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The immortal story of the Bill of Rights, 1941.



THE IMMORTAL STORY OF THE BILL OF RIGHTS

By
Rabbi Abba Hillel Silver

At
The Temple

On
Sunday morning, December 14, 1941

It is a thought-provoking co-incident, friends, that the week which was designated some time ago to commemorate the 150th anniversary of the Bill of Rights came to mark the declaration of war against our country by Japan, Germany, Italy whose dictatorial governments are the avowed enemies of all that the Bill of Rights stands for.

For 150 years tyrants everywhere have hurled themselves in vain against the principles of human freedom and the rights of man which are embodied in the Bill of Rights and in the Constitution of the United States, and now, one hundred fifty years later, the most desperate and most powerful, the most consolidated and world-wide attack is being made upon it. We hope that this will prove the final, and the finally unsuccessful attack.

It is of course clear that if the United States and Great Britain are defeated in this war -- we are confident, prayerful^{ly} confident that will not be -- that not a shred or alter of the Bill of Rights and human liberties will remain here or elsewhere. Men will again be enslaved. The caste system will again be restored in society and the iron age of Caesars will descend upon the earth.

The struggle which is now raging rages around our Bill of Rights. This is not a struggle between one group of nations and another group of nations. Quite avowedly and unmistakably this is a struggle between two worlds, between two world outlooks, between two philosophies of life, two conceptions of governments, between two theories of the Rights of Man. Our conception and philosophy is embodied in the Declaration of Independence, in the Constitution of the United States, in the Bill of Rights. Great Britain's conception of the rights of man is embodied in the Magna Charta, in its long history of constitutional government. The other conception the one which is challenging our conception is embodied in Mein Kampf

and in the lying of Herr Rosenberg, Mussolini, etc. and the lying of those men in Germany, Italy, Japan and elsewhere in the last few decades who have rejected liberty, democracy, the conception of man's inalienable rights and have proclaimed the doctrine of the absolute, military state and the absolute state master, the dictator - and the absolute subjection of man to the state and its leader. The principles embodied in our Bill of Rights are today treason in those countries.

And what is being fought for today among the islands of the South China Sea and upon the hot sands of North Africa, and, unsuspected by Stalin, upon the frozen plains of Russia, is what the thirteen small states of the New World, 150 years ago wrote down as their creed for themselves and for their children and for mankind. For a century and a half this creed has stood the test of time as well as the storms of foreign and domestic wars, and all the vicissitudes of national fortune and misfortune. Under these ten commandments of human rights, our nation has grown from three million to 130 million. Our country has spread from the coastal fringe of the Atlantic to a vast continent, and has become the most prosperous nation on earth and in the entire history of mankind.

And it now remains to be seen whether this same creed, this same charter of human freedom and liberty will come through this latest and greatest test unscathed and undefeated. And my feeling is, and I am sure it is shared by all Americans, that the way in which our people reacted to the declaration of war in the United States, the manner in which our people responded, the unanimity of purpose and resolve in preparedness, the all out display of loyalty -- that all these are prophetic of victory.

The American people know what they possess. They know exactly they have what it is/ - a priceless heritage, a heritage wich has made every

American walk this earth like a king, and they are prepared to make every sacrifice to preserve that heritage for themselves and for their children.

Our boys who died at Pearl Harbor, at the hands of treacherous foes died for the same thing for which the men at Valley Forge died, for the dream of America, for the magnificent vision which is America, for the freedom and dignity, the equality of man who is made in the Image of God.

It is therefore a prophetic co-incidence this concurrence of the sesqui-centennial celebration of the Bill of Rights and the declaration of war.

Just exactly what is this Bill of Rights? It is very brief, and it should be read and reread in these troubled and dangerous times by every American, by every American youth:

I Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

II A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

III No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

IV The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched,

and the persons or things to be seized.

V No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

VI In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

VII In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law.

VIII Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

IX The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

X The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

Why were these ten amendments added to the Constitution of the United States? The Constitution of the United States which was finally adopted and ratified was a sharp reaction to the loose and all-too-free Articles of Confederation under which the government operated for eight years. These Articles of Confederation gave practically no power to the Central government. The states for all domestic purposes were sovereign, and the Congress presented what some called the "extraordinary spectacle of a government destitute of even a shadow of a constitutional power to enforce the execution of its own laws." Congress, under the Confederation, was the creature of the state government and did not derive its authority from the people and could not legislate for the people of the country, only for the states as corporate units. The sovereign and independent and mutually jealous and suspicious states granted very little authority to the central government. This central government possessed no coercive power on or over the states. It could request the states to share in the cost of government, but it could not enforce its requisition. Under the Confederation there was really no national government to speak of -- only a League of States.

That form of government proved inadequate to meet the post-war crises, inadequate to meet the financial chaos which followed the currency confusion, the depressed state of industry and commerce, or the local outbursts of rebellion such as Rebellion, the smoldering embers of the Revolutionary fires.

There was felt everywhere the necessity and desire for a stronger and more efficient central government, a national government, a stronger concentration of power in the central government, with far less division of authority a government which would have not only power, but the means to

defend its country against foreign aggression, to pay back the national debt, regulate commerce and industry, to uphold public order and to protect private property of the citizens.

Particularly were the men of property, the merchants, the creditors, the holders of public securities and the professional classes interested in the establishment of a strong, centralized national government. And it is men representative of those classes who largely composed the constitutional convention which met in Philadelphia in 1787 to draw up a new constitution for the purposes stated. Among these men there were those who entertained some fear of popular government, what they called the excesses of democracy. The social upheavals of the Revolution had made the man of property afraid of the turbulence and follies of democracy. Hamilton and Madison who were the main spirits of the convention expressed themselves forcibly on this score. Madison said: "There arises a grave danger, namely the danger that certain people, particularly the propertyless masses, may fuse into an over-bearing majority and sacrifice to its will the interests of the minority."

