

A JEWISH ARMY CHAPLAIN.

BY MYER S. ISAACS, *New York City.*

In October, 1861, Rev. Dr. Arnold Fischel, who had for five years been the Preacher of the Congregation Shearith Israel, New York, made application to the Secretary of War for a commission as Chaplain in the "Cameron Dragoons," a regiment accepted as part of the volunteer forces of the United States, and whose rank and file were largely soldiers of the Jewish faith. Secretary Cameron denied the application because of the provisions of Acts of Congress approved July 22 and August 3, 1861, requiring chaplains to be "of a Christian denomination." The Board of Delegates of American Israelites,¹ satisfied that the discrimination in these

¹The Board of Delegates of American Israelites was established in 1859, and continued in operation until 1878, when the organization was combined with the Union of American Hebrew Congregations and a standing committee was created entitled "The Board of Delegates on Civil and Religious Rights" to maintain its powers and the work heretofore committed to the first named body. The first session of the Board was held November 27, 1859. Its objects were declared to be: (1) The collection of statistical information; (2) the promotion of religious education by encouraging local schools and by establishing a High School for training young men, qualifying them to become ministers and teachers; (3) having a watchful eye on occurrences at home and abroad, seeing that the civil and religious rights of Israelites are not encroached upon, and calling attention of the proper authorities to the facts should any such violation occur; (4) preserving communication with similar Central Israelitish bodies throughout the world, and promoting union among the Israelites of the United States.

Official connection with the Board until its dissolution justifies me in making the statement that its record realized the expect-

statutes against American citizens of the Jewish faith had been inadvertently made, prepared the following memorial to Congress, which was presented to the Senate by Hon. Ira Harris, and to the House of Representatives by Hon. F. A. Conkling:

MEMORIAL.

To the Honorable, the Senate and House of Representatives of the United States of America:

The subscribers, your memorialists, respectfully show: That they are the President and Secretary of the "Board of Delegates of American Israelites," and that they are duly empowered to submit to your honorable body the facts herein set forth, and to crave, at your hands, that attention to the subject, which its importance to American citizens professing the Jewish religion, demands.

Your memorialists respectfully show, that by the 9th Section of the Act of Congress, approved July 22, 1861, and the 7th Section of the Act of Congress, approved August 3, 1861, it is provided that "the Chaplain appointed by the vote of the field officers and company commanders, must be a regular ordained minister of some Christian denomination," and that, as appears by the following letter from the War Department, to which your memorialists beg leave to refer, the said sections have been interpreted to exclude from the office of Chaplain in the service of the United States, "regular ordained ministers" of the *Jewish* faith:

"WAR DEPARTMENT, October 23, 1861.

"REV. A. FISCHER, Rabbi, Jewish Synagogue, New York.

"*Sir.*—Your communication of the 17th inst has been received.

"In reply, you are respectfully informed that by the 9th section of the Act of Congress, approved July 22nd, 1861, it is provided that the Chaplain appointed by 'the vote of the field officers and company commanders, must be a regular ordained minister of some Christian denomination.' A like provision, also, is made in the 7th section of the Act of Congress, approved August

tations of the founders, and that its efforts in behalf of the Israelites "at home and abroad" were successful by reason of the diligence and disinterestedness of the officers, their hearty co-operation with European Jewish organizations, and their patriotic devotion to duty as American citizens.

3, 1861. Were it not for the impediments thus directly created by the provisions of these two Acts, the Department would have taken your application into its favorable consideration.

I have the honor to be,

Very respectfully,

SIMON CAMERON,
Secretary of War."

Your memorialists respectfully submit that the body of citizens of the United States whom your memorialists represent, numbering not less than two hundred thousand, are unexcelled by any other class of citizens in loyalty and devotion to the Union, that thousands of them have volunteered into the Army of the United States, and are, by the provisions of the Acts hereinbefore mentioned, excluded from the advantages of spiritual advice and consolation provided by Congress for their fellow-citizens professing Christianity;

That the said Acts are oppressive, inasmuch as they establish a prejudicial discrimination against a particular class of citizens, on account of their religious belief; and further,

That the said Acts, inasmuch as they establish "a religious test as a qualification for an office under the United States," are manifestly in contravention of Section 3, Article VI of the Constitution and Article I of Amendments thereto.

Your memorialists, therefore, respectfully pray that your honorable body will take this, their memorial, into favorable consideration and that you will, in your wisdom, cause the Acts of Congress approved July 22nd and August 3rd, 1861, respectively, to be formally amended, so that there shall be no discrimination as against professors of the Jewish faith, in the several laws affecting the appointment of Chaplains in the service of the United States.

And your memorialists will ever pray, &c.

