aliyah* by focusing primarily on families affiliated with Providence’s Congregation Beth Sholom (CBS). Such a manageable approach makes sense especially because of his childhood and adult affiliation there. To advance his research, Shai received a generous grant from the congregation through the Edwin S. Soforenko Foundation. This grant enabled him to travel to and within Israel during December 2105 and January 2016. He edited his revealing oral history interviews during a subsequent visit to Israel this past summer. All the interviewees approved the edited versions of their conversations before Shai submitted them to *The Notes*. For the sake of continuity and conciseness, however I made some small changes.

When I first suggested this project to Shai, he believed that the timing was also right because his research would coincide with the move of his friend, Beth Japhet, from Manhattan to Israel. As with earlier research projects, Shai’s brother, Amir Afsai, an *oleh* (one who has made *aliyah*) from Rhode Island, went out of his way to assist with this study. Tova Stark Levine, Shai reported, also embraced this project as if it were her own.

Soon there should be a sequel, portraying a different sample of *olim*. And, in time, there should be a related article about native-born Israelis who have made their homes in Rhode Island. Whatever the external or internal forces, we continue to be a wondering, wayfaring, and wandering people.

For much of Jewish history, vast numbers of Jews did not have even one land wherein they could feel secure and know that they belonged. By contrast, most American-born Jews who told me their stories here have been fortunate to have not only one such place, but two. I hope these interviews capture some of the reasons why they have chosen one of these homes over the other.

During interviews, I took handwritten notes (rather than use a tape recorder). Part of Beth Japhet's interview was conducted by email, but all others were conducted in person and in English. Fortunately, nobody I approached declined to be interviewed. Meeting with Rhode Island *olim* – at their apartments, workplaces, or favorite restaurants and coffee shops – and hearing their stories were the most enjoyable parts of this experience for me. I thank them all for their time and trust.

In no way does this article make claim to offering a representative sample of *olim* from Rhode Island or even from CBS. Nevertheless, a brief synthesis of interviewees' experiences and insights is offered in the article's conclusion.





Avraham and Nehama Allen with their daughters (left to right) Mazal, Avigayil, Aliza, and (behind them) Miriam in Rehovot.

Avraham Allen

I went to a program in Hod HaSharon when I was 15. It was for two months, in the fall of 1983, during my junior year at Classical High School. [Here Avraham mentions that he spent part of the Sukkot holiday with my aunt, uncle, and cousins in the Negev during that trip – a story that requires its own article.] I fell in love with Israel, and since then my dream was to move here. We learned about the history of the Jewish people and then visited the places where that history took place. The fact that I went to Israel when I was 15 had a great impact. Through that learning, I could see the connection of the Jewish people to the Land of Israel. I saw that this is where I belong; this is where I'm supposed to be. Financially it's a challenge, though.

When we moved to Israel, my family and I were in the *merkaz klita* [absorption center] in Be'er Sheva for four and a half months. I actually wanted to stay longer, even though the space was tight, because there you are sharing an experience with other people who have moved to Israel and making connections.

In Be'er Sheva there was a Chabad [Lubavitch] community, a Chabad *yeshiva*, and a Chabad girls' school. Rent was reasonable and the weather, too; we didn't want a humid place. Within a few months of moving to Be'er Sheva, the rockets from Gaza began. I didn't like it, but I said, "This is life here."

In 2012, the situation got much worse. I was shaken up by the rockets. It came to the point where there was a fear of rockets at any time. During the 2012 conflict [Operation Pillar of Defense against Hamas in Gaza], the Appel family from Rehovot invited us to stay with them for as long as the conflict was going on. It ended after nine days. When you find a nice family that welcomes you and is kind, that's a pull.

After being in Be'er Sheva for three years, we left because of a letter from the Lubavitcher Rebbe telling us to move. We decided to move to Rehovot.

Edith Henderson, a woman who lived on the corner of Third Street and Highland Avenue [on the East Side of Providence], used to say: "Life is about helping people." Here in Israel, you have more interactions. It's lively. Helping others and looking out for others is part of the culture. When you have a culture like that, you can focus your energy more constructively. Your mind, your energy, and your spirit are freed up to do constructive things. I see that here- whether it's with a Jewish person, a Christian, or a Moslem. In mainstream Israeli society, people try to look out for each other.

I haven't left Israel in six years and part of that has to do with my fear of not being able to get back after finally getting here.

Nathan Japhet

My underlying motivation for making *aliyah* in August 2013 was the religious obligation to live in the land. This is the first time in 2,000 years that the

Nathan Japhet in Tel Aviv.



Jewish people have had sovereignty. I didn't want to sit on the sidelines and not take part in it.

As a Jew, it feels more comfortable to live in a Jewish majority country. To be Jewish is to be part of the Jewish people, not just the religion. That being said, I love America; it's a great country. I wasn't running away from something. I was running to something.

I wanted to make *aliyah* and join the army right after my nine months at Yeshivat Eretz HaTzvi in Jerusalem, which I attended after graduating from Maimonides [School in Brookline, Massachusetts]. My parents said, "No way!" They argued that I needed to come back to America and do a degree. I studied biology at Yeshiva University. They probably hoped that by the time I was done, I would forget about making *aliyah*.

In the end, they were very supportive of my making *aliyah*. My father is very Zionist. It felt like a natural conclusion of his vision. But they were not happy about my joining a combat unit for three full years of service. They felt I had more to contribute elsewhere, and they were worried.

I have no regret about joining the army. I joined *Palchan Nachal*, the elite explosive and combat engineering unit of the Nachal infantry division. It is absolutely one of the best decisions of my life. It has helped me integrate into the country – to learn the language and the mindset. I've made incredible bonds and friends for life.

My motivation for joining a combat unit was that I didn't want to one day send off my kids to do their part for the country without having done my part too. Don't get me wrong. The army is very difficult. But it's the best way to discover your limitations and abilities. My friends in the army think I'm absolutely crazy, but they admire what I've done. I'm 25. The guys I'm with are mostly 20, and I'm older than all my commanders. But I knew what I was getting myself into. At the end of the day, however scary it is, you want to be the one to protect your friends and defend your country.

The hardest thing for me during Operation Protective Edge [the 2014 conflict with Hamas in Gaza] was that my parents were extremely worried. It was strange; I had to comfort my parents and tell them not to worry. It was definitely harder on them than me. That was when I really felt like a *chayal boded* [lone soldier in the Israeli army]: I'm alone; my parents aren't here.

The difficult aspect of *aliyah* has always been missing my family and

friends. Socially, at the beginning, it was tough. There is definitely homesickness. I was born in Manchester, New Hampshire. We moved to Pawtucket when I was three and my sister was five, because my parents wanted us to go to a Jewish school. I went to the Providence Hebrew Day through eighth grade. I grew up in the Ohave Shalom community in Pawtucket. It was a small, tight-knit community and a wonderful place to grow up in. I loved growing up in Rhode Island and still miss it. I miss Rhode Island summers: Dell's, day trips to Prudence Island with my father, Newport, Scarborough Beach, and the Mall.

I thought by moving here that I would see my family once a year. But my sister [Beth Japhet] has moved here, though she lived in New York and had a good job. She picked up in the middle of her life. It made me happy and proud. In spite of all the troubles, language barriers, and employment challenges, she's following through on her dream. My parents will move here too.

It's family history repeating itself. In a way, it's my dad's "fault" I made *aliyah*. Zionism was always in the house. My father, a younger son, came from the USSR to America and was followed there by his sister, and then his parents. My sister has followed me here, and our parents will follow us.

Beth Japhet

I grew up in an extremely Zionist home. Israel was viewed as a gift that was not to be taken for granted and as a home Jews must fight for. Every casualty



**Beth Japhet (left) and
Tova Stark Levine
(right) in Jerusalem.**

of war and each terror attack victim was mourned on a very personal level in my house. Our computer homepage was JPost [*The Jerusalem Post*], Israel charities were our charities of choice, and the Rhode Island chapter of AFSI [Americans for a Safe Israel] was organized by my father.

When I went on my gap year to seminary [religious studies program] in Israel, as a classic Modern Orthodox girl does, I didn't fall in love with Torah studies as much as the country and its people. By the end of that year I was researching university programs at Hebrew University [in Jerusalem] and Bar-Ilan University [in Ramat Gan]. However, my parents got their way, and I came back to the States for school. I ended up staying for eight years to earn my degree and work for a couple of years.

I was living in a beautiful apartment in Manhattan with good friends around and an enjoyable job, but I felt that something was missing. It sounds like a cliché, but I knew that the direction my life was heading wasn't right, and that I was supposed to be in Israel. During the recent war [Operation Protective Edge against Hamas in Gaza in 2014], I wanted to be physically in Israel with fellow Jews and my brother. It didn't feel right being on the sidelines in America. So I made the huge move on July 13th, 2015.

I lived in an absorption center in Jerusalem for five months with over 200 other new *olim*, aged 22 to 35, from all over the world: US, Canada, UK, and South America, with the majority from Russia, Ukraine, and France. It was fascinating to live and learn with an international community united in the goal to succeed in this country. (Not all were here for Zionism; many sought a better economic lifestyle.)