These men wanted a strong central government with such a system of checks and balances in three separate branches of the government -- the legislative, the executive and the judicial as would place barriers or difficulties in the way of democratic majorities and put brakes on any hasty and passionate actions of the populace. Two branches in legislative department distinct from one another -- President has veto power -- in times of emergency he has almost dictatorial power -- Supreme Court has ^{come} to be a check on certain kinds of legislation.

These framers of the Constitution were practical men of experience. They were men of extraordinary talent and good judgment, which determined all the compromises which they made, all the concessions which they made, ~~which~~

They were out to form a more stable and efficient union. They moved slowly and cautiously, and in some instances very courageously. They had to make compromises to achieve major objectives. The Constitution of the United States is called "a bundle of compromises", a "mosaic of second choices", between the larger and the smaller states, between planting-slave-holding interests of the South and commercial and industrial North, between state sovereignty and strong central government. They had to side-step, for example the whole issue of slavery in order to establish a strong national government. They achieved their main objective. They were wise in understanding that what they had achieved was not perfect, but a human document and that all documents, if they are to survive and function must be amenable to revision. So they made provision for amendments of their handiwork -- a constitutional substitution for revolution.

Now when they had drafted this Constitution, they found it would be difficult to have the thirteen states ratify it. Each one found certain objections, and particularly strong was the feeling among these states and among the people of these states that this government was perhaps too strong, that there was too much ^Wpower in that central government and not enough protection for the individual against the excesses of government.

Many of the States had Bills of Rights in their state constitutions and the demand arose to write such a Bill of Rights in the Constitution of the United States. Some opposed it. Inasmuch as some of the states had it, and inasmuch as the Government did not, the men who drew up the Constitution were so determined and so insistent, that at the very first Congress assembled under the Constitution, in the Spring of 1789, the Ten amendments were adopted and later on ratified as the Bill of Rights

which I read to you this morning.

So the spirit of Declaration of Independence, the spirit of the American Revolution was thus made part and parcel of the basic law of our nation for all time. The object was of course to protect the individual against government, to protect the individual against what can become as it has today the greatest menace -- against the totalitarian state. This Bill of Rights proclaims there are that/certain inalienable rights of the individual into which the state dare not enter, certain privileges given to man by God, not by the state and no state, no democracy has the right to deprive the individual of these inalienable rights. That was the challenge to King George and that is exactly the challenge which is being made today by our contry and by other freedom-loving countries against Mussolini, Hitler and all who are trying to enslave man.

The most important of these rights was the first -- wherein it is proclaimed freedom from a church-dominated state, the separation of church and state, freedom of worship, freedom of speech, freedom of press, freedom of assembly and freedom of petition -- this is the symbol of the free spirit of man.

Now what we ought to have in mind is not only the great privileges which we have preserved for ourselves through this Bill of Rights, but the great obligation which these privileges impose upon us. Because unless we live up to these privileges, somehow they vanish in thin air. The curbs which we put on government can only hold as you put curbs upon yourself. Every privilege must be matched with obligations, every right by obligations or the whole edifice collapse. It is not only a Bill of guarantees; it is a set of challenges to the character of the citizen who wishes to enjoy them.

X You take the privilege of the freedom of worship -- that is a privilege. But it means nothing unless there goes with it a curb -- freedom exercised by the individual, freedom from bigotry, freedom from intolerance. Unless the man who enjoys freedom of worship realizes that he must also respect that same freedom in a man of another faith, his religious freedom is gross hypocrisy.

X Freedom of speech was a great boon for the individual, a great safeguard of civilization. But an equally great safeguard of civilization which this Bill of Rights did not reach was freedom from biased speech, freedom from intemperate speech, freedom from the kind of speech which is calculated ultimately to destroy free speech. To preserve freedom of speech, free men must guard themselves against propaganda, against being propagandized.

X Freedom of speech does not mean freedom to incite, to turn class against class, brother against brother, race against race. Freedom of speech does not mean to foment hatred, to destroy national unity. Why in the last few years those who raved not about freedom of speech were none other than the Bundists, the Communists and the Fifth Columnists.

X A free press is the greatest safeguard of democracy. With that freedom of press must go a self-imposed discipline free from sensationalism, from partisanship, from publishing biased and distorted news, from making false attacks on public officials. A free press can remain free only if it resolves to present only accurate information and editorial fair judgments to its readers.

X And the same thing is true of freedom of assembly. Of course we are free to meet. But for what purpose? In order to rabble-rouse people to their own destruction, to create hatred? That will destroy it ultimately because no country can long tolerate that kind of advice.

And similarly with freedom of petition. It does not mean attempts to stampede the legislators in Washington by bringing down on them a deluge of mail and telegrams to stampede them to work in one direction or another.

Without these curbs to supplement those curbs which we impose upon our government, free government can not go on. It will break down. We will lose our rights because we did not safeguard them by our self-curbing. Especially in war time is it important for the individual not only to reconcile himself to the temporary suspension of some of his rights, but loyally to say, write or do nothing that will endanger unity, harmony and successful functioning of our government in a desperate and critical hour.

