

# “*Tocante O Governo Politico da Nação Judaica Portuguesa de Curaçao*”

## Leading and Ruling the Jews of Curaçao from 1651 to Today

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The formal regulations of Curaçao’s Portuguese Israelite congregation, Mikvé Israel,<sup>1</sup> are important to understanding the more than 365-year history of the Jews of Curaçao. Elements of these seventeenth- and eighteenth-century regulations, or *haskamoth*—and of Jewish practices inside and outside the historic congregation—can be traced back to those of the Portuguese communities of Amsterdam and Venice and are found also in the *haskamoth* of other Caribbean communities.<sup>2</sup> A number are reproduced in the authoritative *History of the Jews of the Netherlands Antilles* by Isaac S. Emmanuel and Suzanne A. Emmanuel,<sup>3</sup>

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1 Mikvé Israel was founded by Spanish and Portuguese Sephardic Jews in 1651. Since 1964, the originally Orthodox congregation has followed a liberal ritual. Western Sephardic Jews are referred to as Spanish and Portuguese Jews, or often simply as Portuguese Jews. This nomenclature distinguishes these Jews from Eastern Sephardic Jews, who are found in Northern Africa, Greece, and Turkey.

2 Arnold Wiznitzer, *The Records of the Earliest Jewish Community in the New World* (New York: The American Jewish Historical Society, 1954): 9, 10. “The regulations of Amsterdam which served as a model for ... Mikveh Israel of Curaçao and many others ... had in turn been patterned after those of the Portuguese Congregation Talmud Torah of Venice ... and certainly those of the Lisbon community during the fifteenth century.”

3 Isaac S. Emmanuel and Suzanne A. Emmanuel, *History of the Jews of the Netherlands Antilles*, 2 vols. (Cincinnati: American Jewish Archives, 1970). The *haskamoth* of Mikvé Israel, Emanu-El and/or Mikvé Israel-Emanuel referred to by these authors and/or reviewed for the first time in this article can mostly be found at one or more of the following: the Mongui Maduro Library in Curaçao (hereafter “MML”); the American Jewish Archives (AJA) in Cincinnati, Ohio; and Leiden University in the Netherlands. *Haskamoth* commented upon by Emmanuel and Emmanuel but not available at any of these libraries or archives are presumably in the Old Archives of Curaçao (OAC) in The Hague (NL-HaNA).

who discuss them from a religious/historical perspective. In his *Jews of the Dutch Caribbean*,<sup>4</sup> Alan Benjamin includes Mikvé Israel's *haskamoth* in his analyses of the social and religious fabric of Jewish life in Curaçao. Bastiaan van der Velden focuses on the lay leadership's judiciary powers in the Jewish community in his review of historical legal practices in Curaçao.<sup>5</sup>

This article differs from earlier analyses and reviews by examining how the governance stipulations in the *haskamoth* of Mikvé Israel were used for over three centuries to lead and rule firmly over the Jews of Curaçao, both in the synagogue and in Jewish society at large, and how this helped shape the history of the Jewish community. Several of these *haskamoth* have not been available, reviewed, or analyzed before; together, they complete the regulations that over the past 365-plus years have governed the Jews of Curaçao.

The dominance exercised by the lay leaders of this historic Sephardic Jewish congregation led to a number of conflicts between lay and spiritual leaders during the first two and a half centuries of Mikvé Israel.<sup>6</sup> Curaçao's regulations of 1756,<sup>7</sup> from which the title of this article is borrowed, stated that the mahamad<sup>8</sup> had "full authority and superiority in the government of the Congregation" and could be neither "contravened

4 Alan F. Benjamin, *Jews of the Dutch Caribbean* (New York and London: Routledge, 2002).

5 Bastiaan van der Velden, *Ik lach met Grotius en alle die prullen van boeken* (Amsterdam: Carib Publishing, 2011).

6 Emmanuel and Emmanuel, *History of the Jews*; "Dissension, Conflict and Schism" in *Connecting the Lights*, ed. Michèle Russel-Capriles and Ron Gomes Casseres (Willemstad, Curaçao: Congregation Mikvé Israel-Emanuel and the Jewish Cultural Historical Museum of Curaçao, 2016); also described by Jessica Roitman and Hilit Surowitz-Israel in *The Jews in the Caribbean*, ed. Jane S. Gerber (Portland, OR: The Littman Library of Jewish Civilization, 2014).

7 An original version is found in the archives of Congregation Mikvé Israel-Emanuel, MML, Curaçao.

8 *Ma'amad* or *mahamad* was the governing authority of the Jewish community. The composition and authority were first stated in Curaçao's 1671 regulations. In Dutch documents, the lay leadership is also described as *kerkbestuur* or *kerkraad*, while in today's Mikvé Israel-Emanuel, the Spanish term *directiva* is used. In this article I will use *mahamad* to refer to all of the above.

nor contradicted.” One might wonder: Why did the congregational membership repeatedly ratify *haskamoth* that gave such extensive powers to the mahamad? This article examines what gave the mahamad the power to exercise such dominant governance and religious control from the seventeenth to the nineteenth centuries.



1732 Mikvé Israel-Emanuel synagogue, the oldest in continuous use in the Americas.  
(Courtesy Natalia Morón)

### **The *Haskamoth* of Mikvé Israel, 1671 to 1896**

The first Jews settled in Curaçao from Amsterdam in 1651. They were led by Joao d’Yllan under license from the Dutch West India Company (WIC). The charter granted to d’Yllan in 1651 promised the Jewish settlers “the same freedoms as were given to the [Jewish] settlers in New Nederland,” meaning the freedom to practice their religion.<sup>9</sup> To have an orderly settlement and religious practices, d’Yllan’s group of twelve families likely made their own regulations upon arrival. Those

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9 Quoted by Jessica Roitman, “Mediating Multiculturalism: Jews, Blacks, and Curaçao, 1825–1970,” in *The Sephardic Atlantic*, ed. S. Rausenbach and Jonathan Schorsch (New York: Palgrave, 2018), 92.

first regulations surely addressed the need for order in their settlement at Plantation “De Hoop” as well as in religious life. The regulations of 1651, which have not survived, were gradually extended in the next twenty years to include synagogue regulations.<sup>10</sup>

Mikvé Israel had no shortage of *haskamoth* in the first three hundred years of its existence. These *haskamoth* were extensive and detailed, and they included punishment for any noncompliance with the regulations or the mahamad’s directives. The *haskamoth* were variously written in Portuguese, Dutch, or Spanish, depending on the common language used by members of the Jewish community. Portuguese was the dominant language<sup>11</sup> among Curaçao’s Sephardic Jews, who came principally through Amsterdam. Portuguese ceded to Spanish in the middle of the nineteenth century and to Dutch and English in the twentieth century.<sup>12</sup>

The regulations of 1671 are the earliest set that have survived.<sup>13</sup> The religious stipulations are said to be based on those in the mother community Kahal Kados Talmud Torah in Amsterdam but adapted to local conditions. These regulated the control that the mahamad had over settlers and congregants, which was also common in the seventeenth century in many other Western Sephardic communities. Ruderman wrote that in Livorno, a bustling port city in Italy with a significant

10 Emmanuel and Emmanuel, *History of the Jews*, 52.

11 Bart Jacobs, “A New Perspective on the Linguistic Profile of the Curaçaoan Sephardim, 1650–1750,” *Journal of Jewish Languages* 4 (2016): 141–165. Jacobs argues that Spanish prevailed in secular realms, whereas in the seventeenth and eighteenth centuries Portuguese was used in the religious and ceremonial domains of Curaçao’s Sephardim. Charles Gomes Casseres wrote in his *Istoria Körtiku di Hudiunan di Kòrsou* (translated from the original Papiamentu: *A Brief History of the Jews of Curaçao*)(Kòrsou: Drukkerij Scherpenheuvel, 1990), 11, “These Sephardim, whose ancestors had lived as *marranos* for three generations in Portugal, attending Portuguese schools and universities, had adopted Portuguese as their daily language. They wrote their letters and the minutes of their congregation in Portuguese, and had their rabbis preach in that same language.” The last sermon in Portuguese was delivered by Chief Rabbi Hakham Aaron Mendes Chumaceiro, who served from 1856 to 1868. The last Portuguese epitaph in the old Beth Haim cemetery dates from 1865.

12 Aviva Ben-Ur, “The cultural heritage of Eurafrikan Sephardi Jews in Suriname,” in *The Jews in the Caribbean*, 179.

13 Emmanuel, Appendix I, 541–617, includes a discussion of the *haskamoth* of Mikvé Israel from 1671 through 1897 from a religious-historical perspective.

