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## K.K. SHEARITH ISRAEL'S FIRST LANGUAGE: PORTUGUESE

The earliest extant minute book of the Spanish and Portuguese Congregation Shearith Israel in New York, covering the years 1728-1760, is in Portuguese and English, on facing pages.<sup>1</sup> The English version has been published *in extenso*.<sup>2</sup> The first 13 pages contain "certain wholesome rules and restrictions," amounting to what is in effect the first Constitution of K.K. Shearith Israel. The English version of just those pages was summarized and transcribed once more in full by David de Sola Pool.<sup>3</sup> No part of the Portuguese text of the minute book has until now been published or commented upon. In this brief study I shall reproduce the introductory "rules and restrictions" in both languages, section by section, followed by a philological commentary which addresses the following questions:

1) What kind of Portuguese was being spoken in 1728 by K.K. Shearith Israel's Sephardic trustees and members, most of whom were second and third generation New Yorkers, *i.e.*, how idiomatic was it and how did it compare to the language as spoken in Portugal and in the Portuguese Jewish diaspora of that time?

2) How did the English of these no doubt bilingual people affect their Portuguese?

3) Were the "Wholesome Rules and Restrictions" conceived in Portuguese and then translated into English, or vice-versa?

At the close of the philological comparison I shall attempt to explain the significance of the Portuguese language among the Sephardim of Western Europe and the Americas.

In my transcription of both languages, spelling (except in proper names), capitalization and punctuation are modernized; non-Portuguese words in the Portuguese text and non-English words in the English text are italicized; all abbreviations are developed.

Em nome *del Dio* bendito, amen

Porquanto no ano de 5466 (1706), ou cerca essa data, certas boas reg-

ras e instruções foram em aqueles tempos feitas pelos velhos desta nossa santa *congrega* chamada ישראל ישראל, para a conservação da paz, união e bom governo entre eles e os que depois deles seguissem—as quais por negligência não foram postas em força por alguns tempos passados—nós agora nos ajuntamos de comum acordo e resolvemos reviver as mesmas com algumas alterações e adições, as quais são as seguintes:

In the Name of the Blessed God, amen

Whereas on or about the year 5466 (1706) certain wholesome rules and restrictions have been made by the then elders of our holy congregation to preserve peace, tranquillity and good government amongst them and those after them, and as they have been neglected to be put in due force for some time past, we now meet with common consent and resolve to revive the same, with some amendments and additions, which are as follows:

COMMENTARY:

The Portuguese designation of the Deity is *Deus*, yet congregational records, printed Portuguese texts and tombstone inscriptions of the Portuguese Jewish communities of Europe and the Americas sometimes employ the ancient Judeo-Spanish *el Dio* (accent on the ‘o’) or just *Dio*. The Portuguese *émigrés* who adopted Judaism in Italy, the Netherlands and elsewhere were taught by the Levantine Spanish-speaking rabbis who at first ministered to them, not to say *Deus* in Portuguese or *Dios* in Spanish. The Spanish Jews before and after the expulsion used *el Dio* in preference to normal Spanish *Dios* in order to avoid the plurality supposedly inherent in the latter, although in reality *Dios* is a variant of the Latin singular *Deus*.) The *raison d’être* of the Spanish article *el* in conjunction with *Dio* has not been satisfactorily explained. The form does not sound entirely foreign in Portuguese, because Portuguese kings are often designated by the Spanish article *el* rather than by the Portuguese article *o*, e.g., *el-rei D. João I* alternates with *o rei D. João I* in normal Portuguese usage. In the course of the 18th century the Portuguese Jews went back to using *Deus* in Portuguese and *Dios* in Spanish, even in fossilized expressions such as the one here under consideration.<sup>4</sup>

The word *congrega* (= *kahal*) is not Portuguese, but Italian. From Venice it spread to all the Portuguese Jewish communities of Europe and the Americas. The Portuguese *congregação*, although sometimes used as a synonym of *congrega*, does not have the meaning *kahal* that Jews attribute to it, but then neither does the English word “congregation,” which also borrowed its Jewish sense (not recognized by the Ox-

*ford Concise Dictionary*) from the Italian *congrega*.