The absorption center was a beautiful steppingstone to the reality of this crazy, beautiful country. It provided a safe zone to come home to at night after navigating the banks, *kupot cholim* [national healthcare clinics], phones, taxes, driving licenses and, later, the job interviews and apartment searches. We learned Hebrew together with 12 different levels, went on *tiyulim* [trips], ate together, explored Jerusalem, and of course experienced the bar scene from time-to-time. Coming here, most of us didn't have much family or many friends, and we all left with a "new" family that helps fill in the loneliness that can come during *chagim* [Jewish holidays] and *shabbatot* [Sabbaths].

Nathan [Japhet] was a huge factor in helping me make the daunting decision to move here. Our tiny family is very close, and I just couldn't imagine

seeing him only twice a year for the rest of my life. The thought of our family instead spending holidays and *shabbatot* together in Israel was an exciting notion. He has been so helpful from the start: making sure to get the day off from the army to meet me at the airport, helping translate important documents, and listening to me cry on the rough days.

What has been difficult is the language. There are times you feel disabled in that you can't express your needs, especially in state offices or in stores. There is also a wall that you can't breach in social settings when you sound like a five-year-old. It makes it hard to fully integrate. Surviving financially here is also difficult. Americans and Israelis think very differently when it comes to money and savings. My salary has dramatically decreased, and I now understand how Israelis live paycheck-to-paycheck. Israelis do not (or cannot) save, living month-to-month. On the other hand, as a healthcare professional, I am happy to make less if it means I am subscribing to a nationalized healthcare system, where citizens receive inexpensive good care, as opposed to the American system.

The security situation has also been slightly challenging. At times, in the past few months, the atmosphere in Jerusalem has been tense. [In September 2015, Palestinian terrorists began a campaign of continual stabbing, shooting, and car-ramming attacks against Jews in Israel.] Security guards, soldiers, and guns are everywhere, and when the situation was at its worst, the main streets were empty. The terror attack on the #78 bus [in Talpiot, Jerusalem, on October 13, 2015] was around the corner from my *ulpan* [Hebrew language school for new immigrants]. We heard the sirens and helicopters and were under lockdown for the day. It was scary to get on the #78 the following day, but you just swallowed your fears and went on with your life. Everyone was more alert. I carried pepper spray and took note of my surroundings. However, I never thought of leaving Israel. I have not once regretted my decision. I am extremely happy here.

Currently, I am working as a physical therapist after having to pass the boards here. My biggest fear making *aliyah* was working in my profession in Hebrew, but so far it has been fine. The patients have so much patience with me; Israelis love their *olim*. I spend hours writing notes and have to pantomime a lot of the exercises, but each day gets a little easier.



Rhea Diwinsky and
Gerry Fraser in Herzliya.

Rhea Diwinsky

I was born in Providence in 1955. I went to the Providence Hebrew Day School from kindergarten to eighth grade. When I went to Classical High School, I was president of USY [United Synagogue Youth] at Temple Emanu-El. I was also president of Young Judea. I was active with Soviet Jewry. I had a pen pal in the USSR. I kept on going to afternoon Hebrew school until I graduated from Classical.

That summer I went to Israel for an Israeli folkdance workshop. I liked Israeli folk dancing, even though I couldn't tell my left foot from my right. We danced across Israel and I saw Israel that way. While on kibbutz, as the sun was beating down on our *tembel* hats, we picked plums and peaches, our legs were cut by tree branches, we collected eggs from chicken coops, got pecked by chickens, and I fell in love with Israel. I fell in love with Israel – not kibbutz life, necessarily – but with Israeli life. I came back to America and told my parents I wanted to make *aliyah*.

I did my junior year abroad in 1976 at Tel Aviv University, majoring in computer science. Having learned Hebrew at PHDS, I didn't do English courses at TAU; I took my courses in Hebrew. During that junior year, I met my first husband. After my junior year, I went back to the States. He followed me there. We got married the summer after I graduated from Boston University. We lived and worked in Boston. We both wanted to get back to Israel. So we went back to Israel, working for the Ovda Airbase project as US expatriates. During that period, we got divorced.

I came back to the States because my father was sick and stayed for three years. I got my master's at Northeastern University in business administration, with a concentration in management information systems. The last year I was at Northeastern, SCITEX – which had a branch in Boston – sent recruiters. I told them I wanted to move to Israel. I was thoroughly interviewed by them for two days, to make sure I would actually stay in Israel. While I was on a cross-country bus tour from California to Washington, D.C., I got a job offer from SCITEX.

In October 1984, I packed up everything and made *aliyah*. My father had a heart attack before I left and was at The Miriam Hospital. I told him I decided to move Israel. He told me he was very proud of me and wished me well. My father passed away two weeks later, and I came back for the funeral and *shiva*.

To live in Israel, you have to go with the flow. I learned to read Hebrew without vowels by reading street signs. At the time, the hardest part of being in Israel was not being able to read and write without vowels. The most important thing for learning the mentality and lifestyle was making Israeli friends, learning their way of thinking, and speaking Hebrew. Until about four years ago, everywhere I worked, I worked in Hebrew. The American accent will never go away. I never even tried to get rid of the accent.

I met my husband, Prof. Gerry Fraser, on a blind date. It was love at first sight. We fell in love over bagels, lox, and cream cheese at Dizengoff Center [in Tel Aviv]. We got engaged on my 40th birthday, *motzei* Yom Kippur [after Yom Kippur ended]. As of this year, we have been married 20 years.

My mother passed away three months before the wedding. Cyril Solk planned the wedding while I was in mourning. He was 78 at the time, and was and is like a father to us. Gerry came to the States for the funeral and the *shiva*. Cyril gave me away at the wedding in Tel Aviv. Gerry has three daughters and seven grandchildren. For the grandchildren, I'm *bubbie* [grandmother]. By marrying Gerry, I found more of a foothold in the country because of the children and grandchildren.

Coming to Israel, I didn't feel different. In the States there are a lot of traumatic things that happened because I'm Jewish. Living in New England there were a lot of points of anti-Semitism. I have stories of anti-Semitism in Providence and Boston. Israel is not perfect, but it's the Jewish homeland, and this is where we belong.

Making *aliyah* is best thing that ever happened to me. Whenever I came

to Israel I felt like I could be myself there. Seeing all the *sukkot* [booths made during the Feast of Tabernacles] on the balconies of apartment buildings and at the restaurants, speaking Hebrew and hearing people speak Hebrew, I feel more a part of the country than I did in the States. I feel like you contribute, even as one person. The hardship here in terms of war and terrorism and tragedies is horrifying and sometimes unimaginable. Instead of scaring us and making us leave, it strengthens our resolve to stay and thrive and plant roots in our promised land, building a future for our children and grandchildren. My belief is that the safest place to be is Israel.

Reuben Beiser

I went to Classical High School, and I'm still in touch with people from Classical. I wasn't interested in a small parochial school. More than anything else, it illustrates my desire to be mainstream, which also explains my Zionism. Israel lets me live an Orthodox lifestyle while being mainstream.

I came to Israel as a 15-year-old, as part of a mostly-Rhode Island summer trip with the late Rabbi [Jacob S.] Rubenstein [a long-serving former rabbi of Providence's CBS] in 1983. It was a great trip, a great experience, with about 15 kids. From that trip, Larry Borabeck and I moved to Israel. [Here Reuben pauses to point out that Harriet Gladstone, my great-aunt, was a chaperone on that trip, and that her son, Scott Gladstone, was also on that trip.] We kids studied together, and Rabbi Rubenstein got us to play music together.

On that trip I can remember saying to a friend of mine, "If there wasn't a financial difficulty, would

Reuben Beiser in Jerusalem.



you live here?” He said “No,” and I remember being surprised. I wouldn’t say that any one experience or collection of experiences motivated me. I felt connected and wanted to move here. The question was how to do it financially.

I graduated from Classical in 1985 and then went to Israel for two years as a *yeshiva* student. I came alone. Now it’s known as a gap year, and many students do it. Now students come as whole schools. We make a big business at Mike’s Place in Jerusalem with the gap year students. It’s packed with American students. Back then, we would send letters home. Today, there is email, Skype. It was before the peace process. It was safer. You could travel anywhere. Since the 1990s, when the PLO [Palestine Liberation Organization] came in [to Judea and Samaria/the West Bank and the Gaza Strip], the situation has worsened in terms of travel and safety. During the two years I was here, I knew I was going to move here. I graduated from Brown University in 1991 and moved to Israel.

I was single, 24-years-old, and I was looking for myself. I was starting over. Larry Borabeck got me my first job, as a carpenter. I stuck with carpentry until I got accepted to Bezalel Academy of Arts and Design [in Jerusalem]. And that was really my induction into Israeli society. The architecture program was

five years. I was part of the team that made the Begin Road; that began my career as an architect in Jerusalem’s largest architect’s office. My best project was probably the Keshet School [in Jerusalem], which combines religious and secular students.

In 2009, I was looking for the next step. The parents of the former owner of Mike’s Place, Assaf Ganzman, were my neighbors. I was talking to him about my dilemma and he said, “You can still do architecture work, but you’d be the perfect person to open up a bar.” This coincided with my desire to open my own business and be involved in the Jerusalem cultural scene. I now run the most American bar in town. I own 80 percent of the bar and have a partner. I work as a private residential architect, too. It’s important for me to have a finger in that world.