Sephardic population, “on matters pertaining to religious law,” the mahamad “might consult the rabbis for their expert opinions but ultimately they had the sole prerogative to decide these matters as well.”<sup>14</sup> This was also the case elsewhere in the Caribbean. Of the Jewish community of Barbados, which looked to London for religious guidance, Watson wrote that “the mahamad kept a firm hand on the Yehidim.... The mahamad, in some cases more so than the religious functionaries, were the final arbiters of Orthodoxy and the maintainers of the spirit of Sephardic identity.”<sup>15</sup> Yosef Kaplan goes a step further and states: “In no other Jewish communities have we found such widespread use of excommunication as in the Sephardic communities of Amsterdam and Hamburg. In London, too, and even in some of the colonies in the New World, such as Curaçao and Suriname, efforts were made to install strict methods of communal discipline. Discipline as a supreme social goal existed in all these communities.”<sup>16</sup>

In the absence of a religious authority, and notwithstanding the stipulations in the *haskamoth*, there were some religious punishments and deeds the mahamad in Curaçao was not empowered to exercise. For divorces, for example, competent religious authority was required, as two *parnasim*<sup>17</sup> complained in 1674 to the authorities of the Amsterdam community.<sup>18</sup> This was likely one reason why, in 1674—twenty-three years after the first Jews settled in Curaçao—the lay leaders felt the need for rabbinic authority. They brought Hakham Josiau Pardo, the first spiritual leader of the Mikvé Israel congregation, to Curaçao from Amsterdam. Pardo served Curaçao’s Sephardim until 1683, when he left to serve as hakham of the community in Jamaica. It was an unusual

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14 David B. Ruderman, *Early Modern Jewry* (Princeton, NJ: Princeton University Press, 2010), 66, 68.

15 Karl Watson, “Shifting Identities, Religion, Race and Creolization among the Sephardi Jews of Barbados, 1654–1900,” in Gerber, *The Jews in the Caribbean*, 203.

16 Yosef Kaplan, “Preface,” in *Religious Changes and Cultural Transformations in the Early Modern Western Sephardic Communities*, ed. Yosef Kaplan (Leiden: Brill, 2019), xviii.

17 The members of the mahamad were often referred to as *parnasim* or *senhores do mahamad*. Together they constituted the mahamad.

18 Emmanuel and Emmanuel, *History of the Jews*, 55.

move, as the Curaçao community was larger and economically better off than the Jamaica community, and it was customary for the rabbinate to “ascend and not descend.”<sup>19</sup> Emmanuel and Emmanuel speculate that his departure might have arisen from misunderstandings with the mahamad when he proposed several amendments to update the community’s regulations.<sup>20</sup> If this was the reason for Pardo’s departure, it would, as early as 1683, be the first of several conflicts with serious consequences between the powerful mahamad and the subordinated spiritual leadership of Curaçao’s Jewish community.

The 1671 *haskamoth* were gradually expanded until 1688, when they were ratified by the community’s membership. The 1688 ratification further enhanced the powers of the mahamad, which were not to be limited to synagogue life but extended to the daily life of the Jewish settlers. These now included disciplining members for disturbances created in the synagogue and for arguing on the street in the district of the synagogue. The 1688 regulations prohibited the founding of another synagogue—perhaps a prescient rule, given events that would occur over the next two centuries. The early Jewish settlers were obliged to submit personal disputes to arbitration by the mahamad. Opening another’s mail; leading a scandalous way of life; writing sonnets, satires, or injurious verses; or discussing religious subjects with a non-Jew could all result in severe punishment. The *haskamoth* were to be read every six months in the synagogue, likely to ensure that no member or Jewish settler could claim to be unaware of their contents.

In addition to financial penalties, the mahamad was empowered to seek the intervention of the governor to banish a member from the island, require civil punishment, impose “a small ban,”<sup>21</sup> or even

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19 Ibid., 60.

20 Ibid; Mordechai Arbell, “Early Relations between the Jewish Communities in the Caribbean and the Guianas and Those of the Near East 17<sup>th</sup> to 19<sup>th</sup> Centuries,” *Los Muestras* 38 (March, 2000): 1–36.

21 The “small ban,” also referred to as “the pain of *Beraha*,” was the lightest of the religious penalties. Henri Méchoulan, “Le Herem à Amsterdam et l’excommunication de Spinoza,” *Cahiers Spinoza* 3 (1979–1980): 117–134, argues that a *herem* or ban was not necessarily a severe measure and sometimes meant only a day’s ban or barring a man from the Torah for a limited period of time.

demand their fellow Jew's excommunication.<sup>22</sup> Excommunications and bans flourished in Curaçao in the eighteenth century because of the power of the mahamad.<sup>23</sup> Sometimes the mahamad exercised these powers—in both religious and civil cases—simply to demonstrate its political might to its adversaries. The mahamad also used these punishments—which often sounded more severe than they actually were—to suppress critical opinions. In each revision or renewal of the *haskamoth* for the next 145 years, until 1833, penalties such as these would remain intact.

Pardo's proposed changes and additions, which the mahamad had rejected initially, were eventually enacted between 1691 and 1751, well after Pardo had left for Jamaica. They resulted in no fewer than forty-eight new resolutions. They also firmed up the mahamad's control over religious services and acts, including the frequency of sermons by the chief rabbi, the approval process for a marriage, the requirement that the chief rabbi or a member of the mahamad be present before services could start, the order of services, and the decisions about which mitzvot were to be granted. It is clear from the post-1688 resolutions that the mahamad was flexing its muscles toward the clergy. It was, for instance, on the strength of these regulations that Hakham Samuel Mendes de Sola in 1745 was forced to change the sequence of directions in which he waved the *lulav* during Sukkot. This conflict eventually led Mendes de Sola to submit his resignation.

The *lulav* incident was just the first of several bitter conflicts during Mendes de Sola's rabbinate. A number of these conflicts involved or were appealed to the governor, to the WIC, to the mahamad of the

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22 Jonathan Sarna, "Colonial Judaism," in *The Cambridge History of Religions in America*, vol. 1, ed. Stephen J. Stein (New York: Cambridge University Press, 2012), 399: "Synagogue leaders threatened herem, or excommunication, against recalcitrant members, but they seldom invoked it. The effectiveness of this traditional sanction in a society in which Jews and Christians mixed freely was highly dubious, and there was always the danger that it would backfire and bring the whole Jewish community into disrepute." There seem not to have been such fears in Curaçao or in Amsterdam in the eighteenth century as excommunications were carried out in both communities.

23 Roitman, "A Flock of Wolves instead of Sheep," in *Jews in the Caribbean*, 85.

Amsterdam community, and even to the States General, the highest authority of the Dutch Republic. As other historians have commented, the overlapping authorities of these and other entities—including local Dutch authorities, the WIC directors, the governing board of the Amsterdam community, and local Dutch royalty—did not make for an effective and transparent governing structure.