It is remarkable that, in the Portuguese version only, the Hebrew name of the congregation is given, and transcribed in Hebrew letters (the only time when a Hebrew word is not transliterated into Latin letters). Its omission in the English version suggests that the Portuguese text, though it contains anglicisms, is, in fact, the original version of the document.

The expression *postas em força*, for instance, is an anglicism: the true Portuguese equivalent of “to put in force” is *pôr em vigor*. Similarly, the Portuguese verb *reviver* cannot be used transitively. It is being used here incorrectly to reproduce the English transitive “revive”: *Resuscitar* would have been an acceptable equivalent.

Unidiomatic in English is the preposition “on” followed by a year. The Portuguese *no* is the normal contraction of *em o*, meaning “in the,” but *em* could also mean “on,” which perhaps explains the confusion.

Nº 1: que se fará eleição de um *parnas* y dois *hatanims*, quais servirão de adjuntos para o bom governo da nossa santa *congrega*, em ordem do qual temos agora este ano de 5489 (1729) elegido o Senhor Mose Gomes por *parnas*, a quem demos em ajunta pública poder para que fizesse eleição de dois *hatanims* e adjuntos para este presente ano; conforme isso elegeu ao Senhor Daniel Gomes por *hatan tora* e primeiro adjunto e ao Senhor Benjamim Mendes Pacheco por *hatan beresit* e segundo adjunto; do que para o futuro fica em força que o *parnas* que servir esse ano e os dois adjuntos que entonces forem, tenham poder de elegerem outros em seu lugar cada ano;

Firstly: There shall be elected a *parnas* and two *hatanim*, which shall likewise serve as assistants for the good government of our holy congregation, and in order to which we have now this year of 5489 elected Mr. Moses Gomez for *parnas*, to whom we gave power that he might elect two *hatanims* and as assistants for this present year. And accordingly he did elect Mr. Daniel Gomez for *hatan tora* and first assistant and Mr. Binjamin Mendez Pacheco as *hatan bereshit* and second assistant. And for the future the *parnas*, and his assistants then in being, has power to choose another *parnas* and assistants in their rooms yearly.

COMMENTARY:

The colloquial “super-plural” *hatanims* is present in both versions, yet the first time it is used in the English version it is without the superfluous “s.”

In the Portuguese text the relative personal pronoun *quais* should

have been introduced by the article *os*. Its absence is no doubt due to the absence of the article before the (now archaic) English relative personal pronoun “which.”

*Em ordem do* (“in order to”) comes from English. It makes no sense in Portuguese: *com o fim do* is the true equivalent.

As we have seen above, *em força* is an anglicism for *em vigor*, yet, curiously, the English text provides no equivalent here.

“In their room(s)” is not a lusitanism, but was up to the 19th century a perfectly acceptable equivalent for “in their place” or “in their stead.”

Nº 2: damos autoridade aos dois Senhores que forem eleitos cada ano, conforme o costume das congregas judaicas, para que com o temor de Deus obrem conforme suas consciências lhes ditar para o governo desta nossa congrega;

Secondly: We give authority to the Gentlemen that shall be elected yearly as is customary in the Jewish congregations that with the fear of God they may act as their conscience shall dictate them for the well governing of our said congregation.

COMMENTARY:

The *dois* (“two”) of the Portuguese text was forgotten in the English, which again points to the former as the original. The Portuguese text, with its characteristic use of the imperfect and future subjunctive, has idiomatic flavor.