(Signed)

(L. S.)

HENRY I. HART, President.

MYER S. ISAACS, *Secretary.*

New York, December 6th, 1861.

Tebeth 3rd, 5622.

The Board likewise addressed the President of the United States urging the appointment of a Jewish Chaplain to each of the Military Departments. President Lincoln, while unable to grant the petition, declared his intention to recommend

Congress to modify the laws to which the Israelites objected. The Military Committee of the Senate promptly reported a bill amending the objectionable acts, and this became a law. The following section particularly relates to the subject of the Memorial:

§ 11. And be it further enacted, that so much of § 9 of the aforesaid Act, approved July 29, 1861, and of § 7 of the Act providing for the better organization of the military establishment, approved August 3, 1861, as defines the qualifications of Chaplains in the Army and Volunteers shall hereafter be construed to read as follows: That no person shall be appointed a Chaplain in the United States Army, who is not a regularly ordained minister of some religious denomination, and who does not present testimonials of his present good standing as such minister, with a recommendation for his appointment as an Army Chaplain from some authorized ecclesiastical body or not less than five accredited ministers belonging to such religious denomination.

Several thousand Jewish soldiers had been deprived by law of the comforts and consolations provided for their fellow-citizens of Christian faith. Partly to meet this contingency, the Board of Delegates appointed Rev. Dr. Fischel to proceed to Washington and look after the welfare of Jewish soldiers in the camps and hospitals in the vicinity. Dr. Fischel also urged the adoption of the remedial legislation.

I have made some extracts from his correspondence, which I think will be read with interest, and which illustrates Dr. Fischel's fidelity in the discharge of his duties.

It is somewhat strange that the *Jewish Encyclopaedia* in its sketch of Dr. Fischel (Vol. V), entirely omits any reference to his services as chaplain in 1861-2. Indeed, his career is very briefly described, and his association with the Congregation Shearith Israel is overlooked. Dr. Fischel was a fine English speaker and a modest man. When in New York, he was at his prime. He was twice selected to deliver addresses before the New York Historical Society, in December, 1859, when his subject was "The Jews of America," and in March, 1861, when he lectured on "The Inquisition in America."

Among his most admired discourses were those of 1861, when he spoke so earnestly, and in such a patriotic spirit, upon the duties of Jewish citizens toward the Union.

Shortly after 1862, he returned to Holland where he continued to reside with his mother, and there he died.

In his letter of December 11, 1861, to Mr. Henry I. Hart, President of the Board, Dr. Fischel writes :

Having obtained important letters of introduction to Senators, I started for Washington, where I arrived on Tuesday evening, and went at once to work to obtain an interview with the President. All the influential gentlemen with whom I spoke on the subject, assured me that it would be impossible for me to get an audience, as the President's time was altogether taken up with public business. The same opinion was expressed by Mr. Nicolay, his private Secretary, who even told me that Mr. Lincoln would not have time to read the letter in which I solicited an interview, and that there would be little chance for me to see him before the adjournment of Congress; that, in fact, none but Cabinet Ministers, Senators and army officers could be admitted. Seeing that I could not obtain admission by the usual process, I had to devise a plan whereby the subject could be at once brought under the notice of the President, and in this I was perfectly successful. I called this morning at ten o'clock at the White House, where hundreds of people were anxiously waiting for admission, some of whom told me that they had been for three days awaiting their turn. I was, nevertheless, at once invited to his room and was received with marked courtesy. After having read the letter of the Board and delivered to him several letters of introduction, he questioned me on various matters connected with this subject and then told me that he fully admitted the justice of my remarks, that he believed the exclusion of Jewish chaplains to have been altogether unintentional on the part of Congress, and agreed that something ought to be done to meet this case. I suggested that he might do for Jewish, what he had done for the Christian volunteers, and take upon himself the responsibility of appointing Jewish chaplains for the hospitals. He replied that he had done that at a time when Congress was not in session, deeming the subject to require immediate attention, but that, after the meeting of Congress, he would not be justified in taking the responsibility upon himself. Finally, he told me that it was the first time this subject had been brought under his notice, that it was altogether

new to him, that he would take the subject into serious consideration, that I should call again to-morrow morning, and if he had five minutes to spare he would receive me and let me know his views. I thanked him for his kind reception, and expressed to him my best wishes for his welfare. In the course of my remarks I gave him clearly to understand that I came to him not as an office-seeker but to contend for the principle of religious liberty, for the constitutional rights of the Jewish community, and for the welfare of the Jewish volunteers, which he seemed fully to appreciate.

This afternoon I shall visit the hospitals and camps and as soon as I have anything of importance to communicate, I will write to you at once. In the meantime, you will agree with me that the two days I have been at work here have not been without useful results.