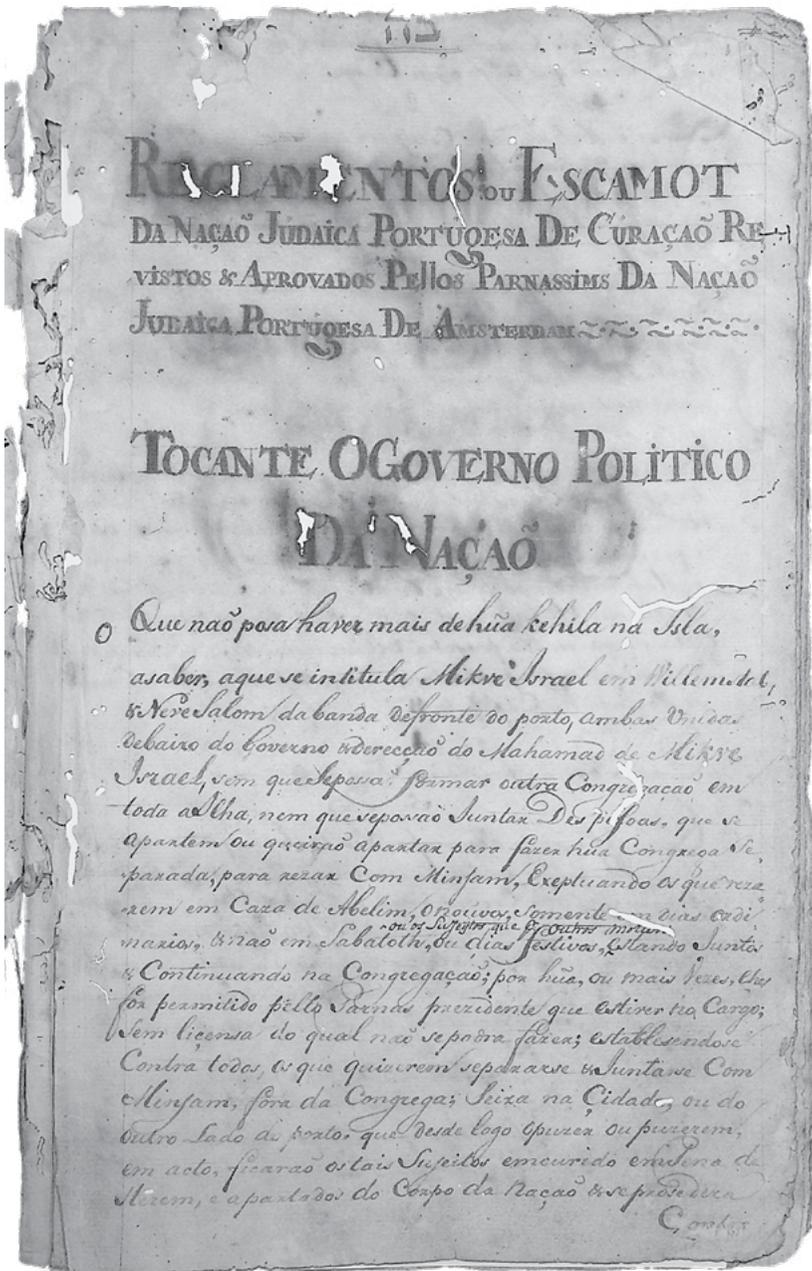
In 1739 the mahamad decided to order the review of all resolutions effected after 1691 and to incorporate these in a new *haskamoth*, which was finally ratified by the membership in 1756. This *haskamoth* did not have a long life; it was soon amended and a new version ratified in 1786. The 1756 and 1786 *haskamoth* had in common a (re)confirmation of the mahamad's firm control over synagogue life. For example, the 1756 *haskamoth* called for the mahamad to impose a fine or a small ban on any member who did not carry out an assigned mitzvah in the synagogue. This measure of discipline was expanded in 1786 to include a fine for refusing to accept or complete a term of elected office or for simply being late to a meeting.

Amendments to the 1786 *haskamoth*, drafted in 1809, further expanded the number of misdemeanors that led to fines—which now benefited the poor. One of the 1809 changes aimed to maintain order in the synagogue, adding a “most serious admonition to maintain proper decorum ... and not assemble behind the Thebá.”<sup>24</sup> This *haskamoth* removed the penalty of excommunication and replaced it with a fine. This version, which was officially approved by Dutch governmental authorities in 1811, confirmed that “Respecting marriages, divorces and other rites and Ceremonies of the Holy Law, the decisions of the Rabino<sup>25</sup> shall be followed”; but two articles further stated, in an apparent contradiction, that “The Rabino cannot grant a divorce ... nor can he marry any person without the permission of the mahamad.”

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24 A wooden platform near the middle of the synagogue from which the rabbi or cantor leads the service.

25 The word *rabino* was likely inserted in 1809 by the translator of the 1756/1786 document. In the original Portuguese-language version, this section is headed *Tocante OHabam*, using the then-more-common title “*hakham*” for the spiritual leader of the community.



1756 regulations of Curaçao's Mikvé Israel.  
(Courtesy Mikvé Israel-Emanuel archives, Mongui Maduro Library, Curaçao)

The power of the mahamad over the religious leadership was demonstrated a few years later in what has become known as the ‘Piza affair.’<sup>26</sup> From the start of his tenure in 1815 on the Mikvé Israel pulpit, Hazzan Jeosuah Piza clashed with the mahamad over innovations he wanted to introduce. The one that led to his suspension, however, was rather insignificant—he changed the pronunciation of the last word of the blessing of the wine to *haguefen* instead of the more common (but equally correct) *hagafen*. This minor issue and Piza’s subsequent suspension were likely just a cover for strife between congregational families and personal rivalry between two congregational leaders. Emmanuel and Emmanuel also conclude that peace could have been re-established several years earlier “if the Parnassim had been more farsighted and less dictatorial.”<sup>27</sup> A separation followed by members who wanted nothing to do with Piza; that separatist faction went as far as acquiring a separate burial ground that adjoined at the southeast corner of Mikvé Israel’s Beth Haim cemetery at Bleinheim.

In addition to the arguments detailed by Emmanuel and Emmanuel, there was another important fundamental issue. Immediately after the purchase of the separate burial ground, the separatists requested permission to establish their own congregation. This was refused in 1820 not only by the congregational leadership but also by the official colonial council and the colony’s governor. The refusal was based on article 1 of the *haskamoth* of 1756, 1786, and 1809, which stated that there “shall be only one Chief Congregation ... Mikvé Israel ... without it being allowed to form any other Congregation in the said Island.” In an 1820 petition through the governor to King Willem of Holland, the separatists state that they had demanded “the enactment of a new communal constitution in keeping with the enlightened age in which we live.”<sup>28</sup> Peace was finally established without changing the *haskamoth* to allow more than one Jewish congregation but, interestingly, this did not happen right away. The stipulation was in fact eliminated in 1833, but it was not until the 1860’s—forty years after the Piza affair—that the

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26 Emmanuel and Emmanuel, *History of the Jews*, 305–327.

27 *Ibid.*, 327.

28 *Ibid.*, 319.

Jewish separatists would establish their own congregation, which would become the Reform Temple Emanu-El. The emphasis in later regulations would be on following the rites and liturgy of the Portuguese Israelite community in Amsterdam.

The Piza conflict finally came to a formal end when Piza agreed in 1824 to a dismissal package and left Curaçao for Saint Thomas. The small separatists' cemetery, eventually transferred by its owners to Mikvé Israel, to this date attests to a conflict with the spiritual leadership on the basis of powers the *haskamoth* granted to the mahamad.

In the aftermath of the Piza affair, internal as well as external occurrences would lead to new versions of the *haskamoth*. The 1825 regulations further expanded upon the mahamad's control over the community's spiritual leader by stating, "In his sermons the rabbi was not to speak against government nor against the administration of the community by the Parnassim nor against the members for their conduct whether in religious or civil matters."

Despite the extensive powers of the mahamad, there were few formal qualifications to be elected to that governing body. As far back as 1756 and 1786, the only requirements were a minimum age (generally twenty-five) and a maximum age (seventy, in 1833), with restrictions to the family interrelationships of the members. The mahamad was simply composed of the elite and wealthier members of the congregation, who also likely provided the largest financial support. In addition, while women had a role in Orthodox Judaism, governance of the Curaçao Jewish community was reserved for its male members until the last quarter of the twentieth century. Leadership, therefore, was not the result of religious devotion or governance ability but simply of wealth and gender.

From its earliest days, Mikvé Israel considered itself to be a branch of the Portuguese community of Amsterdam, a relationship that was strengthened through the decades by various Dutch royal proclamations and rulings by the Amsterdam Jewish community's mahamad and *beit din*. Kaplan writes that "the regulations of the 'Mikveh Israel' community were laid down in accordance with the style of the holy

congregation of Amsterdam.”<sup>29</sup> As a result of the 1825 emancipation decree of the Jews of Curaçao, discussed below, the governance power of the Amsterdam community was even further enhanced. The subsequent 1833 version of the *haskamoth* dictated simply that Jewish religious practices in Amsterdam were to be upheld in Curaçao as well.

The 1833 *haskamoth* differed in several other ways from its predecessors and, importantly, reduced the chief rabbi’s authority.<sup>30</sup> At the same time, the authority of the mahamad was diminished, as it was made subject to instructions by the Amsterdam community. The *haskamoth* regulated not only subjects that the rabbi was forbidden to preach about but also those that he was required to preach about once a month; he was not allowed to bless a marriage without prior consent of the mahamad; he was prohibited from interfering in the private matters or behavior of the members, even those of a religious nature; and he was not allowed to involve himself with the administration or “police” (i.e., discipline) of the synagogue. The mahamad’s power, which was common also in Amsterdam and in the Suriname Jewish community, was most explicitly stated in article 60<sup>31</sup> of the 1833 *haskamoth*, which reads that “the rabbi, as church official, is completely subordinate to the synagogue’s board and will comply with all directions except those that are in contravention with his instructions or religious principles.” In 1833 the mahamad ruled both the synagogue and the rabbi with a heavy hand. No such dominance of lay leadership existed in the Roman Catholic Church in Curaçao in the mid-nineteenth century. Whereas Mikvé Israel’s 1833 *haskamoth* stated that “the rabbi, as church official, is completely subordinate to the synagogue’s board,” Roman Catholic Bishop Monseigneur Martinus Niewindt in 1826 fired the entire church council—that is, the group of lay leaders—of the most important church of the diocese, Saint Anna Church. The powerful

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29 Yosef Kaplan, “The Curaçao and Amsterdam Jewish Communities in the 17th and 18th Centuries,” *American Jewish History* 72, no. 2 (1982): 193–211.

