
Ezra Stiles, Newport Jewry, and a Question of Jewish Law

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I

Ezra Stiles (1727–1795), a Congregationalist minister and president of Yale University, was intimately acquainted with the Jewish community of colonial Newport, Rhode Island. For over thirty years (1755–1786) he was the pastor of the Second Congregational Church in that community, the last twelve of them in absentia.

In his diary Stiles recorded that between 1759 and 1775 he had “been acquainted with six rabbies” at Newport.¹ He was present at the dedication of the new synagogue in Newport on December 2, 1763; his home was not far from the building.² Finally, in 1773, he made the acquaintance of Rabbi Haim Isaac Carigal, a Palestinian Jew, who



Rev. Ezra Stiles, 1727–1795

during his visit to Newport preached the first Jewish sermon to be published in North America.³

The two men, Stiles and Carigal, were quite taken with one another. Stiles, no doubt, because he was struck with the tremendous scope of Carigal's knowledge of Judaism (he found the rabbi "learned and truly modest, far more so than I ever saw a Jew"); and Carigal because of the honest interest that a Christian minister exhibited in him personally and in Judaism generally. Indeed, the two men corresponded almost regularly over the course of the next four years until Carigal's death in Barbados in 1777. Stiles wrote in his diary that on at least two occasions he had written Carigal letters in Hebrew, one numbering twenty-four pages in length and the other twenty-nine pages.⁴

II

Stiles was a learned theologian and Hebraist, and often commented on Jewish ceremonies and customs.⁵ It is no wonder then that he took it upon himself to uphold the sanctity of the Newport synagogue in 1780 when a Mr. Channing of Newport—perhaps a clergyman—applied to use the synagogue, no doubt for a Christian service. In all likelihood this occurred because British occupying forces (1776–1779) and then French ones (1780–1781) used the church building to quarter their troops. As can be seen in the letter printed below, Stiles was convinced that agreeing to Channing's request would have violated "Jewish religious principles." Stiles thought he knew the *Halakah* (Jewish law), and for two centuries his opinion has not been tested. In my responsum (legal opinion based on Jewish law) printed below, I have found that the Christian clergyman Ezra Stiles was completely correct in stating that the use of the synagogue for Christian services was prohibited by Jewish law.

*Moses Seixas*⁶ to *Aaron Lopez*⁷

Newport, October 5th, 1780⁸

Dear Sir,

By what Mr. Brinley wrote you last week, you'll be inform'd that he had applied to me for money on your order and the result of that application. he this day requested he might have what money I had in

hand of yours as he cou'd get it exchange'd for Specia at 70 and saying that he wou'd allow it at that. this I judg'd myself not warranted to do and therefore rejected it, but offer'd to let him have it at 60 for one. he accepted my offer and I have paid him seven thousand two hundred Cont. Dollars and taking his rec't for the same, which hope will not be disagreeable unto you. Your Currants and Peas remain unsold and have only sold but 2 p'r Breeches at 8 Doll's per p'r. The 3 boxes of Sugar from Smithfield I received last week. that article is so plenty and low now that I see no prospect of getting rid of ours soon, except at a great disadvantage. Mr. Channing again applied for the use of the Synagogue. I availed myself of the impropriety of letting him having it, whilst I had not Mr. Rivera and your sense on the occation and which had been requested by his and Mr. Merchants desire. Since then Doct'r Stiles is come here on a Visit, and I made it my business to converse with him on the matter. he express'd much concern and amazement at the application, assur'd me it wou'd not have been made had he been here, that he was well convinc'd we cou'd not accede to it, without violating our religious principles, and that all that lay in his power shou'd be done to remove any unfavorable impressions that a refusal might create amongst his congregation, and on the whole express'd a very friendly feeling for us. notwithstanding all which I think it highly necessary that both you and Mr. Rivera furnish me with your Opinion respecting the matter. My Parents,⁹ Mrs. Seixas,¹⁰ her Parents,¹¹ and all my Connection combine with me in wishing you, Mrs. Lopez,¹² Mr. and Mrs. Rivera,¹³ Mr. and Mrs. Mendes¹⁴ and every individual of your worthy family the Compliments of the season and am with great Respect . . .

Your most affec. and hum. serv.
Moses Seixas

The following is my resposum: The Babylonian Talmud, *Megillah* 26b, states: "Raba said: 'A synagogue may be exchanged or sold. But it is prohibited to rent it out or to use it as a pledge [collateral].'" The reason for permitting the sale and exchange of a synagogue is that in these instances the money received for the synagogue as well as the object (e.g., a building) received in an exchange takes over the holiness

of the synagogue. Moreover, the money has to be spent for something *more* holy than the synagogue (see Babylonian Talmud, *Megillah*, chap. 4; Palestinian Talmud, chap. 3.) This is based on the halakhic principle that “in holy matters we must raise [the holiness] but must not lower it” (see Mishnah *Shekalim* 6:4, Mishnah *Menahoth* 11:7, Talmud B. *Berakhoth* 28a, where more references are given).