I close with this sentence which sums up much of what I said, that the "founding fathers did these things not that we might enjoy freedom without risk or service, but that we might sacrifice for its maintenance as they sacrificed for its establishment. The man who possesses liberty possesses the jewel of greatest price, and all the thievery of the world will burn to take it from him. There is never any let-up in the conflict between just men, seeking to retain freedom, and thieves, seeking to command the will of others. There must never be any let-up in the readiness of free people to do whatever needs to be done to cherish their independence. Implicit in the American Bill of Rights is a guarantee that transcends all others: "The right of sacrifice in the cause of freedom is reserved to all the people".

2. A most-provoking coincidence that went desig. to commemorate 150th Ann. of Bill of Rights - marked the decen. of war ag. the U.S. by Jap. Per. & Italy ^{whose} ~~which~~ ^{governments} ~~dict. nations~~ are the avowed enemies, & all that the Bill of Rights stands for.

- For 150 yrs. Grants every where have hurled ^{in vain} ~~East~~ against those principles of human freedom & rights, ^{embodied} ~~proclaimed~~ in Bill - and now the ~~war~~ ^{but} the most powerful and desperate ~~the~~ ^{consolidated} world-wide attack, is being made upon it - and we hope it will prove the final ~~all~~ and the finally ~~unsuccessful~~ ^{unsuccessful} attack.

- It is clear - if U.S. & G.B. are defeated - not a shred or faller ^{any other} of human liberties will be left ⁱⁿ the world. Man will again be enslaved. ^{The} Caste system will reappear, the iron age of Caesars will descend upon the world.

- This is not a struggle bet. one group of nations ag. another. Knowledge and progress and unmistakably this is a struggle bet. 2 worlds - 2 cultures - 2 philosophies, life - 2 conceptions of good - 2 theories of the rights of man. Man is enslaved in our book our Declar., our Constitution & its Bill of Rights. England in the Great Charter, in its long past history. The other is enslaved in Mein Kampf, in the ^{which} ~~which~~ the men, the last few decades in Germany, Italy & Japan, who have rejected liberty, democ. & unalienable rights & have proclaimed the doctrines of the absolute, autitary state and the absolute state master - the Dictator & the absolute subjection man to the state & its leader Princ. Bill of Rights are now regarded as Treason in those countries!

- What is being fought for among the islands, the South China Sea, and upon the hot sand, N. Africa, and, unmolested by Stalin, upon the ~~now~~ frozen plains of Russia - is what the 13 small states of the new world - 150 ys - wrote down as their creed & their legacy to their children & to mankind -

- For a century + 1/2 that Hell, Night has stood the test of time, has weathered the storms of foreign & domestic wars, and all the vicissitudes of nat. fortune & misfortune. Under it - our nation grew from 3% to 130% - spread from the coastal fringe across a vast continent - and became the ~~the~~ ^{most} premier nation on earth & in the ^{entire world} ~~history~~ of mankind.
- It remains to be seen whether it will come through this latent and greatest test - ~~unscathed~~ ^{unscathed} and undefeated. The way in which our people reacted to the declaration, was - the manner in which it reformed - unity & purpose which it manifested - and the all-out love and loyalty - are prophecy of victory.
- The Am. people know what they ~~have~~ ^{possess} - a priceless heritage - walked the earth as kings - prepared to make all sacrifices to preserve it for us & their children.
- Our boys who died at Pearl Harbor - at the hand of ^a thunderbolt from - died for the same things which the men of Valley Forge died for - the freedom & the dignity, & want the deathless Am. dream - our vision for mankind.
- It is therefore a prophetic coincidence this convergence / the resurgent centennial - Declaration of War.

2/ (Inst).

3/ Why were they added as Amendments to the Constitution?

The C. & O. S. which was finally adopted & ratified was in sharp reaction to the loose and all-too-free Confederation under which the ~~country~~^{gov't} operated for 8 years. ^{They} gave practically no power to the central govt. The states, in all domestic matters, were sovereign - and the

Congress presented the "extraordinary spectacle of a govt destitute of even a shadow of a constitutional power to enforce the execution, its own laws". Congress was the creature of the state govts and did not derive its authority from the people and could not legislate for the people, the ^{only for the States as corporate units} counselling the sovereign & independent & mutually jealous states, granted very little authority to the central part. It had no executive power over these states. It could only request the States to supply them with the cost, part. It could not enforce its requisitions. Under the Confederation there was no "national" govt. to speak of - only a League of States.

Inadequate to meet the post-war crises. - the financial chaos, the currency confusion, the depressed state of industry & commerce - a the local authority, rebellions - such as Shay's rebellion - ^{the} military weakness, the Rev. wars. There was everywhere felt the necessity for a ^{stronger} central govt. - a "national" govt - ^{for a stronger, centralized} and for less diffusion of authority. - a govt. which would have the power ^{the means} to defend the country against attack, but to pay the ^{large} nat. debt, ^{to regulate foreign & with state commerce} uphold public order, and protect the private property of citizens.

Particularly were the men of property, the merchants, the creditors, the holders of public securities, and the professional classes interested in the establishment of a strong, centralized ^{nat} govt. and it is men of property, these classes who ^{represented} ~~conferred~~ the Constitutional Convention, 1787, Philadelphia. The left-wingers, so to speak, - Jefferson, Patrick Henry, Samuel Adams, Thomas Paine - were not largely represented.