30 Emmanuel and Emmanuel, *History of the Jews*, 336.

31 Artikel 60 in the original Dutch language: “*De opper Rabbijn of Rabbijn is als Kerkelijk Ambtenaar aan het kerkbestuur geheel ondergeschikt en zal alle bevelen aan hetzelfde die met zijn instructie of godsdienstige instellingen niet strijdig zijn, nakomen en ten uitvoer brengen.*”

bishop followed in 1835 with the liquidation of the institution of the church council. Niewindt was clearly of the opinion that spiritual leaders should not be accountable to lay leaders.<sup>32</sup>

The 1833 *haskamoth* included one additional stipulation, found in two different articles, that would be important as far as 130 years into the future. Article 59g stated that the rabbi would ensure that no other rituals or liturgies be introduced, while article 124 stated that no other rituals or liturgies would be permitted than that of the Dutch Portuguese Israelites.<sup>33</sup> These stipulations would persist in all future *haskamoth* of Mikvé Israel and would be used as a fundamental argument by opponents of the merger with Reform Congregation Emanu-El in 1964.

After Piza left Mikvé Israel in 1824, the congregation could not find a competent candidate interested in its pulpit. Over the next thirty years, the mahamad appointed qualified members of the congregation as “assessores”—i.e., substitute spiritual leaders. In fact, some members of the community even felt that “there was absolutely no need”<sup>34</sup> for a rabbi. In the absence of a strong religious leader, successive mahamads used this period to strengthen their grasp on the congregation until the arrival of the new chief rabbi, Hakham Aron Mendes Chumaceiro, in 1856. Mikvé Israel had been without a rabbi for over thirty years, during which the synagogue was ruled in every respect by its mahamad on the basis of powers granted it in the *haskamoth*.

The 1860s were very turbulent for Mikvé Israel. However, despite serious dissension and conflicts within the community, there was no discord between the mahamad and the highly respected Mendes Chumaceiro. The community was delighted to have a religious leader who was both

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32 R.H. Nooyen, *Tot Memorie* (Willemstad, Curaçao: Drukkerij O.H. Zalm, 1974); Hubert Cabaña, “Mgr. Martinus Joannes Niewindt, De Emancipator,” *De Archiefvriend* 24, no. 2 (June 2018).

33 Artikel 59 in the original Dutch language: “De pligten en werkzaamheden van den opper Rabbijn of Rabbijn zijn” (in 59g) “Te zorgen dat geen andere Ritus of Liturgie worden ingevoerd.” Artikel 124 “Binnen de gemeente zal geen andere Ritus of Liturgie toegestaan worden dan die der Nederlandsche Portugeesche Israeliten.”

34 Emmanuel and Emmanuel, *History of the Jews*, 339.

enlightened and Orthodox.<sup>35</sup> The mahamad was composed of the more Orthodox members of the community, who generally supported Mendes Chumaceiro's strenuous objections to reforms that a vocal minority of members demanded. This schism ultimately led twenty-five<sup>36</sup> members of Mikvé Israel to found the "Dutch Reform Jewish Congregation," which would be known later as Temple Emanu-El.

The 1862 *haskamoth* was replaced by an 1875 version, which itself was replaced in 1885. This latest version was, with its 96 articles, significantly shorter than both the 1833 version (133 articles) and the 1862 version (217 articles.) The 1885 *haskamoth* came into force in 1886 and was principally directed toward the secular governance of the congregation. The laundry list of the rabbi's obligations and the mahamad's power to impose upon the rabbi was gone, substituted by extensive descriptions of how the congregation should be administered and what the responsibilities of each member of the mahamad were. Only three stipulations remained under the heading "Of the Chief Rabbi or Preacher," compared to some fifteen stipulations in 1833, indicative of greater independence then being granted to the rabbinate.

The differences between the 1833 regulations and the 1875, 1885, and a subsequent 1896 *haskamoth* are remarkable. In comparison to its predecessors, the 1885 *haskamoth*, in wording and governance, is more consistent with sound, objective principles of administration. The contents and style of the 1833 regulations were likely motivated by the events leading to the schism of 1864, which created the Reform community and which have been attributed to an unwillingness to consider a more flexible style of governance. One other noteworthy change in the 1896 *haskamoth* is that Mikvé Israel for the first time published it in Spanish, after having it written in Portuguese only for more than two hundred years and in Dutch only as of 1825. The Spanish version made the regulations more readily accessible to its membership.

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35 Ibid., 354.

36 This number quickly grew to over one hundred Mikvé Israel members leaving to become members of Emanu-El.

## The 1825 Emancipation of the Jews

Since the seventeenth century, the Jews of Curaçao had accepted that the mahamad was empowered to seek the intervention of the Dutch powers. In fact, they had become accustomed to the mahamad's ability to submit disputes and undesirable turns of events to the Amsterdam Portuguese community for adjudication and, at the same time, appeal decisions—from frivolous ones to excommunication—to the Dutch governor. The governor, in turn, had the ability to appeal such decisions to the WIC. This happened in 1748 when then-governor Isaac Faesch was asked to intervene in incidents between two Jewish factions that ended up in street brawls. Faesch appealed to the governing WIC, which administered the colonies in the Americas and issued a number of proclamations ordering that there be peace within the Jewish community.<sup>37</sup> Ultimately that peace came about only by a royal proclamation from Prince Willem IV, Prince of Orange-Nassau of the United Provinces, in 1750.

The hands of the colonial powers reached deeply into the community's regulations. When in the 1740s the mahamad wished to update the community's *haskamoth*, its draft had to be submitted to Willem IV for approval in 1750. Reactions to the draft flowed to and fro between Amsterdam and Curaçao, and in 1756 the membership drafted and ratified the amended regulations. This final version significantly stated on its cover page *Revistos & Approvados Pellos Parnassims Da Nação Judaica Portuguesa De Amsterdam*.<sup>38</sup> This attests to the firm control that the Amsterdam Jewish community exercised over its offshoot in Curaçao as well as the very close relationship between the Portuguese community in Amsterdam and Dutch royalty.

The Jews of Curaçao must have considered their access to the WIC and royal authorities to be a significant privilege. In the early 1800s, the fact that a community of only about one thousand could have its disputes adjudicated by an objective party some 8,000 kilometers away

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37 Emmanuel and Emmanuel, *History of the Jews*, 190–194.

38 Translated: “Reviewed and Approved by the Parnasim of the Portuguese Jewish Nation of Amsterdam.”

must have been a source of comfort. This privilege was not to last, however, as in 1825 the official equal rights decree by King Willem I of the Netherlands would bring fundamental changes to the Curaçao Jewish community. That proclamation, which is referred to as “Jews obtain equal rights”<sup>39</sup> or “the emancipation of the Curaçao Jews,”<sup>40</sup> did more to abolish the freedoms that Curaçao’s Jews had enjoyed since 1659—and that the Netherlands itself had allotted to Jews in 1796—than to grant new ones. The equal rights decree also stated significantly that “all privileges, licenses, and exceptions that have been granted ... to believers of the Israelite religion ... are withdrawn, abolished and destroyed.” Further, it stated that there would follow “immediate cessation of any assistance that civil authorities may grant to judgments provided by the Israelite’s religious board”<sup>41</sup> and that “the application, as much as possible, of the Israelite religious organization in the mother country” would follow “the abolition of the privileges granted to Jews.”

Curaçao’s Jews likely considered this a double whammy: Dutch authorities would no longer intervene on request of the mahamad, while at the same time the Amsterdam mother community was granted new powers to ensure that its practices were properly followed in Curaçao. Objections voiced on the island were only successful in delaying for a few years the execution of this decree.