Nº 3: se alguma pessoa ou pessoas se descompuserem ou afrontarem com palavras ou obra a qualquer pessoa ou pessoas dentro da esnoga, ele ou eles assim ofendendo serão obrigados a pagar ao *parnas* que entonces for a soma de vinte *shillings*, se o dito *parnas* e seus adjuntos julgarem que ele ou eles ofenderam; o qual dinheiro será aplicado para o uso da congrega; e em caso que refusar pagar dita pena, toda a congrega dará assistência ao dito *parnas* e a seus adjuntos para receber a dita pena;

Thirdly: If any person or persons whatsoever shall offer to give any affront or abuse, either by words or action, to any person or persons within the said synagogue, he or they so offending shall be obliged to pay to the *parnas* then in being the sum of twenty shillings, if it be adjudged by the said *parnas* and assistants that he or they have offended, which money shall be applied for the use of the synagogue; and if

## TRADITION

refused to pay the said fine, the whole congregation shall assist the said *parnas* and assistants to recover the same.

### COMMENTARY:

The Portuguese text again reads idiomatically. Its author juggles with the imperfect subjunctive and the personal infinitive in a way which identifies him as a native speaker.

He refers to the synagogue (*sinagoga* in official Portuguese) by the familiar term *esnoga*, a relic of the Middle Ages, kept alive in the Portuguese Jewish communities of Europe and the Americas. (In Amsterdam the word has been “Dutchified” into *snoge* with a guttural “g”; in Curaçao it has been incorporated into Papiamentu as *snoa*.)

The Spanish word *entonces* (“then”) was also good Portuguese into the 18th century. (Today only the Portuguese equivalent *então* is used by Portuguese speakers.)

Curiously, in one case, *congrega* corresponds in the English text to “synagogue,” and in the other to “congregation.”

Nº 4: qualquer pessoa que for elegido por *parnas* e recusar de servir, pagará a soma de libras três; como também aqueles que forem eleitos noivos e não admitirem, pagarão a pena de quarenta *shillings* cada um; as quais somas se aplicarão para o uso como no 3º artículo está especificado;

Fourthly: Whoever shall be elected *parnas* and refuse to serve shall pay the sum of three pounds; also those *hatanims* that shall be elected and refuse to act in the said post shall pay a fine of forty shillings, each one which sums shall be applied as in the 3d article is specified.

### COMMENTARY:

Of the two past participles of the verb *eleger* (“to elect”), *elegido* and *eleito*, it is the latter which applies to a person *elected* and the former to a person otherwise *designated*.

Whether or not *elegido* is here the correct choice of participle, it should have agreed with the feminine *pessoa* (person) which it modifies.

*Recusar de* is not idiomatic Portuguese. The equivalent of “refuse to” is *negar-se a*, or *recusar*, or *refusar*, without the “de,” as above in section 3.

Interestingly, in this section the Portuguese word *noivos* is used for the bridegrooms of the Law, whereas the English text sticks to the Hebrew word *hatanim*. Perhaps the English equivalent did not come readily to the translator's mind.

The unidiomatic absence of the preposition *of* in the phrase "each one which sums" may be due to interference from the Portuguese *as quais somas* (literally, "the which sums"), or simply a *lapsus calami*.

The word *artículo* is Portuguese, but in the sense of section of a document, *artigo* is required. Here and below in section 10, *artículo* may be considered an anglicism.

Nº 5: que em caso houver alguma disputa, de modo que o *parnas* e seus adjuntos não acordem, chamarão um indiferente, o qual eles escolherão, e determinará a diferença entre eles;

Fifthly: In case any disputes may arise so that the *parnas* and his assistants cannot agree, an indifferent person whom they shall choose shall decide the difference between them.

COMMENTARY:

The two versions are equally idiomatic.

Nº 6: nenhuma pessoa será elegida por *parnas* não sendo casado; nem nenhum casado sem primeiro haver servido por *hatan tora* ou *hatan beresit*:

Sixthly: No unmarried man shall be elected *parnas*, nor a married man before he has served either for *hatan Tora* or *hatan bereshit*.