On the other hand, a synagogue may not be rented out or used as a pledge because in these instances no money is received that would take over the holiness of the synagogue (Talmud *Megillah*, loc. cit.; see also below for later references).

The Hebrew rabbinic codes accept the talmudic opinion as expressed by Raba. Note particularly the following sources: Maimonides, *Mishneh Torah*, *Hilkhoth Tefillah* 11:20; Jacob ben Asher, *Tur*, *Orach Chayyim*, *Hilkhoth Beth Hakneseth*, chap. 153.

Joseph Karo, in *Shulhan Arukh*, *Orach Chayyim*, *Hilkhoth Beth Hakneseth* 153:11, states that “it is prohibited to give a synagogue away as a pledge, to rent it out, or to *lend* it to someone . . . because [in these cases] it remains holy.”

Explicitly adding the prohibition of *lending* a synagogue is significant. The reason is obvious: in such a case the synagogue would remain holy, as there is no money received that would take over the holiness of the synagogue thus absolving it from its holiness.

To Karo's words Moses Isserles adds the following note: “This [lending of a holy object, such as a Torah scroll or a synagogue] is prohibited only if it is done in a way that would lower its holiness. However, it is permitted to lend even a Torah scroll [the holiest object] for the purpose of reading in it.”

Applying Isserles' opinion to the synagogue means that a synagogue may be lent to others provided that its holiness will not be lowered. Consequently the synagogue may be lent to Jews *only*, since otherwise its holiness would be violated.

For further clarification of the prohibition of lending a synagogue even to Jews, see *Mishnah Berurah* by Chofez Chayyim (Rabbi Israel Meir Kahan). In his commentary *Mishnah Berurah* on *Orach Chayyim*, chap. 153, notes 72 and 73, Chofez Chayyim explains that (if not otherwise stipulated) the borrower of the synagogue would use it for secular purposes, which, of course, is prohibited.

The context in all the rabbinic sources cited here indicates that the

persons to take over the synagogue are Jews, although it may be sold under specific conditions also to non-Jews, which is a different issue, not comparable to lending it to them.

Halakhic authorities would have considered the question of whether a synagogue may be lent to non-Jews as absurd. Thus it was not even raised.

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Notes

1. Quoted in Stanley F. Chyet, *Rabbi Carigal Preaches in Newport* (Cincinnati, 1966), p. 6.
2. Stanley F. Chyet, "A Synagogue in Newport," *American Jewish Archives* 16 (April 1964): 46.
3. Chyet, *Rabbi Carigal Preaches in Newport*, pp. i–ii.
4. Stanley F. Chyet, ed., *The Event Is with the Lord* (Cincinnati, 1976), pp. i–ii.
5. Stiles at one time composed an essay on the Messiah for which he solicited Carigal's opinion. He once observed that during thunderstorms Jews in Newport "opened their doors and windows and recited certain benedictions in preparation to welcoming the Messiah." I have been unable to find a clear relationship between storms and the coming of the Messiah in talmudic and rabbinic sources. See Alexander Guttmann to Jacob R. Marcus, November 17, 1963, in American Jewish Archives, Correspondence File, "Ezra Stiles."
6. Moses Seixas (1744–1809), Jewish businessman who remained in Newport during the British occupation.
7. Aaron Lopez (1731–1782), Jewish businessman who fled Newport during the British occupation and sought refuge in the city of Leicester, near Worcester, Massachusetts. For Lopez see Stanley F. Chyet, *Lopez of Newport* (Detroit, 1970).
8. The letter is reproduced in *Commerce of Rhode Island 1726–1800*, Vol. II, 1775–1800 (Boston, 1915), pp. 109–110. The original letter is in the Newport Historical Society.
9. Isaac Mendes Seixas (1708/9–1780/81) and Rachel Levy Seixas (1719–1797).
10. Jochebed Levy Seixas (1746/47–1828).
11. Benjamin Levy (1692–1787) and Judith(?) Levy (1700/2–1788).
12. Sarah de Rivera Lopez (1747–1840).
13. Jacob Rivera (1717–1789) and Hannah Pimental Sasportas Rivera (1720–1820), father-in-law and mother-in-law of Aaron Lopez.
14. Abraham Pereira Mendes (?–?) and Catherine (Sarah) Lopez (?–?), son-in-law and daughter of Aaron Lopez.