At Mike’s Place we are sort of a home-away-from-home for tourists and expatriates, American *yeshiva* and gap



students, lone soldiers in the IDF [Israel Defense Forces]. That's what we're here for. Israelis see it as an American bar. Israelis come here to get ready for their big year in America. My staff is all Israeli, but their parents are Americans, and they speak English and Hebrew. We employ upward of 20 young and not-so-young adults at any time. Many new immigrants find employment here and get through school working here.

It sounds ironic: I fell in love with Israel, wanted to move to Israel, married an Israeli woman, my kids are Israeli, but nothing makes you more American than moving to another country. You open your mouth, you are immediately pegged as an American. You will also always miss home. You always miss your youth and home.

My wife's English is excellent, but we speak Hebrew at home. With my son, I now speak English. It's coming from him. He's into languages. My middle daughter won't speak a word of English to me.

My wife sings in a choir. The carpenter I had worked for sang in that choir. He introduced us. Here we are, 18 years later – three kids, but no dog. She has a large family, which I wasn't used to, and I inherited a wonderful family. When my brother, Joshua, visited for Thanksgiving, my wife researched how to and made a turkey, and we had Thanksgiving. If anything, my being American and her being Israeli are mutually enriching.

Look, it's not at all easy. There are many days when I'm miserable, objectively miserable, and there is no money coming in. But yes, I love it. I think it connects to my move to Israel. I wasn't looking for an easy way. I was looking for self-expression, teamwork. And I found it. I have lived here, and I have raised my kids here. And I'm satisfied. I won't say it's easy, but it's very fulfilling, and every day is a new adventure.

Binyamin (Benjamin) Beiser

I was in Yeshivat Mevaseret Zion [in Jerusalem] for two years, post-high school, from 1994 to 1996, after graduating from NEAT [Providence's New England Academy of Torah]. When I was in *yeshiva* post-high school, I got the bug, so to speak. Even though I left Israel for college in America, I was still here mentally.

After I graduated from Yeshiva University in 1999, I returned here, but I went back to the States in the summer of 2003 and met my wife there. Mutual friends set us up. I got married in New York in February 2004 and then returned

Yagil Tsaidi (left) and
Binyamin Beiser (right)
at Yeshivat Mevaseret Zion.



to Israel with my wife. I've been teaching at Yeshivat Mevaseret Zion since 2010. There are about 110 post-high school students here. I'm teaching *gemarah* [Talmud], primarily.

Overall, I like teaching. My wife is a psychologist. Teaching doesn't bring in that much money, but we make it work. It's the ultimate unanswerable question: how to make enough money in Israel?

I didn't move here for the standard of living. It was definitely religion and ideology. This is the right place to be for *Am Yisrael* [the nation of Israel]. It's an idealistic, religious imperative. It's a *mitzvah* [religious commandment]. For me it was more religious than Zionism, per se. I saw it as more of a Torah imperative, rather than Zionism or nationalism: *Am Yisrael* coming back to its place. I live in Giv'at Ze'ev. I guess I'm a settler. It's over the Green Line [the 1949 demarcation line separating Israel from bordering Arab countries].

At the end of the day, I'm still American. Even though I'm fluent in Hebrew, I'm still culturally American. The religious dynamic is different. It's hard with the bureaucracy. There are certain elements where I'm not Israeli. I'm *americai* [American]. That label sticks forever. My children speak Hebrew as their first language. They speak Hebrew to each other. They speak English too. We speak English to them.

Americans have *hitlabtut* [a dilemma]. Fundamentally, it's pretty simple: I feel I should be here. But I've thought about moving to America for pragmatic

reasons. When you are married and have kids and get older, ideology begins to fade, and you are dealing with life stuff and that can become more challenging. Our families are in America, so there is a pull to America. America is more comfortable and easier. I guess the pull isn't great enough. It's a harder life here. There are security concerns. But "*en eretz yisrael niknet elah beyisurim*" ["the land of Israel is acquired only through hardships"].



**Cheryl Mizrahi
Saltan and Mikey in
Mevaseret Zion.**

Cheryl Mizrahi Saltan

I was in New York, working all the time as an actuary, and was miserable. I saved up money to be able to take time off and explore the music business. I didn't want to regret not seriously trying that. In college, I had worked for the band Guster. When I graduated from college in 2000, I said, "Okay, now is the time to be responsible." But I quit work in 2008. I was unhappy, and it got to the point where I needed to change something.

I had never lived abroad. I originally planned to go to Europe, but had a free place to stay in Israel with my siblings [Lisa Ravitz and Shaul (Alan) Mizrahi] who lived here. I originally came to Israel for three months, but I liked it here and started to make friends, so I extended my stay for a few more months. I sublet an apartment in Jerusalem. I met Yaniv Tsaidi from Heedoosh and became the band's manager.

When I first came it was supposed to be a vacation. I got here and found it's so different from New York. New York is all about what people do for a living, what clothes they're wearing. Here it was so much more relaxed. And I was working in music. When I decided to manage Heedoosh, I realized I needed to stay here. The band was the catalyst for *aliyah*. So I said, "Yeah, this could work. Fine. I'll make *aliyah*. And if it doesn't work out, I'll just go back to the States." I still had money saved up.

My parents were totally shocked when I said I was making *aliyah*. They always asked if I would move to Israel after my siblings. I had always said, "Me? Never." I loved Israel, believed in Israel, and was a Zionist, but it was never a dream of mine to live in Israel. But once I was here, I was happier. I think that's what it came down to.

I had planned to fly back to the States, pack up everything, and fly back on an *aliyah* flight. I met Jeremy in July. We went out a few times and then I left. I made *aliyah* in August 2008. I always say I had the easiest *aliyah* ever. I had friends here. I had a boyfriend. I had family. I had money saved up. It was super easy.

A couple of months after making *aliyah*, I started running out of money. But I was burnt out and didn't want to go back to my job. It had taken over my life, and I had needed to get away from it. I also realized that managing a band is a lot of managing the different personalities in a band. I had gotten it out of my system. I told my old boss I wanted to come back to work, but that I was staying in Israel. I was hired back as a contractor. People say to me, "Wow, it's amazing. You made *aliyah*." It was not, I think, the typical *aliyah*. I'm definitely lucky.

I'm an actuary. I work for the same company I worked for in the States. I work American hours, though, which is harder when you have kids. It's hard, but it's certainly a better salary than anything an Israeli company would pay, and my Hebrew is not good enough anyway. Plus, I get to work from home and there's tons of flexibility. I like going back to the States, but I never get the feeling, "I wish I could live here again." I have two homes. America is familiar. Everything is easier. Shopping: the products are familiar, available, and cheap. That I miss. It's trivial stuff. We'd have a nice big house if we were there. But none of it makes me want to go back. I like that my kids will be Israeli. Mimi [Cheryl's daughter] is fluent in Hebrew and explains that her mom only speaks a little Hebrew.

I can do basic things. I can order a cab, order in a restaurant. But most of

the time, I don't use Hebrew. Unfortunately, you can manage pretty well without Hebrew in this country. My husband speaks English. All my friends speak English. I have one Israeli friend. I actually got ragged on at Tipat Halav [a government-sponsored center offering health and medical services for pregnant women, new mothers, infants, and children] with Mikey [Cheryl's baby boy]. I was trying to answer questions, and the woman working there asked how long I'd been in Israel. I said, "Seven years." And she said, "Seven years! And this is how you speak Hebrew?"

I wish there were a way to go to dinner in the States and come back. I miss my closest friends there, but there is so much about their lives that I don't know. And that's hard. But if I were there, I wouldn't see my siblings or nieces and nephews.

Orli Mintz

Why did I make *aliyah*? It's always such a complicated question. It's a mesh. Also, the reasons why one makes *aliyah* are not necessarily identical to the reasons why one stays. I believe for me this is very true. I was raised in a Zionist atmosphere in America. In the States, it's a Christian country, even if they don't admit it, and you feel it. Here it's nice that the national and religious identity is yours. The holidays here are my holidays. I also like that, at least for now, here it is less materialistic. Family, not finances, is happiness. To be honest, also, in the back of my head – Germany, the Holocaust, it could happen again.

I graduated from Maimonides [School in Brookline] and my sister helped me apply to a Young Judea program. I worked on a kibbutz and picked pomegranates for three months. I fell in love with the land itself. It was hard not to. I studied public health for three and a half years at Brandeis University, graduated a semester early, and made *aliyah* two weeks later. I've been living in Israel for seven years.

My career is more or less the same kind of career I would want to have in the States. Here, I actually have more career opportunities because there are fewer people with the same resume. Nursing is how I can do public health, but it's also a safe financial decision. Patients and coworkers ask me



why I'm here in Israel and not in America. Most are referring to the financial gain in America, few to the religious freedom. To the few who mention the religious freedom in America, I explain the complexities of a Jewish identity in a country where your assumed faith is Christianity. To most Israelis, I explain that it's nice to work in a health system where I can give care – complicated care, expensive care- to any citizen for free or a low cost. Yes, I make a lot less money, but knowing that I am able to provide care for all citizens (as well as many non-citizens) increases my work fulfillment.