But they achieved their major objective - "constitutional"
made wise provision for amendments - great substitute for Revolution ⁽⁵⁾
howler

4. Ratification ^(Difficult) - Fear of Federal Govt. - Too much power in hands of Govt. - Not sufficient restraint

① And while Bill of Rights existed in various state constitutions, in state ratifying the Bill demand arose to incorporate it also in Fed Govt. "all reserved to states & people" - assuring Rel. freedom
Hence at first Congress - Spring 1789 - 10 Am. adopted
& later ratified by 3/4 of states -

5. Spirit of Declaration - 5 Am. Resolution - was thus
made part of the basic law of nation for all times -
- Protection of the Ind. as measurement by State - as
the total State - Curb upon Govt. - Bill is main defense
ag. Govt.
- Man possesses certain rights which no one
- that was challenge to King George - as it is to Halls.

6. Freedom from a Church-dominated State
" worship } First Amend. This is the Citadel
" speech } the Free Spirit of Man
" press }
" assembly }
" petition }

7. But, these freedoms which put "curb upon Govt."
"Curb upon indiv." Voluntary curbs
Privileges must be matched with obligations, rights, duties
"Bill" - not only a collection of guarantees - but challenge to Govt. of the whole

① Worship - freedom from bigotry - intolerance - respect your
neighbour's faith & his conscience. Rel. bigotry practiced
by ind. under Rel. tolerances & their part - is gross hypocrisy.

② Speech - freedom from biased speech, intemperate speech,
by way speech - propaganda - speech used to destroy
free speech - incite - promote hatred - to destroy
unity - none - boundless, Canon - 5th C. ~~that~~
practiced as much -

③ Press - freedom from sensationalism & distorted news -
- false attacks upon public officials - accurate
information and fair editorial comment - partisan drift

④ Assembly - only ppl / 100 - rabble-rouse -

⑤ Retribution - not to intrude into part.

8). Without these self curbs to supplement imposed
curbs on our part - Free part cannot function
will break down - loss our rights which we did
not have him to safeguard by our deeds.

① Especially in war-time - recruits to temp. suspension
of some of our rights - but loyally to say, write or do nothing
that will endanger unity, harmony & success

9). Sacrifice - James P. Pops - Just

The TEMPLE BULLETIN



THE TEMPLE
East 105th St. and Ansel Rd.
CLEVELAND, OHIO

Abba Hillel Silver, D.D.
RABBI

MELBOURNE HARRIS
Assistant-Rabbi

Volume XXVIII

December 14th, 1941

No. 9

SUNDAY MORNING SERVICE

10:30 O'clock

SPECIAL COMMEMORATIVE SERVICE

150th Anniversary of the Bill of Rights

RABBI SILVER

will speak on

"THE IMMORTAL STORY OF THE BILL OF RIGHTS"

Friday Evening Service
5:30 to 6:00

Saturday Morning Service
11:15 to 12:00

Wre. 21 - Chancel

Leonard Rose - Cellist
Choir

THE TEMPLE BULLETIN, published weekly, except during the summer vacation, by Tifereth Israel Congregation, East 105th Street at Ansel Road, Cleveland, O. Rabbi Melbourne Harris, Editor; Harry A. Levy, Sec'y. Subscription price, 50 cents per annum.

Entered as second-class matter Nov. 12, 1931, at the Post Office in Cleveland, Ohio, under the Act of March 3, 1879.

Special Commemorative Service

The Service this Sunday Morning will be dedicated to the 150th Anniversary of the "Bill of Rights." The Bill of Rights is more than a list of constitutional amendments. It is a charter guaranteeing the dignity of man. It is the heart and soul of Americanism.

Rabbi Silver will speak on "The Immortal Story of the Bill of Rights." The following organizations have accepted our invitation to attend this special commemorative service:

The Cleveland Bar Association

The Cuyahoga County Bar Association

The Joint Veteran Commission

The Jewish War Veterans

The service commences at 10:30 o'clock. The congregation is requested to be in their seats before the service begins.

The Temple was filled last Sunday morning to hear H. R. Knickerbocker, famed war correspondent, who delivered a scintillating address on Russia and Japan's places in the present crisis. Mr. Knickerbocker's timely predictions concerning Japan became a reality only a few hours after he had spoken.

Alumni To Celebrate Fortieth Anniversary

The Temple Alumni Association will observe its Fortieth Anniversary this year with a gala celebration on Sunday, December 28th. The Fortieth Anniversary celebration will be held in conjunction with the Annual Collegiate Reunion, to which all out-of-town students will be invited as guests.

A special anniversary service will be

held in The Temple in the morning, participated in by past presidents of the Association. The Anniversary Banquet will take place at the Statler Hotel at 1:00 o'clock, followed by a program of entertainment and dancing. All past presidents of the Alumni will be honored at this occasion. A novel presentation of the historical highlights of the organization will be presented during the entertainment program.

Thousands of confirmants since 1901 have been affiliated with the Alumni. An effort is being made to have many of these confirmants and their wives and husbands at this occasion.

Reservations should be made in advance either at The Temple Office or with the chairman, Hal Moses, 3234 Oak Road, at \$1.50 per plate.

Jewish Book Week

Jewish Book Week will be celebrated throughout the country during the week of Chanukah, December 14-22. The Temple will observe Jewish Book Week this Saturday and Sunday by the presentation of an original playlet written and directed by Miss Miriam Leikind, our Librarian. An essay contest on "Jewish Book Week" is being conducted in our Junior High School. Attractive book markers will be distributed to each pupil in the Religious School. Picture puzzles and book quizzes will be utilized in the classroom.

Jewish Book Week offers a splendid opportunity to our members to become acquainted with our excellent Temple Library. An exhibit of the newer books recently acquired by The Temple will be on display.

May we suggest that parents give Jewish books to their children as Chanukah gifts. These books may be ordered through our Temple Library.