Jews in Jamaica, Barbados, and Suriname were similarly emancipated in the first half of the nineteenth century. The consequences of obtaining legal equality, however, differed between the Jewish communities in the Dutch and British colonies. Jamaican Jews were granted full political rights in 1831, twenty-seven years before Jews in England obtained voting rights. Mordechai Arbelle noted: “From 1831 Jews began to play a more active role in the social, political and economic development of Jamaica. In 1849, 8 of the 47 members of the Assembly were Jews. The House adjourned on Yom Kippur. In 1866 there were 13 Jews of

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39 Emmanuel and Emmanuel, *History of the Jews*, 335.

40 Van der Velden, *Ik lach met Grotius*, 231.

41 “Religious board” refers to the mahamad and its members, who were assigned religious duties.

the 47 Assembly members.”<sup>42</sup> Harry Ezratty similarly commented that “by 1849, Jamaica’s Jewish community had taken full advantage of its political freedom,”<sup>43</sup> including significant membership in the legislature, Jewish mayors, members of the privy council, and the founding of the country’s oldest newspaper.

Laura Arnold Leibman and Sam May in their review of Barbados Jews in the age of emancipation commented: “In Barbados, the Jewish community’s response to emancipation was mixed. Emancipation became a lightning rod for defining Jewish communal identity”<sup>44</sup> and for full civil and political rights, which at the time had been restricted to the vestries (legislative assemblies of parishioners) of Anglican churches. It consequently took from the 1820s until 1858, when the first Jew took his seat in the House of Commons, for full emancipation to be achieved for Barbadian Jews.<sup>45</sup>

In Suriname, like Curaçao a Dutch colony, equal rights were similarly granted in 1825. This emancipation went hand-in-hand with an end to privileges formerly granted to Jews there. While Curaçao’s Jews argued for several years against the abolishment of religious and other privileges, in Suriname emancipation was seen to simplify “civil law and even more significantly, it removed the barriers of a career in the colonial system. It signaled the start of a new prosperity for the Jews of Suriname and a greater social integration than ever before.”<sup>46</sup> And it did not take long for Jews in Suriname to flex their political muscles and be appointed to the highest colonial administrative organ, the colonial council.

Curaçao’s Jewish community was one mainly of traders, shipbuilders, shipowners, and financiers, many of whom were among the wealthiest

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42 Mordechai Arbell, *The Jewish Nation of the Caribbean: The Spanish-Portuguese Jewish Settlements in the Caribbean and the Guianas* (Jerusalem: Gefen Publishing, 2002), 250.

43 Harry Ezratty, *500 Years in the Jewish Caribbean: The Spanish & Portuguese Jews in the West Indies* (Baltimore, MD: Omni Arts, Inc., 2002), 49–50.

44 Laura Arnold Leibman and Sam May, “Making Jews: Race, Gender and Identity in Barbados in the Age of Emancipation,” *American Jewish History* 99, no. 1 (2015): 1–2.

45 *Ibid.*, 5.

46 Alex van Stipriaan, “An unusual parallel, Jews and Africans in Suriname in the 18<sup>th</sup> and 19<sup>th</sup> centuries,” *Studia Rosenthaliana* 31, nos. 1 and 2 (January 1997): 90–91.

people in the colony. They had been excluded by law from positions in civil government, which was considered to be the responsibility of the Protestant community.<sup>47</sup> Curaçao's Jews may therefore have been less eager than might have been the case in Jamaica, Barbados, and even Suriname to take advantage of the political and career opportunities that were created by the new equal rights decree. With their business backgrounds, however, they did realize the benefits of the new positions that had not been accessible to them previously. Although to a lesser degree than in Jamaica, Barbados, and Suriname, Curaçao's Jews were soon appointed to the highest governing and advisory councils of the Dutch colony.

From 1844, nineteen years after emancipation, through 1933, there was a virtually uninterrupted stream of Jewish members appointed to the Curaçao Colonial Council, including on four occasions and for several years as president. In 1918 five of the eighteen members of Curaçao's Colonial Council were Jews. Similarly, from 1867 to 1951 Jews were members of the island's governing council. All were appointed offices. After an elected parliament was created in 1937—initially with limited representation and not yet universal suffrage—there were one or two Jewish members every year until 1949. Forty-five years would pass before a Curaçao Jew would be popularly elected to the now-autonomous country's parliament in 1994.

### Sources of the Mahamad's Power

In Curaçao, the 1825 emancipation decree and ensuing 1833 *haskamoth* clearly reduced the power of the mahamad both religiously and secularly. First, it stipulated that the religious practices in the mother country and the mother congregation in Amsterdam were also to be practiced in Curaçao, and second, it meant that the Curaçao community would be placed under “the vigilance of the High Commission of Israelite Affairs in Holland, which had been established in 1817.” In 1826, a member of the Curaçao community was appointed the first corresponding member of the High Commission of Israelite Affairs in Holland and

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47 René A. Römer, *De Curacaose Samenleving* (Willemstad, Curaçao: Amigoe NV, 1998), 19.

“as such ranked higher than the president of the communal hierarchy [the mahamad], and was the most powerful Jew in the community.”<sup>48</sup>

In the Dutch colony of Suriname, Jews enjoyed rights and privileges similar to those in Curaçao, including a largely self-governing Jewish community. The Dutch had occupied the then-British Suriname and took possession of the country after the Anglo-Dutch War of 1665 to 1669. Already in 1669, the Dutch Governor Philippe Julius Lichtenberg provided the Suriname Jewish community religious and judicial freedom to deal with litigations among Jews. These rights and privileges were confirmed in 1685 by then-Governor Cornelis van Aerssen van Sommelsdijck, a very observant Protestant. The community’s 1787 *has-kamoth*, one hundred years later, again confirmed that all “religious, political and civil matters in the Jewish Nation in the (Suriname) Colony belong irremovably to the College of the mahamad.”<sup>49</sup>

Aviva Ben-Ur studied Jewish political autonomy in the Caribbean extensively, and especially in Suriname. Ben-Ur wrote that “there are many reasons to compare Curaçao to Suriname where the power of the mahamad is concerned.” She went on to list several similarities and links between the two colonies.<sup>50</sup> In fact, Ben-Ur wrote, “Jewish self-rule achieved its fullest expression in Suriname.”<sup>51</sup> In another writing<sup>52</sup> Ben-Ur expanded specifically on Jewish political autonomy in the extensive territory of the “Joden Savanne”; she also discussed the architecture of synagogues, cemeteries, and the development of real estate. The similarities of Jewish rights and privileges in Curaçao and Suriname, described above, strongly point to a common application of Dutch colonial policies, an aspect that will be further expanded upon.

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48 Emmanuel and Emmanuel, *History of the Jews*, 335–336.

49 Arbell, *Jewish Nation*, 96–103.

50 Aviva Ben-Ur, “Archival Practices: The Creation of a Portuguese Jewish Identity,” *Kristof* XVI, no. 2 (2015): 17–18.

51 Aviva Ben-Ur, “Jerusalem on the Riverside: Jewish Political Autonomy in the Caribbean,” in *A Sefardic Pepper-Pot in the Caribbean*, ed. Michael Studemund-Halévy (Barcelona: Tirocinio, 2016), 31.

52 Aviva Ben-Ur, “Een Joods dorp in een slavenmaatschappij: Jodensavanne in de Nederlandse kolonie Suriname,” in *Joden in de Cariben*, ed. Julie-Marthe-Cohen (Amsterdam: Walburg Pers, 2015), 133–137.

The Sephardic Jews in Curaçao were just one settlement in a network of Spanish and Portuguese communities in Bordeaux, Amsterdam, Hamburg, and London, as well as the Caribbean and the American colonies. This “strong network of Sephardic families and communities, bound together by a shared ethnic identity, even characterized itself as Nación or Nação.”<sup>53</sup> In the Caribbean the *Nação* consisted of settlements on different islands with differing socioeconomic and historical development of the colony or country and of the specific Jewish community. There was, however, one aspect that these communities had in common: Amsterdam was the informal capital of the *Nação*, with London in the eighteenth century gaining importance for the English-speaking Jewish communities. It was the mahamad of the Amsterdam Portuguese community that defined Sephardic policies, its *beit din* that controlled *halakha* (Jewish law or jurisprudence based on the Talmud), and its rabbis and *hazzanim*, trained at Amsterdam’s Ets Haim, that taught Jewish customs and traditions—often in several non-Dutch Caribbean communities successively. Amsterdam was simply the authority on all matters that concerned the Spanish and Portuguese *Nação* in the Caribbean.<sup>54</sup>

In the seventeenth century there was no question but that the mahamad in Amsterdam was all powerful. Ruderman quoted from the Amsterdam community’s first charter in 1639: “The mahamad will have authority and superiority over everything.”<sup>55</sup> This was in fact no different than in Western Sephardic communities in London, Hamburg, Livorno, and the Americas, wrote Ruderman. And so it would also be in Curaçao’s nascent Jewish community.