COMMENTARY:

The Portuguese could have been made more concise had the word *solteiro* ("bachelor") been used: *nenhum solteiro será elegido por parnas* ("no bachelor shall be elected parnas").

Nº 7: se alguma pessoa pobre vier a esta cidade e necessitar de assistência da esnoga, o *parnas* terá poder para dar pelo seu sustento oito *shillings* por semana e não mais, não excedendo o termo de doze semanas; e o *parnas* usará seus melhores meios para o despachar quanto mais depressa possível, assistindo-o com o preciso para suas viagens, não excedendo de quarenta *shillings* por uma pessoa; mas em caso que for família, entonces chamará o *parnas* seus adjuntos e consultará com

## TRADITION

ambos para o mantimento enquanto estiverem na terra, como também o necessário para seu despacho; e os pobres desta *congrega* que se aplicarem por *sedaca* serão assistidos com quanto o *parnas* e seus adjuntos lhes parecerem conveniente;

Seventhly: If any poor person should happen to come to this place and should want the assistance of the synagogue, the *parnas* is hereby empowered to allow every poor person for his maintenance the sum of eight shillings per week and no more, not exceeding the term of two weeks. And the *parnas* is also to use his utmost endeavours to dispatch them to some other place as soon as possible, assisting them with necessaries for their voyage: that is, for a single person, forty shillings but if it be a family, then the *parnas* shall call his assistants and consult with them both for their maintenance whilst ashore, and also for their necessaries when they depart; those poor of this congregation that shall apply for *sedaca* shall be assisted with as much as the *parnas* and his assistants shall think fit.

### COMMENTARY:

With few exceptions, the Portuguese text continues to flow idiomatically from the author's pen.

Curiously, the Portuguese singular *o despachar* ("to dispatch him"), which agrees with the preceding subject, has become plural in the English text ("to dispatch them"), apparently a case of careless translation. Had the correct Portuguese been a translation of incorrect English, that mistake would have been rectified.

The verbal construction *aplicar-se por* is totally unidiomatic. The Portuguese equivalent of "to apply for" is *solicitar*. We have here an evident case of the influence of English on the Portuguese spoken in K.K. Shearith Israel.

On the other hand, the plural personal infinitive *parecerem* is ungrammatical: the impersonal infinitive *parecer* was required. In the English version the *parnas* and his assistants are the subject of "shall think fit," whereas in the Portuguese text the subject is impersonal ("as may seem fit to the *parnas* and his assistants").

Nº 8: que as promessas se cobrarão cada três meses por o *parnas*, como também por não nos parecer conveniente vender as *misvots*, resolvemos que para o adiante o Senhor *parnas* com seus adjuntos hajam de taxar os assentos dos homens conforme até agora estão sentados, não excedendo de quinze *shillings* por cada assento por ano, nem menos de

cinco *shillings*, o que servirá em suprimimento do que podiam render as *misvots*; quais repartirá o Senhor *parnas*, como as demais do ano.

Eighthly: The offerings shall be gathered every three months by the *parnas*. As likewise it not being convenient the selling of *misvots*, it is resolved for the future that in lieu thereof the *parnas* with his assistants shall tax the mens' seats in the synagogue, as they are now seated, but not exceeding fifteen shillings each seat per annum, nor less than five shillings, and the *misvots* shall be given out by the *parnas*, as the whole year.

COMMENTARY:

The Portuguese *por o* ("by the" or "for the") would today be contracted into *pelo*, as above in section 6. Until the end of the 18th century such contraction was optional.

The word *conveniente* means "seemly, decorous, decent," *i.e.*, Shearith Israel's trustees considered the auctioning of *misvot* unseemly. The English "convenient" does not have that meaning and is a glaring lusitanism. Earlier on, however (in section 7), *conveniente* was correctly rendered by "fit."

The entire expression, "as likewise it not being convenient," is an unidiomatic reproduction of the perfectly idiomatic *como também por não nos parecer conveniente* ("as likewise the selling of *misvot* does not appear seemly to us").