Gift To The Temple

A beautiful painting, "The Patriarch" by the noted artist Krumhardt has been presented to The Temple by Mr. N. I. Dryfoos. The painting will be hung in the Temple Parlor.

TWILIGHT CHANUKAH PARTY

Sponsored Jointly by

The Temple Men's Club

The Temple Women's Ass'n

SUNDAY

DECEMBER 21st

4:30 P. M.

Mahler Hall

LECTURE - MOVING PICTURE - SUPPER - DANCE

ARTHUR MENKEN (in person)

Famed Paramount News and March of Time Cameraman, just returned from the Far East, with his exclusive and timely

MOVING PICTURES

of

"THE BATTLE FOR THE PACIFIC"

Mr. Menken is famous for his war pictures. In this illustrated lecture, he will show strategic scenes of Japan, China, the Philippines, Dutch East Indies, Chung-King, and other centers of the Far East, so important now in the present war. These pictures were shown for the first time on Thanksgiving at The White House for President Roosevelt and his guests. Mrs. Roosevelt commented most favorably upon them in her column "My Day."

BUFFET SUPPER

DANCING

Admission
\$1.00 per person

Tickets
At the Temple Office

Reservations will be accepted only to the capacity of Mahler Hall

David Ben Gurion to Speak At Zionist Chanukah Banquet

David Ben Gurion, chairman of the Executive Committee of the Jewish Agency, who has just returned from Palestine and London, will be guest and speaker at the Seventh Annual Chanukah Banquet and Dance of the Cleveland Zionist Society on Wednesday evening, December 17th, at the Statler Hotel. Miss Christina Carrol, winner of the Metropolitan Audition last year will render the musical program.

The Society's Chanukah Banquets of past years have been outstanding occasions in the life of our community. The Banquet this year promises to

excel the successes of former years.

Reservations may be made with Mrs. Morton Bialosky, 3357 Ardmore Road, or Mrs. Albert Goodman, 3011 Ludlow Road.

Chanukah Dance For High School Students

A Chanukah dance will be held for the students of the Temple High School and for all confirmants of the past three years in Mahler Hall this coming Sunday afternoon, December 14th, from 3:00 to 5:00 o'clock. Music will be provided by Gene Bowey's Orchestra. A candle-lighting ceremony will take place during the afternoon. A cordial invitation is extended to all confirmants of The Temple of the 1939-40-41 classes.

*Celebrate - gifts - Cavalry
To - m - 1st*

generally known as the "First Book Printed in North America."

The types used were obtained in England for Harvard College by the Rev. Joseph Glover, in 1638, and included a small selection of Hebrew letters of rather large size, without vowel points. The twenty-two letters of the Hebrew alphabet are printed from this fount in the 119th Psalm, which in Hebrew is an acrostic poem, one letter of the alphabet at the head of each division.

Another small lot of Hebrew types was brought over from London to Cambridge in 1665, by Marmaduke Johnson, who after the completion of his contract for printing the Indian Bible, had gone to England to procure materials for a new printing-office of his own. This Hebrew fount was of a

smaller size, and provided with vowel points. It was first used in 1666, in the almanac for that year.

Marmaduke Johnson removed his printing office from Cambridge to Boston in the late summer of 1674, and died there in December of the same year. His establishment, together with the Hebrew letters brought over in 1665, passed into the hands of John Foster, a young graduate of Harvard College, whose name appears in the imprint of the first book printed in Boston.

A third assortment of Hebrew letters was brought from England to Boston about the year 1684. It was of medium size, with a heavier face and much more legible than the type imported by Johnson in 1665. . . .

—From: "Studies in Jewish Bibliography"

The Temple Gratefully Acknowledges the Following Contributions

To the Scholarship Fund:

Sadie Kalb, in memory of Ida Rosenwasser.

Mrs. I. J. Goodman, in memory of father, John Palady.

To the Library Fund:

Ida E. Schott, in memory of Selma Markowitz.

Mr. and Mrs. M. B. Koblitz, in memory of Moses B. Freedman.

Edward L. Lux and Alan L. Littman, in memory of grandfather, Louis Littman.

Carl Adler, in memory of Jay Milton Thurman.

To the Prayer Book Fund:

Miss Rose M. Kohn, in memory of mother, Carrie Koblitz Kohn.

Mr. and Mrs. Charles Ascherman, in memory of father, Ben Korman.

In Memoriam

The Temple records with deep sorrow the passing of

STELLA E. GREENBAUM

CORNELIA WOLF

and extends its condolences to their bereaved families.

IDA ROSENWASSER

Mrs. Rosenwasser was one of the oldest members of The Temple, and a charter member of the Temple Women's Association. Her family has been prominently identified with The Temple for over three-score years.

The Temple records with pride her many years of faithful service to our religious institution, and extends profound sympathy to all the members of her family.

The Temple Memorial Book

The family of

ANNIE R. BRATBURD

has inscribed her beloved name
in The Temple Memorial Book.



THE BILL OF RIGHTS

¶ I. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

¶ II. A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

¶ III. No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

¶ IV. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

¶ V. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

¶ VI. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

¶ VII. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reexamined in any court of the United States than according to the rules of the common law.

¶ VIII. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

¶ IX. The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

¶ X. The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.