On December 13, he writes to Mr. Hart:

You have no doubt received my first letter in which I gave the substance of my interview with the President. As he wished me to call again on the following day, I readily availed myself of his invitation, but, much to my regret, he was unable to see me, as he had important public business to transact with the Governor of Indiana and foreign ambassadors. He sent me, however, a note in which he stated that "he is not forgetting my case and *will lay it before the Cabinet to-day (Friday).*" It may be that some days will elapse before I know the result of their deliberations. At all events, I have succeeded in obtaining the favorable consideration of the President, which I entirely attribute to the excellent letters of introduction submitted to him. All the public officers, from the President down to the Members of Congress, have too much to occupy their attention, so that unless an extraordinary amount of political influence is brought to bear upon them, you may for weeks solicit an interview without obtaining it. Under these circumstances, I consider myself fortunate in having accomplished so much in a few days.

On December 14, the President addressed Dr. Fischel as follows:

EXECUTIVE MANSION, Dec. 14, 1861.

REV. DR. A. FISCHEL.

My Dear Sir.—I find there are several particulars in which the present law in regard to chaplains is supposed to be deficient, all which I now design presenting to the appropriate Committee of

Congress. I shall try to have a new law broad enough to cover what is desired by you in behalf of the Israelites.

Yours truly,

A. LINCOLN.

The Bill was immediately prepared and duly reported by the Military Committee of the Senate with the result already stated. Dr. Fischel had frequent interviews with Senators and Representatives pending the consideration of the Bill and met with a very cordial reception. As to his visits to the hospitals, he writes (December 20) that the Generals promised him every facility for religious services.

In case permanent provision be made by your Board for a Jewish chaplain for this army, at least until Government provides one, I would suggest the following "modus operandi:" (1) That he be required to visit the hospitals daily; (2) that he visit each division of the army once a week; and (3) that a card be extensively circulated in the camps to the effect that Jewish soldiers in camps and hospitals who are in need of personal assistance send a written request to Dr.———. Every Jewish soldier would then have the opportunity of enjoying the Chaplain's services at any time he may wish. The Generals have even promised me every facility for religious services.

In his letter of December 27, Dr. Fischel says:

There was one death among the Jewish soldiers in the hospital, this week. He belonged to a Pennsylvania Reg't, and at once information of his decease was telegraphed to his relatives, who will be here to try to take his body to their city. I passed three days this week in the camp of Genl. Banks' army. It takes considerable time to reach that station, as there is no direct route, and I had consequently to go first to the Relay House, near Baltimore, thence to Monocacy Junction, where we changed cars for Frederick, and from that place stages run to the various encampments, which makes the journey as expensive as it is disagreeable. I found in that division some of my former parishioners and other New York Jews, with whom I left my address, so that they can telegraph to me, if my presence should be wanted. There was a meeting held this week of "the Young Men's Christian Association," which being private I could not attend, but the following information in regard to its proceedings has reached me. It appears that a deputation from other Christian associations has

arrived here to co-operate with the former in reference to army chaplains. They complain that the law is not sufficiently stringent to ensure a decent class of ministers for that office, that in some regiments no religious service is held, etc. In this they are perfectly right, as I know one New York regiment which has been about seven months in active service, and no general service has been performed on any Sunday since their organization, which is no strong argument in favor of "Christian chaplains." However, they suggested that the law should specify what the duties of the chaplains are, that they should be bound to have weekly services, etc. In the course of discussion, my proposed amendment of the act was alluded to, and a general impression prevailed that the word "Christian" should be retained, and that they should use all their influence to that effect. It was suggested that in case the claims of the Jews be strongly advocated, a provision might be made in their favor by allowing Jewish chaplains for regiments exclusively composed of Jews, but even this few were prepared to agree to. I believe myself that their bigotry will not prevail, as I have made too much headway.

Dr. Fischel continued visiting the camps and hospitals until April, 1862. He requested that prayer books be sent for the soldiers and in many ways he contributed to their comfort. The service was discontinued because the congregations did not respond adequately to the appeal of the Board of Delegates, and strange to say there was "a fire in the rear," certain Jewish ministers publishing in the Washington papers a protest against the "unauthorized" action of the Board. Happily, the protest was unheeded, and in due time the signers of the paper became actively interested in the Board of Delegates and in the Union of Hebrew Congregations. Dr. Fischel's report of April 3, 1862, states in some detail his proceedings from the date of his arrival at Washington.