There is a big difference between the cultures of the US and Israel in terms of saving. One is a capitalist country, and one is a largely socialist country. People save less here, and there is less of an expectation or need to save. Health care is offered by the state. Education is cheaper. Debt from student loans, schooling, and health care are not a burden for most people. College students are expected to pay for their own education. People's expectations of what a home looks like are a bit more modest, for now.

There are a lot of people here from Rhode Island's small Jewish community, and some find that surprising. But if you think about it, it makes sense. Most young Orthodox Jews grow up in Rhode Island knowing that they probably won't live there when they're older and will move away, maybe to the Boston area, New York or the West Coast. Since they know this and plan to move away anyway, Israel is a more real option to them, and one many choose.

I don't want it to seem as though I didn't or don't like America. I love America. America was and is great to me and shaped a lot of my mindset and of who I am. I think that, in general, *aliyah* is put out as something that is all or nothing: you move to Israel for the rest of your life, or you never make *aliyah*, or you make *aliyah* and have failed if you come back. I think it's not fair or healthy to think of it that way. In



**Orli Mintz (left) and
Beth Japhet (right)
in Jerusalem.**



**Lea Abraham and
Michael Mintz
in Ramat Gan.**

my case, what 22-year-old knows what she wants for the rest of her life? The truth is I am still am not sure.

The minute I stopped thinking that it is all or nothing, I started to love Israel more, and to find my place here. It's too much pressure and not fair to mold people into symbols of the fulfillment of the Jewish dream if they make *aliyah*, and to paint them as failures if they decide to return to America. Like most things in life, people should choose what works best for them as long as it doesn't harm anyone else.

Michael Mintz

I should say upfront that Lea and I are considering moving back to the US in about a year. I'm looking forward to it living as an adult there for the first time. I've been in the country consistently since I came for a year after high school. I went to an obscure *yeshiva*. It was both very academic yet decidedly political, especially when it came to Zionism. Very quickly, I was roped into making *aliyah*. I got there in September of 2008. By December 2010, I knew I was going to make *aliyah*. Looking back, I would say I was a young, impassioned kid. The idea was hammered in day and night, I was in a bubble, and was really pushed by the rabbis.

When you're living in New York, you may need Israel less. The draw for people growing up in Providence with a strong Jewish identity is that there is nowhere to go forward as an adult. In every non-major Jewish community in America, there is a struggle, a downward spiral. I was caught up in the movement of Anglos coming to Israel. For people coming from Providence, there's a sense that in Israel we'll never feel that outsider status, that lack. The *yeshiva* drove home that this was our land.

Already going into my second year of *yeshiva* studies, I started the process of making *aliyah* with Nefesh B'Nefesh [an organization that facilitates *aliyah* from the United States, Canada, and the United Kingdom]. In so many ways I was more excited for the charter flight than for the *aliyah* itself. I think that at the time I was in the *yeshiva*, I felt very special. I loved the idea of arriving in Israel on a red carpet and having people waiting with signs.

I made *aliyah* on August 18, 2010. You arrive and everyone is there. My friends were there. Orli [Mike's sister] was there. And it's a party. And then you get into a *sherut* [taxi], the door closes, and you are alone. I moved directly to Herzliya. I was 20 years old, intensely nationalistic, and intent on living the Modern Orthodox lifestyle. I felt like I had life figured out at that point.

After making *aliyah*, I started feeling more of a pawn in some new Jewish conquest. It began to feel like a big political movement that doesn't have the people's interests in mind- either *olim* [people who have made *aliyah*] or Israelis. The disparity between illusion and reality is a reason many people go back to America; this is just a place. Even though I'm a little bit bitter about the process of how it happened, I would not give up the experience of the past several years for anything.

I went to IDC Herzliya and studied communications. It was such a process building up a life from the ground up, materially and socially. I was basically living off the college fund my parents saved for me. My entire college degree here cost about half of what one year would have cost in America. On the whole, studying at IDC was a great experience. I went in very religious and came out atheist. Once your world is opened up and cracks form, you explore those cracks, and religion doesn't often survive.

Like many graduates I moved to Tel Aviv, which, I think, has an impact on young people in their 20s. It's a fantastic place to spend a few years. To me there's nothing more Tel Avivi than waking up on Shabbat, walking through

the quiet streets, sitting at a café, ordering your American coffee and bacon and eggs, and in the process you feel no less connected to your tradition. The menu is in Hebrew, you're ordering in Hebrew, and it's completely Jewish. It's the most Jewish city in the world, demographically. More than Jerusalem.

I've fully embraced my cultural Judaism. At *yeshiva*, the rabbis would joke that I was a secular person trapped in a religious body. Maybe they were right. Becoming secular has its own form of crisis, existentially, but I'm much happier. I feel I'm living a more honest self.

I don't believe the two-state solution [to the Israeli-Palestinian conflict] is possible anymore. In the Middle East, everything is going back to tribalism, and Israel is a part of that. I don't think that a country that calls itself a democratic state, for the people, can exist along ethno-religious lines.

For me the most frustrating thing with the situation and crisis is that nobody has any original ideas. Everyone lives in their echo chambers. People have a hard time saying Israel has systemic problems while also being a model in many ways. It's as though they can't hold these two thoughts at the same time. People can't say both sides have legitimate grievances. Amos Oz [the writer] has said that tragedy isn't a clash between right and wrong; it's a clash between right and right.

I'm not as fluent in Hebrew as I'd like to be. All of my friends are English-speaking. After seven years, I can get by totally okay, but I never crossed that threshold into complete fluency. I just wasn't motivated enough. With Orli, it's different. She works in Hebrew, thinks in Hebrew. She works with Israelis. It's taken a while to see that this is definitely the place for Orli and definitely not the place for me.

Here, it's month-to-month financially. You get paid once a month.





Ilan Ben Zion in Jerusalem.

Everybody – I mean, everybody— is in a *minus* [an overdraft at the bank] at some point of the year. If you're not, you're an anomaly. People don't really live on a budget. It's not part of the culture. The goal here is not to save. It's to know we're not going to be in a *minus* perpetually.

Most of the jobs offered to young, college-educated, English speakers are awful. It's not easy to find a fulfilling job. We're a generation that grew up with a spoiled mentality that when you graduate from college, you find a fulfilling job. I've definitely had my times of struggle, and many of my friends continue to burrow themselves down the financial rabbit hole. Israel giveth; Israel taketh away.

So many things here are just hard. Bureaucracy is a word people throw around a lot, and it's not a small thing. It also feels very claustrophobic here. Lea and I did a road trip in the US last summer. You can drive for days in the US. Existentially, it feels bigger. Here, it's a small place. You can drive for six hours. That's it. And the culture is more or less the same everywhere, unless you're in Tel Aviv. I'm excited about the professional opportunities in the US. I have a nephew there I want to be near. I feel far. I feel removed. I'm an American at heart. I'm an American trapped in an Israeli body. I always thought it was the opposite, but it's taken me a long time to figure out the honest truth.

I've been saying that I'm considering moving back to the US in about a year for a long time, by the way.

Ilan Ben Zion

I made *aliyah* because I was fascinated by the place since 2001, when I came to Israel for the first time, on an Achva summer program through Young Judea. It's a land with a living history; here, you have the long view of history. I was taken in by the smell and feel. Having siblings here was a factor. And the Zionist

spirit – wanting to be part of the pioneering experience.

My final decision was in 2008. I was 22 and had an older brother, Gabi, and a younger sister, Nomi, here. Since then I've moved around the country quite a bit. I worked on a master's at Tel Aviv University for two years. A year in Be'er Sheva. Four years in Jerusalem.

I changed my last name from Mitchell to Ben Zion when I moved here. There were a number of factors. One of them was to embrace my Jewish identity more and make it my own. So I took my grandfather's name, which was Ben Zion. Benjamin Helfner was a Rhode Islander, and at one point he was president of Touro Synagogue [in Newport]. He was an active member of the community and all about doing for others. He was a man I admired and respected. His grandfather's name was also Ben Zion. In having the name I aspire to live up to his reputation and the values he was true to. That was the main reason. Having left a place where nobody could pronounce my first name, I didn't want to have a last name nobody could pronounce.

I served in the army for ten months. My commanding officer in Beit El absolutely hated me. To punish me, he transferred me to a field base outside Nablus [Shechem], and I happened to be there before Pesach [Passover]. My officer there said to the soldiers, "We have a treat for you. You can either go home early for Pesach or come see the Samaritans' Passover sacrifice." Curious as I was, I went to Har Gerizim [Mount Gerizim, the mountain held sacred by the Samaritans, where they carry out the Passover sacrifice].

There I met Daniel Estrin [an American journalist who works in the Middle East] just before the Samaritans slaughtered the goats or sheep. I told him I wanted to go into freelancing. He told me to be in touch, and after I got out of the army I contacted him. He suggested I call *The Times of Israel* [an online, non-Hebrew language newspaper founded by David Horovitz] and see if they were looking for employees. This was late January 2012, a month before its launch. I contacted the editor [David Horovitz] and told him, "I'm Ilan Ben Zion, and I'm looking for work." The next day I went in to interview and was hired on the spot. Four years later I'm still there.