JEWISH BOOK WEEK

DECEMBER 14-22, 1941

HEBREW TYPOGRAPHY

... The history of Hebrew typography is an important auxiliary to the study of Jewish history for it reflects the degree of culture, the scope of interest and the physical and intellectual activities of the people. The mere outward form of the book will often give significant hints to the student. In the books issued by the early Italian Hebrew presses the quality of the paper, the shining lustre of the ink, the artistic form of the letters, the broad spacing and margins, reflect a life of comparative ease and security. In the later books we may read the vicissitudes of life in the gradual degeneration of the art of Hebrew printing, as well as in the change in the character of the works produced, for trials and tribulations soon cut a people off from the need and enjoyment of the higher and more varied forms of literature. Following a period of peace came a time of despair when the Jews of Italy felt the unrestrained fury of mobs, drank the insidious poison distilled by clerical fanaticism, and were ground under the heels of the soldiers of Emperor and Pope. Now and then they enjoyed a temporary respite, but on the whole their lives were tragic with a woe unutterable. . . .

* * *

HEBREW TYPES IN AMERICA

The first complete fount of Hebrew types in the American colonies was that used in the printing of Judah Monis' Hebrew Grammar in 1735. In 1726, Mr. Thomas Hollis, merchant

of London, sent over three boxes of Greek and Hebrew types, a present from one of his friends to the Corporation of Harvard College. Upon examination by Mr. Monis, the instructor of Hebrew in the College, the set of Hebrew types was found to be incomplete, therefore in June, 1728, the Corporation voted to send for so many Hebrew types and points as were necessary to complete the set. . . . Some of the printers had no Hebrew types at all. In 1734 John Draper of Boston, official printer to the Governor and Council, in a foot note to page 5 of John Barnard's Election Sermon for that year, to explain why he omitted a Hebrew word, says:

"The Printer asks the learned Author's pardon, and the Reader's Excuse, for the Want of Hebrew Types."

The Hebrew of the Old Testament was regarded as a sacred language by the Puritan nonconformists in England, and as the medium through which God's revelations were first made to man. A knowledge of Hebrew was considered necessary by them for the proper understanding of the Bible, and it was studied diligently by the clergy for that purpose. The desire for a translation of the Psalms which would be nearer to the meaning of the Hebrew original led to the undertaking of a new version in 1636, in which "the chief Divines in the Country took each of them a Portion to be translated." The translation was finished in 1639, and the printing in 1640, the first bound book to be issued from the new printing office in Cambridge, and

generally known as the "First Book Printed in North America."

The types used were obtained in England for Harvard College by the Rev. Joseph Glover, in 1638, and included a small selection of Hebrew letters of rather large size, without vowel points. The twenty-two letters of the Hebrew alphabet are printed from this fount in the 119th Psalm, which in Hebrew is an acrostic poem, one letter of the alphabet at the head of each division.

Another small lot of Hebrew types was brought over from London to Cambridge in 1665, by Marmaduke Johnson, who after the completion of his contract for printing the Indian Bible, had gone to England to procure materials for a new printing-office of his own. This Hebrew fount was of a

smaller size, and provided with vowel points. It was first used in 1666, in the almanac for that year.

Marmaduke Johnson removed his printing office from Cambridge to Boston in the late summer of 1674, and died there in December of the same year. His establishment, together with the Hebrew letters brought over in 1665, passed into the hands of John Foster, a young graduate of Harvard College, whose name appears in the imprint of the first book printed in Boston.

A third assortment of Hebrew letters was brought from England to Boston about the year 1684. It was of medium size, with a heavier face and much more legible than the type imported by Johnson in 1665. . . .

—From: "Studies in Jewish Bibliography"

The Temple Gratefully Acknowledges the Following Contributions

To the Scholarship Fund:

Sadie Kalb, in memory of Ida Rosenwasser.

Mrs. I. J. Goodman, in memory of father, John Palady.

To the Library Fund:

Ida E. Schott, in memory of Selma Markowitz.

Mr. and Mrs. M. B. Koblitz, in memory of Moses B. Freedman.

Edward L. Lux and Alan L. Littman, in memory of grandfather, Louis Littman.

Carl Adler, in memory of Jay Milton Thurman.

To the Prayer Book Fund:

Miss Rose M. Kohn, in memory of mother, Carrie Koblitz Kohn.

Mr. and Mrs. Charles Ascherman, in memory of father, Ben Korman.

In Memoriam

The Temple records with deep sorrow the passing of

STELLA E. GREENBAUM

CORNELIA WOLF

and extends its condolences to their bereaved families.

IDA ROSENWASSER

Mrs. Rosenwasser was one of the oldest members of The Temple, and a charter member of the Temple Women's Association. Her family has been prominently identified with The Temple for over three-score years.

The Temple records with pride her many years of faithful service to our religious institution, and extends profound sympathy to all the members of her family.

The Temple Memorial Book

The family of

ANNIE R. BRATBURD

has inscribed her beloved name
in The Temple Memorial Book.

Charles Evans Hughes: "The greater the importance of safeguarding the community from incitements to the overthrow of our institutions by force and violence, the more imperative is the need to preserve inviolate the constitutional rights of free speech, free press, and free assembly in order to maintain the opportunity for free political discussion, to the end that government may be responsive to the will of the people and that changes, if desired, may be obtained by peaceful means. Therein lies the security of the republic, the very foundation of constitutional government." (*De Jonge v. Oregon*, 299 U. S. 353 (365).)

William E. Borah: "If the press is not free; if speech is not independent and untrammelled; if the mind is shackled or made impotent through fear, it makes no difference under what form of government you live, you are a subject and not a citizen. Republics are not in and of themselves better than other forms of government, except insofar as they carry with them and guarantee to the citizen that liberty of thought and action for which they were established. (From a speech in the U. S. Senate, April 19, 1917. Reprinted in *Bedrock*, by William E. Borah. Washington, D. C., National Home Library Foundation, 1936, p. 143.)