A string of words in the last part of this section (*o que servirá em suprimimento do que podiam render as misvots*) has been neatly tucked away in the English version's "that in lieu thereof."

Here, as in section 1, above, *quais* has lost its idiomatic introductory *as*, no doubt through the influence of English "which," present in the author's mind but dispensed with in the English text.

The expression *como as demais do ano* is mysterious. In idiomatic Portuguese it can only be taken to mean, "as the other (*misvot*) of the year." If the English "as the whole year" is intended, the Portuguese should have been *como todo o ano*.

Nº 9: Nós agora presentes e aqueles que daqui por diante forem admitidos por *yehidims* desta *congrega* se hão-de submeter aos artículos acima.

Ninthly: We now present and those that shall hereafter be admitted as *yehidims* into this congregation do and shall submit to the foregoing articles.

## TRADITION

### COMMENTARY:

The Portuguese text reads *hão-de submeter* (“must submit”). The English “do and shall submit” seems to imply freedom of choice.

Nº 10: O *parnas* será obrigado de mandar ler duas vezes cada ano estes artículos na esnoga, tanto em português como em inglês.

Tenthly: The *parnas* shall be obliged twice a year to cause these articles to be read in the synagogue, both in Portuguese and English.

### COMMENTARY:

The verb *obrigar* cannot be followed by the preposition *de*. Correct Portuguese requires *obrigado a*.

The precedence of the Portuguese text is here clearly stated.

Firmada em New York no *Kahal Kados* de *Sheerit Israel* a 12 de Tisri anno 5489

Signed in New York in the *Kahal Kados* of *Sheerit Israel* the 12 of Tisri anno 5489 (September 15, 1728)

### COMMENTARY:

The city is referred to in the Portuguese text by its English name, not by the Portuguese name *Nova Iorque*.

### CONCLUSION:

The short text here analyzed suffices to show that the Portuguese spoken in early 18th century Congregation Shearith Israel was syntactically and lexicologically influenced by English, as is to be expected from speakers who were nearly all native New Yorkers “from way back.” That the “wholesome rules and restrictions” were conceived in a hybrid Portuguese and subsequently translated into English is, I believe, shown by the adduced evidence.

Was the bilingual pocket an anomaly in British New York?

In 1728 it was but a half-century since the colony had come under British administration and it was only in the 1690’s that official city records began to be kept in English as well as Dutch. New York’s Dutch Reformed Church maintained links with the Netherlands and the use of the Dutch language for Bible reading, prayer, sermons and

catechism into the 19th century. But then Dutch was the former official language of the colony and still the home language of a sizeable segment of the population.

How different from Dutch was the status of Portuguese! The home country of the Portuguese language had disowned its Jewish offspring. Portuguese played no role in the colony, was not used in Jewish prayer, the Bible was never read in Portuguese, translations existed only into Spanish, the Portuguese-speaking *hazanim* of K.K. Shearith Israel were not preachers, and the few Sephardic families, though constituting the elite, already by 1729 found themselves outnumbered in their own congregation.<sup>5</sup> The question of why and how the Portuguese language survived in New York City against such odds until the American Revolution deserves a moment of consideration.

Why Portuguese? Why bilingual?