It's a little bit surreal looking back on it. In four years, we've covered two wars [Operation Pillar of Defense, 2012; Operation Protective Edge, 2014], two Israeli elections, and an American election. It's been, at times, frantic, hard to take in. When Matti Friedman [a Canadian-born author who lives in Israel and is

perhaps best-known as the author of *The Aleppo Codex*] left *The Times of Israel*, I went to David and asked to take his beat. Until then I was doing mostly desk work- an article here, an article there, and mostly translation.

This was the first opportunity to do more hard-reporting and stuff I could be proud to put my name on. The desk was a good place to cut my teeth as a new writer: writing a lead, writing under pressure. The desk work feeds my body, and the other writing feeds my soul. I live in an exciting time and in this exciting place to a reporter. I lucked out.

It's always nice to go to home. Rhode Island will always be home. That's the truth. That's where I grew up and had my formative experiences. It's home. It will always be that. I know every corner of the East Side. I can still walk the streets with my eyes closed. The whole place, every street corner, is laced with nostalgia. It's my childhood home and will always have a special place in my heart. Israel is home too, and I feel at home here. You have two parents. Who says you can't have two homes?

Yaakov Felder

I made *aliyah* in 2009, just after I turned 18. I felt a basic and crucial part of being Jewish was living in Israel. So much of Judaism and the Torah surrounds being in Israel. My parents wanted to make sure it was a thought-out decision,

**Yaakov Felder
in Jerusalem.**



but they were supportive. The environment they brought me up in was one of leading toward moving to Israel.

I made the decision to make *aliyah* when I was 17. I was studying in Israel for a year after high school at Yeshivat Sha'alvim, next to Modi'in. It had a very strong program for overseas students and also Israelis, which is what I wanted. While I was there, I had a deep experience. I was able to see Israel at close hand. It was a great time for me to make *aliyah*.

In March 2010, I joined the army and became a paratrooper. I felt strongly about being in the army. It was very meaningful because I felt I had the opportunity to be a very strong Jew in a Jewish country and be able to defend the land of the Torah, the land of *Hashem* [God], and all of the people here. For me, to have the experience of being in an elite combat unit gave me the opportunity to be part of the culture. A lot of Americans make *aliyah* after college or later in life, without doing the army, and feel there is a part of their Israeli identity and experience that is missing.

Hesder is meant to combine a very intense *yeshiva* experience as well as a very meaningful military experience. I wanted both. I was in *yeshiva* for a year and eight months, then active duty for a year and five months, and then back in *yeshiva* for two years. One aspect of *hesder* that was challenging to my parents was that I was pushing off college. A lot of Americans feel pressured or driven to start university right away, but I didn't feel that need. I was happy to be in the army and *yeshiva*.

I think with all parents, including Israeli parents, there is concern about children in the army. For my parents it was more so because of the distance. I wanted to keep them happy and naïve. They were nervous, but it was a source of pride for them that I was living the dream of being a soldier in the Israeli army.

Sivan and I met through my sister, Sophie. She made *aliyah* with her family in August 2011, just after I finished the active duty part of the *hesder* program. After dating for a few months, we got married in April 2012. Now she works in movie production – directing and editing. We moved to Gush Etzion, to Alon Shvut, in fall 2014. We picked this *kollel* program because married men get a stipend and heavily subsidized housing while they are studying in *yeshiva*. We were looking for a very warm community, and we're very happy there. I've always enjoyed teaching, and I'm almost finished with my four-year degree in education from a teachers' college, Herzog, in Alon Shvut.

It was definitely a conscious decision to live in a settlement in the West Bank. For me, Alon Shvut is no different than Tel Aviv. Both are Israel. And many people all over the world look at Jews living in Tel Aviv no differently than they do at Jews living in Alon Shvut: they accept neither. I know that I live in a place where our forefathers, and Samson, and the kings of Israel lived. Yes, I have to be conscious and careful, but the fact that there are people around me who want to kill me is not enough to pressure me to leave. Part of that is also carrying a gun—which I otherwise would not do— to protect myself and others. It allows me to live a normal life.

I'm fully a part of Israel. I have close friends from the army. People look at me as an Israeli. Because of my fluency in Hebrew and experience in *yeshiva* and the army, I'm able to interact naturally and fully with other Israelis. During December 2013, my son was born. I think that in the same way my parents were proud of having a son in an Israeli combat unit, my dream was to have my children's *te'udot zehut* [Israeli identification cards] state that they were born in Israel.

Shara Zuckerman Shetrit

When I was six months old, my maternal grandparents made *aliyah*, literally on the day of the outbreak of the Yom Kippur War [in 1973]. My mother and older siblings tried to convince them to push off their *aliyah*, but they insisted. They were the only civilians on the plane to Israel. When they got off the plane, there were no taxis. They hitched a ride on an army supply van and went to Netanya. The next day all their neighbors came out and applauded.

I was born to a family of New Yorkers in Providence. I've



**Shara Zuckerman Shetrit
in Jerusalem.**

always felt one foot in Israel, one foot in the States. My father *zichrono livracha* [Alan Zuckerman, of blessed memory] took us on sabbatical years and semesters to Israel. He was a professor of political science at Brown University and also taught at Tel Aviv University. Many vacations and parts of summers were spent in Israel. I went to Camp Yavneh, a very Zionist camp. I came from a very Zionist home.

I went to PHDS [Providence Hebrew Day School] through eighth grade, NEAT [Providence's New England Academy of Torah] for one year, and then Maimonides [in Brookline] for three years. I went to New York University and studied communication and marketing. After college, I moved to Israel without making *aliyah* initially. I came for a year to check it out. That year turned into eight.

I met my husband in 1999. I was biking home from my high-tech job in the middle of Tel Aviv, which I took so I'd have email and could be better in touch with family and friends back home. He and his friends pulled up in a car alongside me while the light was red. I was trying to ignore them. My parents told me not to talk to strangers.

They called out, "What would you say if we introduced you to your future husband?" They gave me his phone number.

I asked, "Does he keep Shabbat?" They said, "Yes, he keeps Shabbat, he keeps kosher, and he puts on *tefillin*." I had no response plan, so I gave them my number.

He called me a couple of days later. We ended up going out because his friends forced him out. He wasn't going to call, but a friend dialed the number for him.

In 2000, we got married. We had to get married after that story.

In 2003, we went to the States. I missed my family and wanted to be near my parents. My husband was okay with it and did it to make me happy. He would have preferred to stay here, but was open to the adventure. We said we'll do it for a few years and see what happens. We always planned to come back. I wanted to miss Israel.

Nine years later, in 2012, we decided to come back to Israel. My father had passed away in 2009.

We had no plans. We were going to look for jobs. Part of the impetus to come back was for my husband, who is sick with progressive MS [multiple sclerosis].

sis], to be closer to his family.

We wanted our children to grow up here. We didn't want them to have to make the choice to make *aliyah*. We wanted to make that choice for them. For a lot of families who make *aliyah*, the biggest gift they're giving their children, even though it's challenging, is taking away that difficult decision from them.

It wasn't easy, but it's been four years. In February 2013, I was hired here at Nefesh B'Nefesh [an organization that facilitates *aliyah* from the United States, Canada, and the United Kingdom]. Working there reaffirms my commitment to living in Israel every day. It gives me the *chizuk* [strength] to stay and appreciate living here. I live on a street called *Sarah Imenu* [Sarah our matriarch] in Modi'in [the place where the Hasmonean/Maccabean revolt, commemorated during Hanukkah, began]. Who we are as a people, and our history – our Biblical history – is here.

I'm a social media and community manager. I run the Facebook page, Facebook groups, Pinterest, Twitter, and Instagram. I call myself a "story collector" because I collect stories of people who make *aliyah*, the struggles they've overcome. I speak to people every day who have moved here. And there are definitely struggles.

There are always going to be challenges and struggles. You have to take the good with the bad. There are a ton of opportunities to give back to our people and to the country. Here, many people reinvent themselves. There are many more opportunities here for people to work with the skills they have. You can prove yourself in whatever field if you are industrious and scrappy.

It's easy to be a Jew in America now. I think it's basically a miracle – an Israeli miracle – how we get by here. We make do with less. People take side jobs to make ends meet, but also because people are inspired to do more here. They are not working just to make another dollar to spend at Target. We don't spend tons on summer camp or on fashion. There is no *yeshiva* tuition to pay here. People have less space and don't overbuy. People don't worry about saving as much. There is a lot more of flying by the seat of their pants.

It's not an easy place to live or an easy country, but the meaning that our lives have here makes it 100 percent worth it. People often call Israelis difficult, but they are the warmest people who will give you the shirt off their back to help you. My mother [Roberta Zuckerman] came about two and half years ago. She lives in Jerusalem, about 45 minutes to an hour away from us. *Aliyah* is something

my parents had always planned. It was a natural next step for her. She is remarried to an American here.



**Tova Stark Levine
in Jerusalem.**

Tova Stark Levine

I was born, the first of three children, to our loving parents in Portland, Maine. When I was six, they decided to move because they wanted a bigger Jewish community. My father, Marvin Stark, got a job at the Jewish Community Center in Providence. My mom, Miriam Stark, got a job with USY [United Synagogue Youth] there.

We went to PHDS [Providence Hebrew Day School] because we were looking for a *shomer Shabbat* [Sabbath-observing] community. My father is Orthodox, my mother is egalitarian Conservadox, and we joined Congregation Beth Shalom.

