

The Jewish Marriage Contract in Antebellum South Carolina and Georgia

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My dissertation uses the ketubah (Jewish marriage contract) as a window into Jewish social history in America and England. My second chapter sheds new light on Jewish life in the American South, with particular focus on Charleston. It starts with the most studied event in Charleston Jewish history. Isaac Harby—an educator, journalist, literary critic, newspaper editor, playwright, and now reform advocate¹—steered his bevy of 47 disgruntled coreligionists away from Kahal Kadosh Beth Elohim (K.K.B.E.), Charleston’s lone synagogue. With their petition to alter congregational worship rejected by the *adjunta* (governing board), the rebels chose the path of secession. They formed “The Reformed Society of Israelites” (R.S.I.), and published a new prayer book to reflect their vision for ritual and liturgical renewal. These actions portended a paradigm shift in the coming decades in Jewish communities across America. A new American Judaism emerged, one “diverse and pluralistic, whereas before it had been designedly monolithic.”² Once fulcrums of Jewish life, unitary “synagogue-communities” that, like K.K.B.E., regulated religious life and elicited the affiliation of all Jews, disintegrated into competing “communities of synagogues” lacking regulatory power.³ Thus, no single institution in any city could monopolize Jewish religious life. And although the R.S.I. ultimately dissolved, by 1841 K.K.B.E. boasted a sanctuary organ and its own reformed liturgical repertoire. Their onetime Orthodox rabbi turned increasingly impassioned reformer Gustavus Poznanski spearheaded the changes.

In 1824, however, the liberalization of K.K.B.E. and Poznanski's role in effecting it were still well into the future. In the meantime, the differing marriage regulations of K.K.B.E. and the R.S.I., and their divergent uses of the ketubah, appeared to herald the coming transformation of American Jewish life. K.K.B.E. used the marriage contract to police the conduct of congregants outside the synagogue; the R.S.I., by contrast, cared only if congregants paid their dues. Still, these respective ketubah ways would unexpectedly converge. In 1837, before his public turn to Reform, Gustavus Poznanski re-envisioned the document as a viable legal contract to be inserted in the government record and enforced in secular court. The practice preserved the ketubah's binding character among Jews of differing denominational stripes—not just in Charleston, which boasted the largest community of Jews, but across South Carolina and Georgia—to a far greater and chronologically later extent than elsewhere in the United States.

¹ For more on Harby, see Gary P. Zola, *Isaac Harby of Charleston, 1788-1828: Jewish Reformer and Intellectual* (Tuscaloosa, AL: University of Alabama Press, 2002); L.C. Moise, *Biography of Isaac Harby with an Account of the Reformed Society of Israelites of Charleston, S.C. 1824-1833* (Columbia, S.C.: R. L. Bryan, 1931).

² Jonathan D. Sarna, *American Judaism: A History* (New Haven: Yale University Press, 2004), 52-61.

³ *Ibid.*, 60.