There is, however, yet another fundamental aspect to the power of the Curaçao mahamad. The first settlers in 1651 were joined in 1659 by a larger group of families, counting some seventy adults and children, under the leadership of Isaac da Costa. The WIC issued a license to the

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53 B.T. (Bart) Wallet, “Transformation of a Diaspora: The Western Sephardic Diaspora in the Nineteenth Century (1815–1914),” *Judaism in the Mediterranean Context, Ninth Congress of the European Association of Jewish Studies* (Ravenna, Italy, 2010).

54 Ibid.

55 Ruderman, *Early Modern Jewry*, 68.

da Costa–led Jewish settlers in 1659<sup>56</sup> that expanded upon the rights and privileges that had been granted to d’Yllan in 1651. In its 1659 charter to this second group, the WIC stated that it would provide privileges to these settlers as had previously been granted to settlers in Nieuw Nederland<sup>57</sup> under a new colonization mandate. Under this mandate the formation of patroonships was possible.<sup>58</sup> This 1659 charter now empowered the new Jewish community to adjudicate limited civil disputes itself and provided its leaders the right to request the WIC to assist in the disciplining of the Jewish settlers where it pertained to both criminal offenses and non-compliance with religious obligations.<sup>59</sup> The patroonship model established a degree of authority to the leaders of the community—and the mahamad—that future settlers would likely have found difficult to ignore.

In fact, in the preface to “Religious Changes and Cultural Transformations in the Early Modern Western Sephardic Communities,” well-known historian Yosef Kaplan remarks that “it is doubtful whether any Jewish communities in the early modern period maintained such a strong hierarchal structure as the Sephardic community of Amsterdam and imposed such rigorous communal discipline.” He goes on to say that in Sephardic communities in New World colonies “such as Curaçao and Surinam ... discipline existed as a supreme social goal.”<sup>60</sup> And that discipline was, of course, dictated by the powerful mahamad.

Amsterdam fully supported this hierarchal structure. An original document held in the Curaçao Jewish Community Collection of the American Jewish Historical Society<sup>61</sup> provided an early assurance to the new Jewish settlers that their Dutch rulers in Amsterdam would not

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56 S. Kalf, “Joden op het eiland Curaçao,” *De West-Indische Gids* 8 (1926–1927): 69–84.

57 The area in which Nieuw Amsterdam (now New York) was located.

58 A patroonship referred to a landholder who, under Dutch colonial rule, was granted proprietary and self-governing rights to a large tract of land in exchange for bringing fifty new settlers to the colony. The patroonship was responsible only to the director-general of the colony.

59 Van der Velden, *Ik lach met Grotius*, 216–217.

60 Yosef Kaplan, ed., *Religious Changes* (Leiden: Brill, 2019), xviii.

61 “Document from the city government to the Jewish community,” undated, 1672–1982, I-112, Series I, 1683–1934, box 1, folder 1, Center for Jewish History, New York.

interfere in their religious affairs. This document is a 14 May 1683 extract of a writing in custody of the “secretary of the City of Amsterdam” in which a certain Witsen referred to an Amsterdam City Council resolution of 27 January 1683. The resolution contained complaints about “excesses in the decreeing of a ban or excommunication by the Jewish nation.” Witsen commented that no such excessive practices were known and that “all freedoms that have been enjoyed by the Jewish nation regarding the religious administration will remain unaffected and untouched.” The document continued to state that there is “confidence that the Parnassim will ensure that exercising the religious ban will continue to be as before and not more than is necessary and fair.” Witsen did not provide his first name or initials on the document, but a fair guess is that the statement was by Nicolaes Witsen (1641–1717), who was the mayor of Amsterdam during ten (non-consecutive) years between 1682 and 1699.

The mahamad of the Curaçao community therefore derived its power not only from the practices of its Portuguese Israelite mother congregation in Amsterdam but also from Dutch colonial policies. The Curaçao mahamad had absolute authority over the island’s Jewish community religiously, and it had far-reaching authority civilly. Both Jessica Roitman and Hilit Surowitz-Israel argue that the mahamad’s power in Curaçao exceeded even that of several other Sephardic communities because it could petition the governor to banish from the island those who lived immorally, and more often than not the civil authorities of the WIC would comply with such petitions.<sup>62</sup> The Sephardic community of Suriname had a similar power of banishment, which was clearly rooted in Dutch colonial policies.<sup>63</sup>

If the powers of the Amsterdam mother community and WIC’s stipulations of the patroonships were not enough to establish the mahamad’s early control, there was one more aspect that gave absolute legitimacy to the mahamad’s authority. As mentioned above, this authority flowed

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62 Roitman, “A Flock of Wolves,” 89–91 and Surowitz-Israel, “Religious Authority, A Perspective from the Americas,” 109–111, both in *The Jews in the Caribbean*.

63 Robert Cohen, *Jews in another environment. Surinam in the Second Half of the Eighteenth Century* (Leiden: E.J. Brill, 1991), 138.

from the congregational *haskamoth*, which needed approval not only from the Dutch or WIC governor but also from Dutch royalty in both 1754 and 1833. The mahamad's control over community life was therefore also an extension of the indisputable authority that Dutch royalty exercised over its Caribbean colony. And finally, the authority that flowed from colonial policies included the power that the mahamad derived from the Amsterdam mother community; it was recognized as the central governance authority for the *Nación*, and Curaçao's mahamad was obliged to follow it closely.

The intermingling of various colonial and religious institutions that in one way or another influenced the power of the mahamad also brought contention within the Jewish community. Ben-Ur wrote that "many Jewish laymen and leaders behaved as if Jewish communal authority existed in order to be undermined.... The colonial government also helped to destabilize Jewish autonomy by periodically rescinding privileges it had officially conceded."<sup>64</sup> The resulting conflict and its consequences are a singular aspect of the history of the Curaçao Jewish community.

Last but not least, the mahamad's power also originated from the fact that the Curaçao *haskamoth* required approval at the highest level of civil authority in the Netherlands, including that of Dutch princes, and that royal decrees required the Jewish community to follow the style of the holy congregation of Amsterdam. Dutch colonial governance and traditional Western Sephardic authority flowing from Amsterdam for almost three centuries gave the mahamad extensive powers to rule over every aspect of Jewish life in Curaçao.

### **Temple Emanu-El Regulations, 1864–1964**

The events that led to the schism in Mikvé Israel and the founding of the Reform congregation have been explained in different ways. Isaac S. Emmanuel wrote that the causes were "personal and economic rivalries rather than religious differences."<sup>65</sup> Langenfeld and Langenfeld referred

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64 Ben-Ur, "Jerusalem on the Riverside," in *A Sefardic Pepper-Pot*, 32.

65 Isaac S. Emmanuel, *Precious Stones of the Jews of Curaçao* (New York: Bloch Publishing Co., 1957), 462–463.



Temple Emanu-El, 1864-1964. Currently not used as a house of worship.  
(Courtesy Natalia Morón)

to “religious differences of opinion of one of the two major separatist families” and “purely economic and personal motives” of the other family.<sup>66</sup> Circumstances clearly show that Mendes Chumaceiro, Mikvé Israel’s highly respected Orthodox rabbinic authority, also played a major role in this event, although that is not generally acknowledged. Mendes Chumaceiro was in frequent contact with Dutch civil authorities, urging them not to grant the reforms that the separatists demanded.<sup>67</sup> It is likely he argued that such reforms would be in conflict with the style and practices of the Israelite organization in Amsterdam as stipulated in the emancipation decree of 1825. Maurits Goudekete, the lay spiritual leader who served the Reform congregation from 1946 to 1960 and had been active in the Reform community in the Netherlands, wrote that “originally” the cause of the schism was “entirely outside religious” considerations but that “in parallel there was an influx of newly imported Jewish ideas with which especially younger Jews were getting acquainted to Europe and wanted to see adopted also in Curaçao.”<sup>68</sup> This “influx of newly imported ideas” was not limited to religious practices but also concerned changes to organizational governance. These were subsequently incorporated in the *haskamoth* of the new Dutch Reform community of Curaçao—some forty years after the 1820 separatists in the Piza affair had argued similarly for “a new communal constitution in keeping with the enlightened age in which we live.”