William Allen White: "You tell me that law is above freedom of utterance. And I reply that you can have no wise laws nor free enforcement of wise laws unless there is free expression of the wisdom of the people—and, alas, their folly with it. But if there is freedom, folly will die of its own poison, and the wisdom will survive. That is the history of the race. It is the proof of man's kinship with God.

"You say that freedom of utterance is not for time of stress, and I reply with the sad truth that only in time of stress is freedom of utterance in danger. No one questions it in calm days, because it is not needed. And the reverse is true also; only when free utterance is suppressed is it needed, and when it is needed it is most vital to justice. Peace is good. But if you are interested in peace through force and without free discussion—that is to say, free utterance decently and in order—your interest in justice is slight. And peace without justice is tyranny, no matter how you may sugar-coat it with expediency. This State today is in more danger from suppression than from violence, because, in the end, suppression leads to violence. Violence, indeed, is the child of suppression. Whoever pleads for justice helps to keep the peace; and whoever tramples upon the plea for justice temperately made in the name of peace only outrages peace and kills something fine in the heart of man which God put there when we got our manhood. When that is killed, brute meets brute on each side of the line.

"So, dear friend, put fear out of your heart. This Nation will survive, this state will prosper, the orderly business of life will go forward if only men can speak in whatever way given them to utter what their hearts hold—by voice, by posted card, by letter or by press. Reason never has failed men. Only force and oppression have made the wrecks in the world." (The Editor and His People; editorials by William Allen White. New York, Macmillan, 1924; p. 343-349.)

James P. Pope: "The Bill of Rights is far more than a collection of guaranties; it is an exhortation to a quality of citizenship. For democracy to persist, there must persist the kind of people who established it. * * *

"The 10 paragraphs of the Bill of Rights are a reminder that men went cold and hungry, that their bare feet left bloodstains across the snow, that they hugged the holy ideal of liberty to their hearts in spite of all the odds that lay against them, in spite of suffering, deprivation, and discouragement.

"They did these things, not that we might enjoy freedom without risk or service, but

that we might sacrifice for its maintenance as they sacrificed for its establishment. The man who possesses liberty possesses the jewel of greatest price, and all the thievery of the world will burn to take it from him. There is never any let-up in the conflict between just men, seeking to retain freedom, and thieves, seeking to command the will of others. There must never be any let-up in the readiness of free people to do whatever needs to be done to cherish their independence. Implicit in the American Bill of Rights is a guarantee that transcends all others: 'The right of sacrifice in the cause of freedom is reserved to all the people.' (Our Bill of Rights: What It Means to Me, edited by James Waterman Wise. New York, Bill of Rights Sesquicentennial Committee, 1941; p. 110-111.)

Cordell Hull: "One hundred and fifty years ago the principles of the Bill of Rights constituted a bold doctrine. In vast world areas today they are treason. They are our salvation—for others they are a goal of attainment which may be tragically receding. They are a heritage of our own, to be cherished and preserved in their entirety and to be handed down by us to our posterity, unabridged and unimpaired." (A statement in the New York Times, October 2, 1939, p. 11.)

Wendell L. Willkie: "Americans have a genuine passion for liberty and a genuine passion for justice. Sometimes hatred obscures this instinct for fair play. It is well to remember that any man who denies justice to someone he hates prepares the way for a denial of justice to someone he loves." (From the New Republic, March 18, 1940, vol. 102, pt. I, p. 372.)

Franklin D. Roosevelt: "In the future days, which we seek to make secure, we look forward to a world founded upon four essential human freedoms.

"The first is freedom of speech and expression everywhere in the world.

"The second is freedom of every person to worship God in his own way everywhere in the world.

"The third is freedom from want, which, translated into world terms, means economic understandings which will secure to every nation a healthy peacetime life for its inhabitants everywhere in the world.

"The fourth is freedom from fear—which, translated into world terms, means a worldwide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor—anywhere in the world." (Address to the Seventy-seventh Congress, January 6, 1941. The CONGRESSIONAL RECORD, vol. 87, pp. 46-47.)

Franklin D. Roosevelt: "Storms from abroad directly challenge three institutions indispensable to Americans, now as always. The first is religion. It is the source of the other two—democracy and international good faith. * * *

"An ordering of society which relegates religion, democracy, and good faith among nations to the background can find no place within it for the ideals of the Prince of Peace. The United States rejects such an ordering, and retains its ancient faith."

"There comes a time in the affairs of men when they must prepare to defend not their homes alone but the tenets of faith and humanity on which their churches, their governments, and their very civilization are founded. The defense of religion, of democracy, and of good faith among nations is all the same fight. To save one we must now make up our minds to save all. * * *

"We have learned that God-fearing democracies of the world which observe the sanctity of treaties and good faith in their dealings with other nations cannot safely be indifferent to international lawlessness anywhere. * * *

"I hear some people say, 'This is all so complicated. There are certain advantages in

a dictatorship. It gets rid of labor trouble, of unemployment, of wasted motion, and of having to do your own thinking.'

"My answer is, 'Yes; but it also gets rid of some other things which we Americans intend very definitely to keep—and we still intend to do our own thinking.' * * *

"Dictatorship, however, involves costs which the American people will never pay: The cost of our spiritual values; the cost of the blessed right of being able to say what we please; the cost of freedom of religion; the cost of seeing our capital confiscated; the cost of being cast into a concentration camp; the cost of being afraid to walk down the street with the wrong neighbor; the cost of having our children brought up, not as free and dignified human beings but as pawns molded and enslaved by a machine. * * *

"Once I prophesied that this generation of Americans had a rendezvous with destiny. That prophesy comes true. To us much is given; more is expected.