The Western Sephardim, who founded the Sephardic communities of Hamburg, Amsterdam, The Hague, London, Leghorn, Bayonne, Bordeaux, Paris,<sup>6</sup> Recife, Surinam, Curaçao, Jamaica, Barbados, Nevis, St. Thomas, New York, Newport, etc., were the Portuguese “New Christians,” whose Spanish and Portuguese Jewish ancestors had been subjected to the mass baptism ordered by King Manuel I in 1497. An amalgam took place during the Renaissance between two concepts: that of the “Nation of New Christians” (as they were called in Portugal) and a nebulous non-religiously defined “Portuguese Nation,” encompassing those who returned to (or, rather, adopted) Judaism in exile from Portugal. One of the principal components of the “New Jews” identity was the Portuguese language, although Spanish and, of course, proper Hebrew were not neglected. Another component was gentility, referred to in Portuguese as *gravidade*. These Sephardic gentlemen and ladies were therefore not in the first place Jews, but Portuguese Jews. Portuguese Jews were “we”; “Levantine” Spanish-speaking Sephardim, whose forbears had never been Christians, also, but not quite, “we”; Ashkenazim—fellow-Jews, to be sure, but devoid of Portuguese, Spanish, proper pronunciation of Hebrew and *gravidade*—were “they.”

The capital of the “Portuguese Nation” was the exclusive Sephardic Congregation “Talmud Tora” in Amsterdam, where all correspondence was conducted, sermons delivered, books written and printed in Portuguese, or, as a second choice, Spanish. This was the model for all the Sephardic congregations of Western Europe and the Americas. Here the congregational minutes were kept only in Portuguese from 1614 until June 8 1815,<sup>7</sup> intermarriage with Ashkenazim did not take

## TRADITION

place until the 19th century, and the two to three thousand Portuguese Jews constituted an ethnic subgroup and a linguistic subculture within Dutch society.

Thus, the simultaneous English translation of the Portuguese text in K.K. Shearith Israel's pre-Revolution minute books represents a concession to an unprecedented situation: Sephardim and Ashkenazim united in one Sephardic congregation! The original text, on the other hand, represents "the Portuguese connection," a *sine qua non* for Sephardic identity in the 18th century Americas.

## NOTES

1. There is also the odd Spanish entry, *e.g.*, for 28 Iyar 5498.
2. Cf. *Publications of the American Jewish Historical Society*, 21, 1913, pp. 1-82.
3. Cf. *An Old Faith in the New World, Portrait of Shearith Israel 1654-1954*, New York, 1955, pp. 258-259, 499-500. The opening pages in both languages are reproduced photographically *ibid.*, after p. 268. Two Portuguese pages from the same minute book are reproduced photographically in D. de Sola Pool, *The Mill Street Synagogue (1730-1817) of the Congregation Shearith Israel*, New York, 1930, pp. 19, 33.
4. Cf. H.P. Salomon, "Me-am Lo'ez - The Language Corner," *The American Sephardi*, 5, 1-2, 1971, pp. 67-68.
5. Cf. the letter written c. 1729 to Rodrigo (alias Benjamin Mendes) Pacheco and Daniel Gomes, trustees of K.K. Shearith Israel, by Rephael Jesurun, the *haham* of Curaçao's K.K. Mikveh Israel (I quote from a contemporary translation, the Portuguese original being lost): "Now I must tell you that the members of this holy congregation who devoutly contributed towards this benefaction, as they know that the Asquenazim, or Germans, are more in number than we there, they desire of you not to consent, notwithstanding they are the most, to let them have any more authority than they have had hitherto, and for the performance of which you are to get them to sign an agreement of the same by all of them ..." (*Publications of the American Jewish Historical Society*, 27, 1920, p. 3-4).
6. In the French Sephardic congregations, for reasons too complex to set out in this note, Spanish gained the upper hand over Portuguese.
7. The decision to keep the minutes "henceforth in the vernacular" and to change the name of the congregation from "Portuguese Israelite" to "Dutch Portuguese Israelite" was taken at the Trustees' meeting of June 8, 1815, a year and a half after the liberation of the Netherlands from French rule. Cf. *Resolutie-boek* 34, Portuguese Archives in the Municipal Archives of Amsterdam. At some later date the word "Dutch" was again dispensed with. Sermons were not delivered in Dutch until after the middle of the 19th century. Even today, in the Hebrew prayer for the Royal Family and the magistrates of Amsterdam, their titles are recited in Portuguese and certain announcements are made from the *teba* in Portuguese.