The new congregation was officially named the Dutch Reform Jewish Community but was widely known as Temple Emanu-El. It drew up its bylaws in 1865 and modified them in 1880. In the second article of the regulations, it abandoned the Orthodox ritual and liturgy of the Dutch Portuguese Israelites and determined to follow the liberal ritual of Temple Emanu-El in New York City, one of the first Reform congregations in the United States. In light of the members’ adopting “a rite different” from that of Mikvé Israel—and in accordance with Mikvé

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66 Els Langenfeld and Henk Langenfeld, *Tussen Dood en Recht* (Willemstad, Curaçao: Stichting Curaçao Style, 2000), 62.

67 Emmanuel and Emmanuel, *History of the Jews*, 374–377.

68 Dr. M. Goudekete, “De Vrijzinnig-Israëlitische Gemeente ‘Emanu-El,’” *Christoffel* 1, no. 5 (December 1955): 153, 155.

Israel's 1875 and 1885 *haskamoth*—members of the new temple were barred from membership in the synagogue of their forefathers. Mikvé Israel did not tolerate double membership.<sup>69</sup>

The 1880 Reform community enacted governance, administrative, and financial regulations that could have applied to virtually any association governed by a board of directors. The preacher and other spiritual staff were appointed and could be terminated only by the general meeting, not by the board of directors. Contrary to the Mikvé Israel *haskamoth*, the Reform community's regulations did not mention specific instructions to or obligations of the spiritual leadership. The religious leadership did not require prior board approval for any function, such as the blessing of a marriage, nor did it receive instructions regarding the contents of sermons or involvement in matters concerning the congregation and/or its members. The 1880 regulations stated unequivocally that "the congregation is governed by the Board and the General Meeting" and that the "General Meeting was the legislative entity of the congregation." Unlike the immense powers of the mahamad at Mikvé Israel, the intent at the Reform community was to stipulate that policy issues be determined by members (that is, the general meeting), and only the execution thereof would be in the hands of the board of directors.

The reforms introduced by the Reform community were thus not only in the ritual and liturgical aspects of the congregation but also in governance and in the relationships between lay and religious leaders, who were now virtually equals, each with their specific responsibility in congregational affairs and each appointed or voted in by the general meeting. Beyond introducing Reform Judaism to Curaçao's Jews, the reforms in 1880 went much further than the modernization already noted in Mikvé Israel's 1885 *haskamoth*. For example, while the island's official language was Dutch, the regulations of 1880 and 1897 were printed in both Dutch and Spanish, on facing pages of the booklets. This acknowledged that during the early years of the Reform community, from 1864 to the 1930s, the Reform congregation mostly spoke Spanish and Papiamentu, the local vernacular. The bilingual publication

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69 Temple Emanu-El would introduce a similar regulation in 1897.

of regulations, in addition to the powers granted to the general meetings, presents a more democratic entity than the Mikvé Israel of that period, which first published its *haskamoth* in Spanish in 1896.

The 1897 Reform regulations were noteworthy in several ways. They prohibited members up to the second degree of sanguinity from being on the board simultaneously, a stipulation that Mikvé Israel had in place since the early eighteenth century. The 1897 version required that the congregation remove from its rolls any member who affiliated with another religious entity, including another Jewish entity. This stipulation was likely intended to stop potential leakage of members back to Mikvé Israel; it was in fact the mirror image of the stipulation in Mikvé Israel's 1875 and 1885 regulations to stop its members from also becoming members of the Reform community. This Reform regulation was amended in 1950 to prohibiting only a member's affiliation to a non-Jewish religious entity, and thus made double membership possible from the Reform community's perspective. In 1950 the Reform community opened up burial in its cemetery to any Jew using any Jewish ceremony, which might also include Mikvé Israel's Orthodox ritual. At Mikvé Israel, article 7 of its 1896 *haskamoth*, stipulating that any member adopting a ritual different from that of Mikvé Israel would lose membership, continued in force until the merger with Emanu-El in 1964.

In 1950 the Dutch Reform Jewish Community formally adopted the name of Temple Emanu-El, the New York City congregation it had emulated since its founding almost one hundred years earlier. It was also in that year that the community broadened its objectives from simply following the ritual of the New York congregation to following the principles of Reform Judaism. Curaçao's Temple Emanu-El had spiritually come of age.

### **Ashkenazi Membership in Mikvé Israel**

As was the case in other Spanish and Portuguese Jewish congregations, membership in Mikvé Israel was restricted to those who followed the same ritual as in the Amsterdam Portuguese Israelite synagogue. This stipulation, stated somewhat obscurely, followed the established practice of the Amsterdam mother community. Arnold Wiznitzer wrote that "the regulations of the Union of the three Amsterdam congregations provide

that their community was founded for the Jews of the Portuguese and Spanish nation,” and that Jews of any other “nation may . . . by no means [gain] admission to membership of the Sephardic congregation.”<sup>70</sup> In Curaçao, this obligation became even more stringent after the 1825 royal emancipation decree. In fact, the 1875 and 1885 *haskamoth* of Mikvé Israel went so far as to state that any changes of established religious uses, customs, or authority needed to be approved by the rabbi and in the absence thereof by “three Orthodox rabbis of Holland.”

The Dutch Reform community did not have a similar restriction on its membership. By stating that it would follow the liberal ritual of New York’s Temple Emanu-El, its members, perhaps unwittingly, adopted an Ashkenazi liturgy. The New York congregation had been established in 1845 by thirty-three Ashkenazi Jews from Germany. In fact, the spiritual leader of Curaçao’s Temple Emanu-El from 1946 to 1960 was a Dutch Ashkenazi Jew, Dr. Maurits Goudekot, and from 1962 until the 1964 merger with Mikvé Israel an American Ashkenazi Jew, Rabbi Simeon J. Maslin. While proud<sup>71</sup> of their Sephardic heritage, the lay leadership of Temple Emanu-El was more interested in religiously following the principles of Reform Judaism than in preserving the Sephardic style of the Israelite community of Amsterdam.

For 275 years, since its founding in 1651, there had been very few Ashkenazi Jews in Curaçao.<sup>72</sup> That would change in the late 1920s and early 1930s in the aftermath of World War I and even more so with the foreboding and the anxiety of what might—and did—come in the not-too-distant future under Nazism. The subject of Ashkenazi membership became an important and documented topic of discussion in Mikvé Israel during the 1940s. Since its founding in 1864, Temple Emanu-El had never made Sephardic or Ashkenazi heritage an issue for membership, exemplified by its fifteen years of spiritual leadership under Goudekot.

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70 Wiznitzer, *Records of the Earliest Jewish Community*, 11.

71 In 2006, Charles Gomes Casseres, longtime president and board member of Temple Emanu-El and a driver of the merger, was awarded the coveted Silver Carnation by the Prince Bernhard Culture Fund of the Netherlands for his efforts to protect and document the Sephardic lifestyles of the Jews of Curaçao.

72 Emmanuel and Emmanuel, *History of the Jews*, 496.



Three hundredth anniversary celebration of Mikvé Israel, 1954.  
(Courtesy of author. Photo by Fred Fischer)

It may well be that this view of the Reform congregation, coupled with the settlement of a larger number of Ashkenazi Jews, stimulated Mikvé Israel to seek a solution regarding Ashkenazi membership that better reflected the times.

An undated and unsigned typed proposal,<sup>73</sup> likely written in 1948, explained that the stipulation in the *haskamoth* to restrict membership to those who follow “the same ritual as Mikvé Israel” was meant to restrict membership to Jews of Portuguese descent, the same practice as the Amsterdam mother congregation. This proposal stated that for Mikvé Israel to maintain its Portuguese traditions, it must be governed by Jews of Portuguese Sephardic descent. The paper therefore proposed

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73 Mikvé Israel Archives Part I, index p. 25, dossier 93, MML, Curaçao. It is a typed, undated, and unsigned document, without letterhead or any other identification of its author. The name of the congregation is unusually spelled “Mikweh Jisrael,” possibly indicating that the author was European Dutch.

that Mikvé Israel create a category of “extraordinary members”<sup>74</sup> for all Jews who were not of Portuguese descent. These members would not be able to vote in board elections, occupy positions on the board, or vote on any changes in the regulations governing the community.

In a letter dated 12 January 1949,<sup>75</sup> written in Spanish, Mikvé Israel’s council of elders, or *consejo de ancianos*,<sup>76</sup> informed the board that it preferred to see regulatory changes made as per the 1948 proposal, referred to above, prior to admitting<sup>77</sup> Ashkenazi members. The council of elders referred specifically to membership requests by A. Wiznitzer, Salomon Wiznitzer, Samuel Fruchter, Sh. Milstein, and Bernardo D. Metch. Membership was denied to these five men, all of whom would become respected leaders of the Curaçao Ashkenazi Jewish community. Interestingly, in this same letter the council of elders also stated that it approved the membership of seven other new members with Ashkenazi-sounding last names, “following the tradition to accept all Dutch citizens”!