"This generation will 'nobly save or meanly lose the last best hope of earth. * * * The way is plain, peaceful, generous, just—a way which, if followed, the world will forever applaud and God must forever bless.'" (Message to Congress, January 4, 1939. The CONGRESSIONAL RECORD, vol. 84, pp. 74, 75, 77.)

LAWS AND RULES FOR PUBLICATION OF THE CONGRESSIONAL RECORD

CODE OF LAWS OF THE UNITED STATES

TITLE 44, SECTION 181. CONGRESSIONAL RECORD; ARRANGEMENT, STYLE, CONTENTS, AND INDEXES.—The Joint Committee on Printing shall have control of the arrangement and style of the CONGRESSIONAL RECORD, and while providing that it shall be substantially a verbatim report of proceedings shall take all needed action for the reduction of unnecessary bulk, and shall provide for the publication of an index of the CONGRESSIONAL RECORD semimonthly during the sessions of Congress and at the close thereof. (Jan. 12, 1895, c. 23, § 13, 28 Stat. 603.)

TITLE 44, SECTION 182b. SAME; ILLUSTRATIONS; MAPS; DIAGRAMS.—No maps, diagrams, or illustrations may be inserted in the RECORD without the approval of the Joint Committee on Printing. (June 20, 1936, c. 630, § 2, 49 Stat. 1546.)

Pursuant to the foregoing statute and in order to provide for the prompt publication and delivery of the CONGRESSIONAL RECORD the Joint Committee on Printing has adopted the following rules, to which the attention of Senators, Representatives, and Delegates is respectfully invited:

1. *Arrangement of the daily Record.*—The Public Printer will arrange the contents of the daily RECORD as follows: First, the Senate proceedings; second, the House proceedings; third, the Appendix: *Provided*, That when the proceedings of the Senate are not received in time to follow this arrangement, the Public Printer may begin the RECORD with the House proceedings. The proceedings of each House and the Appendix shall each begin a new page, with appropriate headings centered thereon.

2. *Type and style.*—The Public Printer shall print the report of the proceedings and debates of the Senate and House of Representatives, as furnished by the official reporters of the CONGRESSIONAL RECORD in 7½-point type; and all matter included in the remarks or speeches of Members of Congress, other than their own words, and all reports, documents, and other matter authorized to be inserted in the RECORD shall be printed in 6½-point type; and all roll calls shall be printed in 6-point type. No italic or black type nor words in capitals or small capitals shall be used for emphasis or prominence; nor will unusual indentions be permitted. These re-

strictions do not apply to the printing of or quotations from historical, official, or legal documents or papers of which a literal reproduction is necessary.

3. *Return of manuscript.*—When manuscript is submitted to Members for revision it should be returned to the Government Printing Office not later than 9 o'clock p. m., in order to insure publication in the RECORD issued on the following morning; and if all of said manuscript is not furnished at the time specified, the Public Printer is authorized to withhold it from the RECORD for 1 day. In no case will a speech be printed in the RECORD of the day of its delivery if the manuscript is furnished later than 12 o'clock midnight.

4. *Tabular matter.*—The manuscript of speeches containing tabular statements to be published in the RECORD shall be in the hands of the Public Printer not later than 7 o'clock p. m., to insure publication the following morning.

5. *Proof furnished.*—Proofs of "leave to print" and advance speeches will not be furnished the day the manuscript is received but will be submitted the following day, whenever possible to do so without causing delay in the publication of the regular proceedings of Congress. Advance speeches shall be set in the RECORD style of type, and not more than six sets of proofs may be furnished to Members without charge.

6. *Notation of withheld remarks.*—If manuscript or proofs have not been returned in time for publication in the proceedings, the Public Printer will insert the words "Mr. ——— addressed the Senate (House or Committee). His remarks will appear hereafter in the Appendix," and proceed with the printing of the RECORD.

7. *Thirty-day limit.*—The Public Printer shall not publish in the CONGRESSIONAL RECORD any speech or extension of remarks which has been withheld for a period exceeding 30 calendar days from the date when its printing was authorized: *Provided*, That at the expiration of each session of Congress the time limit herein fixed shall be 10 days, unless otherwise ordered by the committee.

8. *Appendix to daily Record.*—When either House has granted leave to print (1) a speech not delivered in either House, (2) a newspaper or magazine article, or (3) any other matter not germane to the proceedings, the same shall be published in the Appendix, but this rule shall not apply to quotations which form part of a speech of a Member, or to an authorized extension of his own remarks: *Provided*, That no address, speech, or article delivered or released subsequent to the final adjournment of a session of Congress may be printed in the CONGRESSIONAL RECORD.

9. *Official reporters.*—The official reporters of each House shall indicate on the manuscript and prepare headings for all matter to be printed in the Appendix, and shall make suitable reference thereto at the proper place in the proceedings.

10. *Estimate of cost.*—No extraneous matter in excess of two pages in any one instance may be printed in the CONGRESSIONAL RECORD by a Member under leave to print or to extend his remarks unless the manuscript is accompanied by an estimate in writing from the Public Printer of the probable cost of publishing the same, which estimate of cost must be announced by the Member when such leave is requested; but this restriction shall not apply to excerpts from letters, telegrams, or articles presented in connection with a speech delivered in the course of debate or to communications from State legislatures, addresses or articles by the President and the members of his Cabinet, the Vice President, or a Member of Congress. The Public Printer or the official reporters of the House or Senate shall return to the Member of the respective House any matter submitted for the CONGRESSIONAL RECORD which is in contravention of this paragraph.

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