We learned a little bit about Israel in school: especially Israeli Independence Day and *Yom HaShoa* [Holocaust Remembrance Day]. I remember Mrs. [Rina] Holzman [a longtime Hebrew teacher at PHDS] giving us *shokolad marrir* [Israeli dark chocolate]. I also had four girl cousins on my father's side who went to Israel for their *bat mitzvah* trips.

My uncle and father were very Zionist. We grew up on stories of how my

father was studying abroad as a student at Tel Aviv University during the Yom Kippur War [in 1973]. I think consciously and subconsciously, I admired that my cousins went to Israel. Two of those four cousins made *aliyah* when I was a teenager.

I went to high school at Maimonides [in Brookline]. Beth Japhet and I landed an amazing Hebrew teacher, Tami Arnon, who was also a lawyer. Why was she amazing? She taught us how to speak. She gave us the opportunity to learn Israeli culture and songs. I always feel that for some subconscious reason, I made the effort. I said, “This is our language; I want to learn it.”

In the summer between eleventh and twelfth grades, in 2005, I went on Nesiya, an arts-focused trip that did art workshops, community service, and involved fully-participating Israeli teens. It was a great trip, which my mom had discovered. The most important parts were the Israeli teens and Hebrew. I think being immersed in Israeli culture is the only thing that teaches you how to speak, imitate the sounds and intonations, and learn the slang.

This was the summer of the *hitnatkut* [“Disengagement”; the Israeli military withdrawal from the entire Gaza Strip and removal of all Jews living there]. The evacuations began the day after we left. This affected me politically. I think I was always right-wing. I believe this land is ours. It is the land of our forefathers.

I went back to Maimonides for senior year. The trend after graduation was to go for a year to seminary [religious studies program] in Israel. I didn’t go, knowing that I’d go for a junior year abroad. During my junior year at Binghamton University, I studied at the Rothberg International School at Hebrew University [in Jerusalem]. I attended the *ulpan* [Hebrew language classes] in the summer, which also helped my Hebrew. I also kept in touch with Israelis I knew from Camp Ramah [a Conservative camp]. My year in Israel was amazing. Literally, every day was an adventure.

I had begun attending Camp Ramah in 2008. It was extremely important. Four things kept me going back were: the location, Israelis, Hebrew, and the special needs program. Ramah was interwoven with high school, college, and post-college life in Israel. The camp experience was magical.

At Binghamton, as I was completing a double major in human development and Judaic studies, I knew that I wanted to be a social worker or work with people, like my mom. After my junior year in Israel, I returned to Binghamton

and graduated in 2010. I said, “Parents, I got my year in Israel, but I didn’t get my year of Torah! I need to go to *Nishmat* [in Jerusalem].” It’s a program for women-half Israeli, including a small number of Ethiopians, and half American.

My parents agreed to send me to *Nishmat*. I opened a *tik* [file] with Nefesh B’Nefesh [an organization that facilitates *aliyah* from the United States, Canada, and the United Kingdom], thinking that I would make *aliyah*.

A month later, I met my husband at a Friday evening meal at Rabbi Weissberg’s home. Because I was reading a Hebrew book to kids and speaking Hebrew to them, Evan [Levine] thought I was Israeli. He was studying at Mayanot, a Chabad [Lubavitch] *yeshiva*. We dated for four months in Israel and then in 2011 I visited him in Los Angeles, where he had gone back to work as a financial analyst at a law firm. I told my mom, “I’m moving to LA to pursue this relationship.” During Purim [the Festival of Lots], we got engaged, a bit over a year after we met.

Once we were engaged, Evan asked, “What do you think of making *aliyah*?” My response was, “Yes, obviously, I love Israel.” My hesitation was in how we were going to make it work. He said that he’d start up a small consulting firm with a friend in Los Angeles, and he would work from Israel. This business, Venture Financial Associates, involved writing business plans for people in America. But I also hesitated because I love my family. The hardest part, no question, is being away. Shopping at Old Navy and Target I can do without.

I think it was good Evan pushed us. As we started our lives together, it made sense to start in Israel. It was as easy as that, a joint decision. My parents were very supportive, but sad about me moving half way across the world. They also wondered how we would make it work financially. The irony of raising your kids as Zionists is that they will eventually pick up, leave, and move to Israel.

I worked full-time as a communications associate at Nesiya. I was accepted into a master’s program in community social work at the Hebrew University of Jerusalem. I did two years of fieldwork (two days weekly), plus course work (once a week), while working part-time at an Anglo *shul*, Shir Hadash [in Jerusalem]. Basically, I’m turning into my mother.

Evan is learning full-time at Yeshivat Har Etzion in Gush Etzion. He is also doing part-time writing projects. We live in Alon Shvut. I’m proud to live in Judea and Samaria. I believe it is part of the Land of Israel. We now live in the *yeshiva* because he studies there.

Here it's survival: get by as you can. Some *olim* [people who have made *aliyah*] have to have three jobs. But we're living the Zionist dream. We'll see where the future takes us. If after Evan gets *semicha* [rabbinic ordination] and he can't get a job as a teacher-rabbi, we may return to America. But the other week, when we were sitting around with our friends thinking about where we want to build a house or move, Evan said he wanted it to be here in Israel. We want to make our lives here.

Conclusion

As stated at the outset, these 13 interviewees are not a representative sample of *olim* from Rhode Island. Nonetheless, a number of patterns do emerge from these qualitative interviews. For example, all 13 *olim* come from Zionist homes in which the land and state of Israel were essential components of Jewish identity. Most interviewees received an early education in Orthodox schools (including Rhea Diwinsky, whose family was affiliated with the Conservative movement's Temple Emanu-El). None came from wholly secular Jewish backgrounds.

In almost all cases (with the exception of Cheryl Saltan), a powerful connection with the land, state or people of Israel began when interviewees were teenagers or younger. Shara Shetrit experienced Israel during family sabbaticals and summer vacations; Avraham Allen and Reuben Beiser made their first trips at age 15; Tova Levine went on a Nesiya program between eleventh and twelfth grades. Additionally, Orli Mintz and Ilan Ben Zion participated in Young Judea programs. Nathan Japhet, Binyamin Beiser, Michal Mintz, and Yaakov Felder tasted Israel during post-high studies at *yeshivot*. Beth Japhet gained exposure during a seminary gap year, and Rhea Diwinsky joined a folkdance workshop after high school.

With the exception of Rhea Diwinsky (who belongs to an older generation), none of the interviewees mentioned anti-Semitism as being a conspicuous feature of American Jewish life. (Nevertheless, Orli Mintz disclosed a raw fear of this emerging one day.) Most of the former Rhode Islanders spoke affectionately, even longingly, about the country of their birth. Nathan Japhet, Reuben Beiser, Orli Mintz, Michael Mintz, and Ilan Ben Zion reflected on how important America and Rhode Island remain in their hearts. Nathan Japhet, Beth Japhet, Cheryl Saltan, and Tova Levine emphasized the ongoing challenges and difficulties of being away from family or friends.

Avraham Allen, Beth Japhet, Reuben Beiser, Benjamin Beiser, Michael Mintz, Shara Shetrit, and Tova Levine identified the financial struggles of living in Israel compared to America. Avraham Allen, Beth Japhet, Rhea Diwinsky, Reuben Beiser, and Yaakov Felder also addressed the precarious security situation of living in a new/ old land.

Yet, even after making *aliyah*, Binyamin Beiser, Orli Mintz, Michael Mintz, and Tova Levine discussed the option of returning to America. Shara Shetrit showed that moving back and forth between the two countries is also an option. Binyamin Beiser identified a *hitlabtut* [a personal and collective dilemma for American *olim*]: whether to stay in the Jewish state with its relative trials or return to the United States with its comparative ease.

Whatever the challenges or difficulties, Rhode Islanders keep making *aliyah*. Siblings follow siblings, as demonstrated by the Japhets, Beisers, Saltan/Ravitz/Mizrahis, Mintzs, and Ben Zion/Mitchells. For that matter, a parent, Roberta Zuckerman, followed her daughter, Shara Shetrit. In the same family, both mother and daughter followed in the footsteps of parents and grandparents.

After making *aliyah*, the interviewees have adapted to a greater (or lesser) degree within Israeli society. They have enlisted in the army or opted not to serve; mastered Hebrew or stuck to English; stayed within the Green Line or became settlers; found Israeli-born partners and spouses or ones from English-speaking countries; and worked for Israeli or American or international organizations; become highly observant or essentially secular.

George Goodwin has wondered why, in the absence of American anti-Semitism, so many members of Beth Sholom families have made *aliyah*, proposing: “On the one hand, they have been encouraged to dream. Each gradually successful exposure to Israel has led to another and still another. Yes, Judaism and Israel feed the soul. On the other hand, it may appear that living in Rhode Island has not seemed similarly worthy or evocative of dreams.”

According to Orli Mintz, who has effectively integrated into the country, “Most young Orthodox Jews grow up in Rhode Island knowing that they probably won’t live there when they’re older and will move away... Since they know this and plan to move away anyway, Israel is a more real option to them, and one many choose. Her brother, Michael Mintz, who says he does not intend to remain in Israel – but who also does not plan to return to Rhode Island – expresses a

similar idea: “The draw for people growing up in Providence with a strong Jewish identity is that there is nowhere to go forward there as an adult. In every non-major Jewish community in America there is a struggle, a downward spiral.” This critique, if correct, may not only apply to Rhode Island’s Orthodox Jewish community; in any case, it is worthy of further consideration and discussion.