In order to ensure the speedy attention of the Committee (to the proposed measure) I submitted to them a written statement in which I pointed out the unconstitutionality of the Act, and the danger of infringing on the principle of religious liberty in a country containing so many distinct religious denominations. These views I explained more fully, in conversation, to the members of the Military Committee, to a majority of the Senators and

to a large number of influential members of the House of Representatives, all of whom seemed to admit the justice of our claims and in every instance promised earnest support. The articles submitted by the President were incorporated in the Army Bill (S. 139) and introduced into the Senate on the 8th day of January, 1862, by Mr. Wilson, Chairman of the Military Committee. Having been informed that there was some opposition to the first of the above clauses because the wording implied a positive repudiation of the Christian religion, it was agreed that in deference to the conscientious scruples of the Christian community, the language should be altered and be presented in the following form, viz.:

“That so much of Section 9 of the act approved July 22, 1861, and of Section 7 of the Act providing, etc., etc., approved August 3d, 1861, as defines the qualifications of Chaplains in the army and volunteers, shall hereafter be construed to read as follows: That no person shall be appointed a chaplain in the United States Army who is not a regularly ordained minister of some religious denomination.”

The bill containing the two clauses relating to chaplains was then incorporated with another bill and finally passed the Senate (S. 175) on the 12th March, 1862, and although there was considerable discussion in reference to some portions of the Bill, not the slightest opposition was offered to the above articles. Considering the enormous amount of business that claimed the attention of Congress, I think we have reason to congratulate ourselves on the prompt attention paid to our claims. In order to test the sense of the House of Representatives on the subject, Mr. Johnson proposed on the 20th of January the following resolution:

“That the Committee on Military Affairs be instructed to inquire into the expediency of changing the existing law as to the employment of Chaplains in the Army, so as to authorize the appointment of brigade chaplains, one or more of which shall be of the Catholic, Protestant, and Jewish religion.”

This resolution was unanimously adopted, although at the last session a similar motion, proposed by Mr. Vallandigham, was rejected by a large majority. This change in public opinion could only have been caused by the energetic action of the Board of Delegates, and it shows that we have a Government which is ready at all times to listen to the just claims of every class of citizens.

The time occupied in agitating the repeal of the obnoxious law did not in any way interfere with my attention to the spiritual

wants of the Jewish soldiers in the hospitals. After having visited the various Jewish divisions of the army on the Potomac, which covered an immense area with a base over sixty miles long, I concluded to confine my attention to the hospitals in Washington, Georgetown and Alexandria. I very much regret that the suggestion made at the commencement of the war, of having a separate hospital for the Jewish soldiers, was not carried into effect. The expense would have been insignificant, as Government would have provided competent surgeons, medicine and everything except the rent of the house, which could have been easily obtained by public subscription in New York City alone. There would have been sufficient patients to justify that expense, as I found generally from thirty to forty in the hospitals; and had there been a battle on the Potomac, the number would have exceeded one hundred. It would have been duly appreciated by the soldiers who, without exception, expressed to me their wish in sickness to be surrounded by their own people, and to be buried among their kindred. Most of the Jewish soldiers, seeing that no provision had been made for them, had joined the Odd Fellows and other associations that undertake to return the bodies of the dead to their relatives, and one instance came under my notice in which a messenger was sent from California to recover the body of a soldier who was a member of some associations in that State. In the future, however, there will be no necessity for the Jewish soldiers to go outside of their community for those charitable ministrations, as the passage of the Bill will enable the President to appoint an adequate number of Jewish chaplains for the hospitals. The duties were to me a labor of love, and I look back with satisfaction to the many opportunities afforded me for officiating in that capacity, whilst I have reason to believe that my services have been welcome to many a sufferer.

This record would be incomplete, did I omit to mention the active interest maintained in all the work of the Board of Delegates by Henry I. Hart, its President from the organization (1859) until his death (1863). Mr. Hart was a merchant of the highest standing in New York, and was influential in commercial and financial affairs.

After the lapse of over forty years, the perusal of the Fischel correspondence recalls very vividly the momentous events in which the great Lincoln was the principal figure, as

typical of the American who loved his country and was near to the "common people." When I saw him at the Executive Mansion, I was profoundly impressed by his grave and serious demeanor as he declared his purpose on some question that interested a previous visitor, and by his tone of happy relief as he then welcomed Mr. Solomons and myself, and especially the little girl presented by Mr. Solomons as "one of his daughters."

This paper will be read on the 12th of February, the birthday of Lincoln. Profane hands, even now, touch the ark which holds sacred the memory of the beloved and martyred President. We of the Jewish Historical Society reverently place our tribute of gratitude by the side of the myriad chaplets in honor of the American who was too great to be sectarian, whose motto was "Malice towards none—charity for all," "doing the right as God gave him to see the right," whose idea of atonement was the Jewish inspiration, "let the oppressed go free."