George has questioned whether some Beth Sholom families may have felt some isolation from or limited attachment to American life, asking: “With greater financial security, professional success, a larger social circle or a more nuanced outlook, would some families feel better connected to and rewarded by American society? What if more Beth Sholom members served in the American military, Peace Corps or City Year? Were active in politics, civic organizations or social justice movements? For that matter, observers may ask, why haven’t more Beth Sholom members felt uplifted by New England’s natural wonders, its cultural and educational traditions, and its artistic excellence? If native Rhode Islanders, devoted to Modern Orthodoxy, wanted to strengthen a shrinking, historic community, which could be more deserving than Newport’s?”

These *olim*, however, and many others like them, suggest that some Jews are not satisfied by the popular Jewish American notion of Judaism as a universalistic religion espousing *tikkun olam* (repairing the world). Instead, by taking Jewish nationality and the centrality of the Land of Israel most seriously, they wish to live in a Jewish state in the Jewish land. These *olim* and many others like them are seeking much more in life than financial success and social standing. Despite New England’s natural wonders and colonial edifices, they locate the vital future of the Jewish people in the reborn Israel.

Fortunately, the vast majority of my interviewees rejoice because making *aliyah* has been hugely compelling, rewarding, and uplifting. Israel, despite many hardships and some disappointments, has fulfilled most of their lofty dreams. *Aliyah* has worked, allowing them to feel that they have two homes.

All photos: Shai Afsai

Rhode Island Jewish Historical Association

62nd Annual Meeting

President Ruth Breindel chaired the meeting held on April 17, 2016 at Temple Beth-El. More than 110 members and their guests participated in the event sponsored by the Arline Ruth Weinberg Memorial Fund.

Ruth introduced Joshua Jasper, the Association's new librarian, archivist and office manager, who succeeds Anne Sherman. Ruth highlighted the "Kid's Page" that has appeared regularly in *The Jewish Voice* and other new programs intended to give children an introduction to Rhode Island Jewish history. She also discussed the Association's impending move, probably within a year, to new quarters on the main level of the renovated Dwares Jewish Community Center. A motion to waive the reading of the minutes from the last meeting was approved.

Treasurer David Bazar reported that the Association once again balanced its modest budget. He cautioned, however, that additional gifts and new members are needed to bolster our income.

First vice president Mel Topf, who also chairs the publications committee, congratulated editor George Goodwin and his advisers on the new issue of *The Notes*. Mel commented on the timeliness of the article about the disputed ownership of a pair of *rimonim*. Judge John J. McConnell's decision is expected shortly.

President Breindel installed the new slate of officers and board members. Harold Foster will become second vice president, and Rabbi Barry Dolinger will be a new member at large. Susan Brown will continue as a presidential appointee, and Larry Parness is a new appointee.

Ruth introduced the afternoon's speaker, Dr. Rachael I. Rosner, a historian of American psychotherapy. Her topic was: "Illuminating the 'Golden Ghetto': The Beck and Temkin Families and the Early History of the Jewish East Side of Providence." In preparation for her illustrated talk, the 45th David C. Adelman Program, Dr. Rosner conducted extensive research in the Association's archives and interviewed many members of the Beck and Temkin families, a large number of whom attended the annual meeting.

Joshua Jasper and others were thanked for preparing an enjoyable collation on a lovely spring day.

Respectfully submitted,
Maxine Goldin, *Secretary*

**Beck Family, ca. 1959:
Maurice, Aaron, Lizzie, Harry & Irving**





Marshal at 70th Brown reunion
with Brown University President
Ruth Simmons, 2012

I Called Him “Mr. Bell”

Michael Fink

Bernie Bell (1920-2016) labeled me “Mr. Café Society” because we met at the former coffeehouse at 729 Hope Street in 1990. Having spotted me among the habitués, he in a sense never let me go.

Bernie, who was about 15 years my elder, remembered and loved local Jewish and also Zionist history, and he taught me lessons about Jewish living. We had our ups and downs (mostly ups) over the decades of our alliance, but after one of our brief mini-downs, he said to me, “Will you still write a eulogy when I’m gone?” So, here goes.

But if an obituary is a summary of a life or a salute to a major (or minor) figure within our Rhode Island Jewish community, this article probably falls far short. This is a more personal account of a friendship, how it began and grew, and the legacy left in the wake of its progress.

Bernie told me of the central event of his life – the death of his middle child, Daniel, in 1970. He could tell that I listened with genuine sympathy and rapt attention to every detail.

Bernie told of his attempt to conceal the dreadful destiny from the doomed boy. How the lad discovered the facts from a carelessly placed diagnosis. How father and mother tried to compress adventure, travel, and gestures of loving affection as a measure of solace.

On the evening of the final accounting – funeral and *shivah* – Bernie found himself at the bar of the little café within the Wayland Manor. He told his tale to the longtime server, Mae, who remained his loyal ally.

Well, perhaps, in a way, that too was my function, years and years later. Bernie would phone me at home. “I need a drink,” he would say. “Come on over.” At his home on Slater Avenue and later on Linden Drive, he would serve me the cocktail of my choice- bourbon in winter, vodka in summer. His was a martini. He would also serve a dish of what he labeled “hors d’oeuvres.” This meant potato chips from Job Lot.

We would talk of many things – almost all in some way Jewish or the lore of Rhode Island – so what’s left? A favorite topic was a lady in Barcelona, whom he called “princess” or “countess.” She was actually an American expatriate living

in Spain, who contributed grandly to causes dear to Bernie's heart, including cancer research and hospice care in Rhode Island and in Israel. She became deeply devoted to this man who through *tzedakah* was able to transcend his own disappointment and pain. I hesitate to list all of Bernie's causes and charities because I will leave out too many from this brief review.

But Brown University, his family's alma mater, was particularly dear to him. His Russian-born father, Joshua, had graduated in 1911 (and later from Yale Law School). After an impressive career at Classical High School, Bernie enrolled at Brown with the Class of 1942. In numerous ways, however, he never left campus, for he eagerly attended Brown athletic events; his three children became alumni; and he served 11 years as class president, nine years as class treasurer, and decades as class secretary. Bernie was indeed instrumental in helping obtain two of the university's greatest benefactions, from Sidney E. Frank, his never-matriculated classmate. Along the way, Bernie received the Brown Bear Award and earned the affection and gratitude of Presidents Ruth Simmons and Christina Paxson (as well as Paxson's father-in-law, Leon Gabinet).

But Bernie was as proud of and as loyal to the lost and forlorn as he was to the high and mighty. Some of his dearest friends included the blind and the abandoned. Bernie spent much of his time in gestures of loyalty to fellow alums, scholars, and veterans – be they Jews or gentiles – Americans, Israelis or Russian-born.

I too learned lessons in loyalty! I met a diverse group of Rhode Islanders in the parlor of Bernard and his hospitable, lovely, and forbearing wife, Claire. They embraced all faiths, all life styles, all degrees of respectability and credibility.

Although a longtime member of Temple Emanu-El, Bernie could be persuaded to join another minyan when, for example, a Chabad rabbi knocked relentlessly on his door. He did so at once grudgingly and gladly, even if it meant giving a ride to somebody who lived across town or somebody who made him furious! In his final years, as perhaps the eldest alum, Bernie also happily participated in services at Brown's Hillel House, where he found companionship and comfort and put aside his grim predictions about Jewish decline.

Although proud of having conducted funeral services for several solitary souls, he never bragged about it. But he did worry about who might officiate at his own. Fortunately, Rabbi Marc Mandel of Touro was honored to do so.

If Bernie's shelves held gracious bottles of wine and spirits, they also of-

ferred fine magazines and newspapers ranging from *The New Yorker* to the *Forward*. Though he modestly did not consider himself an intellectual, he did very much enjoy the company of thinkers. Through his deep friendship with Brown's professor of religious studies, Ernest Frerichs, who had also lost a child, Bernie became a trustee of Jerusalem's Albright Institute of Archaeological Research and made ever more frequent visits to Israel. He had learned Hebrew as a child while living in Tel Aviv in the 1930s. He took lessons in Yiddish with a group of his social acquaintances and allies.

Through his involvement with the John Carter Brown Library, on the Brown campus, Bernie befriended its directors, Norman Fiering and Ted Widmer, and welcomed distinguished researchers and writers from all over the world into his home. Indeed, through his earlier support of Touro Synagogue, he helped establish the Touro National Heritage Trust Fellowship at the JCB.

As a founder of the Aristides de Sousa Mendes Society, Bernie sought to build bridges among Jews, Portuguese-Americans, and Portuguese, which resulted not only in the publication of a journal but a study trip to Portugal. And he spoke to several of my classes at RISD, and gladly escorted a number of Holocaust survivors as well.

What kind of father was Bernie to his two surviving children? Jonathan, with whom he lived, accompanied him nobly in Brown commencement parades down College Hill, and traveled with him, well into his father's nineties, on missions to Israel. Following Claire's death, Deborah also helped him with his papers and to maintain his independence. Her large abstract paintings and portraits, hung on parlor and living room walls, also told a visual tale of the Bell household. Jonathan and Deborah probably felt a bit overwhelmed by the loss of their brother and their mother and their father's decline, but I have to report or comment somehow that the story of our emotional lives is never over, never truly or completely told, never known even to oneself.

Appearances may likewise be especially deceiving because Bernie loved fashion. On any and every occasion – when sporting a boutonniere, an ascot, madras shorts, a tuxedo or a walking stick – he endeavored to look natty, youthful, cared for. Especially in the presence of women, he loved doffing his boater or cap or rising to greet a stranger.

In many ways he was a gentleman, though he should have given up driving long ago! Especially to Newport, where he played and watched tennis for

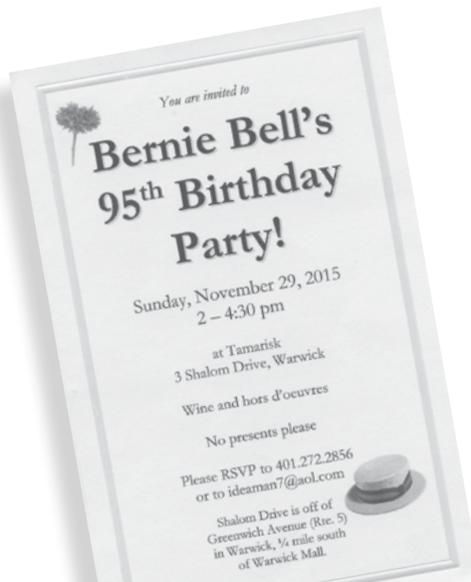
more than half his years.

About a decade ago, my weekly coffee klatches with Bernie expanded to include two devoted friends, George Goodwin and Mel Blake, members of Beth-El. Although relatively recent newcomers to Providence, they were hardly inept when it came to schmoozing. In honor of our mutual friend and a source of eternal consternation, we named our gathering Congregation Joel Braude (Rabbi Bill and Pearl's eldest son). Our weekend minyan met at many coffeehouses, including L'Artisan on Wayland Square and Choklad in the shadow of America's First Baptist Meetinghouse.

A variety of additional fans would gather fondly around Bernie, who, shuffling along in his sockless loafers, brought his own decaf tea bag. Members of the Providence Art Club, residents of Athenaeum Row, lawyers from downtown, and anonymous acquaintances would pay him homage.

How would Bernie respond? In addition to an outpouring of information from his lifetime within the community, he offered fond and friendly smiles, a mixture of ironies, and some mock insults. Touché!

Loved ones, old friends, and recent acquaintances surrounded Bernie when, in 2010, he hosted his 90th birthday celebration at his home. A similarly joyous mood prevailed five years later, when we celebrated his birthday at his new home, Tamarisk, which he hoped would be only temporary. "I want to sleep in my own bed!" he declared. Weeks later our incomparable and unconquerable friend and hero was gone.



In Memoria

October 24, 2015 – November 1, 2016

Aaronson, Stuart J., born in Boston, was the son of the late Roberta (Baron) Loebenberg and the stepson of the late Stanley T. Loebenberg. Having grown up in Providence, he was a lifelong member of Temple Beth-El.

Mr. Aaronson, an alumnus of Hope High School, graduated from Brown with the Class of 1966. Active in Brown's radio station, WBRU, he became the owner and director of the Rhode Island School of Broadcasting. Later vice president of Sanford White Company, a jewelry manufacturer, he was most recently the proprietor of Stuart Manufacturing LLC.

Devoted to his congregation, "Stu" served as a Beth-El trustee, an honorary trustee, and chaired its building committee. Temple was his second home. After serving as president of Beth-El's Brotherhood, he became president of the National Federation of Temple Brotherhoods, traveling extensively to lead meetings and advise chapters. Additionally, Mr. Aaronson served on the board of Jewish Family Service and was a leader in the northeast region of the Union for Reform Judaism.

Mr. Aaronson was briefly survived by his mother and is survived by his daughter, Rachel Auslander.

Died on February 22, 2016 in East Providence at the age of 71.

Alpert, Wesley S., born in Fall River, was the son of the late Jacob and Bertha (Cohen) Alpert. He was predeceased by his wife, Grace (Kennison) Alpert.

During World War II, Mr. Alpert served in the Navy as an electronic technician. He graduated from Harvard with the Class of 1947 and became chairman of Alpert Brothers until his retirement in 1989.

Mr. Alpert, who much enjoyed reading history and science fiction, was devoted to the state's social service organizations. He endeavored to end hunger and homelessness.

Died on July 20, 2016 in Providence at the age of 90.

Dubinsky, Bella, born in Providence, was the daughter of the late George and Rose (Rothman) Kroll. She was predeceased by her husband Milton.

A former board member of Temple Emanu-El, Mrs. Dubinsky was also president of its Sisterhood. She was a life member of the Jewish Home for the Aged and managed its gift shop for many years. Her numerous other communal affiliations included Tamarisk Assisted Living, Miriam Hospital, Jewish Federation, and Hadassah. She and her late husband were charter members of Crestwood Country Club and enjoyed a winter home in Longboat Key, Florida.

Mr. Dubinsky is survived by her daughters, Esta S. Cohen and Lenore B. Cohen.

Died on October 4, 2016 in East Providence at the age of 96.

Gouse, Nathaniel B., born in Providence, was the son of the late Harry and Jennie (Holiver) Gouse. A resident of Cranston for 14 years, he previously resided in Providence.

A 1940 graduate of Rhode Island State College (later known as the University of Rhode Island), Mr. Gouse served in the Navy during World War II. He was a chemical engineer for Foxboro Company for 25 years, retiring 30 years ago.

Mr. Gouse is survived by his wife Tema and their sons, Neil and Allen.

Died on December 5, 2015 in Providence at the age of 97.

Hockman, Annette S., born in Minneapolis, was a daughter of the late Beryl and Chaya (Waxman) Segal. She was predeceased by her husband Jack.

A graduate of Cranston High School, Mrs. Hockman received a bachelor of science degree from Rhode Island College of Pharmacy and Allied Sciences in 1942. After enlisting in the Women's Army Corps during World War II, she became one of the first woman pharmacists and served in general hospitals at Fort Devens, Massachusetts, and at Fort Dix, New Jersey. While a civilian living with her husband in Montreal and Florida, she continued to work in hospital pharmacies.

An avid reader and lifelong student, Mrs. Hockman earned a master's degree in Jewish history and Bible at Barry University in 1988. Also a talented artist, she enjoyed sculpture, ceramics, and all sorts of handicrafts.

Mrs. Hockman is survived by her sons, Peter and Alex, and by two leaders of our Association: her sister, former president Geraldine Foster; and her nephew, vice president Harold Foster.

Died on November 23, 2015 in Aventura, Florida at the age of 94.

Primack, Charlotte R., born in Providence, was a daughter of the late Benjamin and Martha Rakatansky. She was predeceased by her husband Samuel.

Mrs. Primack graduated from Cranston High School East in 1936 and Bryant College two years later. As a director of federal programs in the Providence School Department, she won a landmark case regarding equal pay for equal work. Mrs. Primack and her husband shared a lifelong interest in progressive politics and issues of social justice. Her deep Jewish communal affiliations included Hadassah and Temple Emanu-El's Leisure Club.

Mrs. Primack is survived by her children, Sara Friedlander, Mark, and Ellen.

Died on April 20, 2016 in Santa Cruz, California, her home for the past eight years, at the age of 98.

Schwartz, Harold, born in Providence, was a son of the late Louis and Mary Schwartz. He lived in Sarasota, Florida, and in Cranston.

A 1950 graduate of Rhode Island State College (later known as the University of Rhode Island), Mr. Schwartz was a certified public accountant who also earned a master's degree in taxation from Bryant University. He was a founding partner in the accounting firm of Jarcho, Schwartz, Yarlus & Santilli.

During World War II, Mr. Schwartz served in the Coast Guard. He later served in the Naval Reserve.

His many civic activities included service as the financial secretary of Temple Emanu-El. He also served as accountant of our Association for many years.

Mr. Schwartz is survived by his wife Lillian, an honorary RIJHA board member, and his children. Michael is an Association past president, and Bobbie Friedman is the former graphic designer of our journal.

Died on March 20, 2016 in Sarasota at the age of 88.

Slafsky, Dr. S. Frederick, a native of Gloucester, Massachusetts, was a 1954 graduate of Cornell University. He earned his medical degree at Cornell four years later.

A general surgeon, Dr. Slafsky received additional training at hospitals in Boston and New York City. In 1965 he joined the staff of The Miriam and became the first director of its Surgical Intensive Care Unit. He served on many hospital

committees and held clinical appointments at Roger Williams Medical Center, Women's and Infants Hospital, and the Veterans Administration Medical Center. He was also president of the board of Moshassuck Medical Center.

Dr. Slafsky was also one of the first surgical appointees to Brown University's Medical School, serving as a clinical associate professor of surgery from 1986 to 2002. He was named surgeon emeritus upon his retirement two years later.

Dr. Slafsky enjoyed a lifelong love for the ocean and fishing. He is survived by his wife Joan and their sons John and Ted.

Died on January 8, 2016 in Providence at the age of 83.

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Correction: 2015 issue

Joan (not Jean) E. Goldstein passed away.