The timing of these membership requests is interesting, given the concurrent birth of a thriving Ashkenazi community. Starting in 1930, the Ashkenazi community used a rented house as its synagogue on Saturdays and holidays. In 1932 the community founded a social-cultural association, “Club Union,” and in 1949 bought a building within walking distance from the abovementioned synagogue to be its new Jewish Center and to house Club Union. A few years later the

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74 In its original Dutch language: “Met ingang van 1 Januari 1949 kunnen Israëlieten die niet van Portugese afstammeling zijn slechts als buitengewone leden worden aangenomen, echter hebben zij geen stemrecht, noch zijn zij voor lidmaatschap van het college van Parnassim of enig andere functie verkiesbaar.”

75 Written in Spanish, this letter was sent by the council of elders to the mahamad. Mikvé Israel Archives Part I, index p. 23, dossier 74, MML, Curaçao.

76 The Council of elders or *consejo de ancianos* is composed of members who had been a board member for at least two years. It is an advisory entity which by congregational regulation is to approve or provide its advice i.c.w. certain actions to be taken by the board.

77 In its original Spanish language: “este Consejo preferiría ver cambiados los reglamentos de la Sinagoga antes, para poder aceptar a los extranjeros como miembros sin voz ni voto y para tal efecto urge .... de tomar los pasos necesarios para hacer los cambios necesarios en los mencionados reglamentos.”

Ashkenazim bought a house adjoining the Jewish Center and converted that it into the synagogue,<sup>78</sup> which it named Shaarei Tsedek.<sup>79</sup> One is left to wonder why five leading Ashkenazim would request membership in the Sephardic Mikvé Israel while all of this was going on.

The discussion within Mikvé Israel of Ashkenazi membership did not end there. A letter dated 29 July 1957,<sup>80</sup> written by lawyer D.S. Jessurun Cardozo, referred to the wish of then-president Otto Senior to effect a “partial change” in the *haskamoth* to make membership of Jews who were not of Spanish and Portuguese ancestry possible. Jessurun Cardozo was a brother of Mikvé Israel’s Rabbi Isaac Jessurun Cardozo, and in 1956 he followed his brother as spiritual leader of the congregation. While arguing that the 1896 regulations were outdated, Jessurun Cardozo agreed with Senior’s request for a partial amendment of the sixty-year-old-*haskamoth*. Jessurun Cardozo proposed to amend article 4 to stipulate that “*miembros contribuyentes*”<sup>81</sup> who were not of Spanish and Portuguese ancestry would have the right to vote just as all other members and could be elected to honorary positions after having been registered as a member for five years. In that same letter, Jessurun Cardozo further proposed restricting the rabbinate and other religious functions at Mikvé Israel to Jews of Spanish and Portuguese descent to ensure that the Sephardic liturgy and customs would be maintained.

These 1948 and 1957 proposals do not seem to have led to a formal change of policy, as Mikvé Israel did not issue a new *haskamoth* until the 1964 merger with Temple Emanu-El. However, it is noteworthy that the 1948 proposal sought a solution for an “incorrect situation ... due to members who had wrongly been accepted such that these would not have to resign as members.”<sup>82</sup> This wording alludes to the non-Sephardic

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78 The new synagogue would seat 188 persons, indicating that the number of Ashkenazim on the island at that time was well over 100.

79 Emmanuel and Emmanuel, *History of the Jews*, 497.

80 D.S. Jessurun Cardozo to Otto Senior, in its original Dutch language. Mikvé Israel Archives Part I, index p. 25, dossier 93, MML, Curaçao.

81 “Contribuerende leden” or “contributing members.”

82 In its original Dutch language: “oplossing te vinden voor deze onjuiste situatie .... waardoor wordt bereikt, dat de ten onrechte aangenomen leden zich niet behoeven terug

members, mentioned above, that the synagogue had accepted prior to 1948, despite what its outdated *haskamoth* stipulated.

### **Congregation Mikvé Israel-Emanuel Articles of Association, 1964 to Today**

November 1964 saw the union of two quite different institutions of the same parentage: congregations Mikvé Israel and Emanu-El. With the formal merger came the need for new regulations to rule the life of the united liberal congregation. If the parentage, culture, and ethnic backgrounds of the members were similar, their established religious regulations and practices were very different. Merging the two would require a ‘Jewish matchmaker’ of sorts, which came in the form of a young rabbi from a small congregation in upstate New York. Rabbi Simeon J. Maslin was inspired by President John F. Kennedy’s encouragement to young Americans to go overseas for a few years of service. He became Temple Emanu-El’s rabbi in 1962 and made it his challenge to unite the two congregations.<sup>83</sup>

Mikvé Israel was still formally—even if not in actual practice—governed by the 1825 royal decree and the 1833 *haskamoth* that said no other ritual or liturgy would be “permitted than that of the Dutch Portuguese Israelites.” Article 7f in its 1875 *haskamoth* charged the rabbi with the obligation to see to it that this Orthodox Sephardic ritual would be followed strictly. Mikvé Israel’s 1886 and 1896 regulations were somewhat liberalized, but any changes in ritual would be subject to the approval of three Orthodox rabbis if there was not a local religious authority. Emanu-El’s regulations, on the other hand, had stated since 1865 that it would follow the Reform ritual of Temple Emanu-El in New York; and its 1950 version had replaced this with the broader objective of following the principles of Reform Judaism. Reconciling these widely different liturgies, each with centuries-long historical significance, was a monumental task in negotiating the merger.

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te trekken en toch de bedoeling van de statuten wordt gerespecteerd.”

83 Rabbi Simeon J. Maslin, “The How and Why of the 1964 Reunion,” *Kristòf* XVI, no.2, (2015): 6–16.

The merged community, Mikvé Israel-Emanuel,<sup>84</sup> has had three versions of its regulations, now referred to as its “articles of association.”<sup>85</sup> These versions were adapted and amended as circumstances within the organization changed—for instance, amendments were required for both the adoption of equal rights for women in congregational governance in the 1990s and full egalitarianism in 2000. In each of the three versions—1965, 1998, and 2015—article 2 reads that the congregation would follow the Jewish Reconstructionist Foundation’s rituals. Adopting the liberal Reconstructionist ritual, a decision led by Maslin and endorsed by the lay leadership and memberships of both congregations, appealed to both the Reform and the Orthodox sides of the newly united congregation.<sup>86</sup> The same article 2, however, also stated that the new congregation would, as much as possible, respect traditions and customs of Sephardic origin in which historically both congregations were rooted. The Sephardic Jews of Curaçao had found a way in the regulations of the merged congregation to satisfy the large majority of each constituent community while at the same time honoring its Sephardic history. The Reform liturgy in Emanu-El’s regulations was replaced by the theology and ritual of the Reconstructionist Foundation, while the Sephardic traditions and customs of Dutch Portuguese Israelite Mikvé Israel would, as much as possible, be respected and maintained. Mikvé

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84 The merged congregation maintained the names of both of its ‘ancestral congregations’ but changed the hyphenated Emanu-El to Emanuel, likely for ease of nomenclature.

85 The “Guiding Principles” of the merger, both administrative and religious, can be found in Appendix I of Jane Gomes Casseres, *Generation to Generation—The Continuing Story of Congregation Mikvé Israel-Emanuel 1963–2000* (Amsterdam: Drukkerij Arno van Orsouw BV, 2003).

86 The objectives of Reconstructionism were described by Joseph Gaer and Rabbi Alfred Wolf in their *Our Jewish Heritage* (New York: Henry Holt and Co., 1957) to be “to revitalize the Jewish religion and to enrich the Jewish tradition so that Jews in a modern ... society can give greater meaning to their lives while contributing to the cultural life of the great community. The objectives are based on the belief that Judaism can be reinterpreted to meet the intellectual and spiritual needs of contemporary life.” Maslin added that, in the reunification discussions, Mikvé Israel’s representatives were encouraged that “a few prayers in the Reconstructionist prayer book had been taken from the British Sephardi prayer book.” Maslin, “How and Why,” 14.

Israel-Emanuel would not differentiate as to the ancestry, Sephardic or Ashkenazi, of its membership. The merged congregation installed its first Ashkenazi *rosh kahal*, or president, in 1979. Today, 54 percent of the membership of Mikvé Israel-Emanuel is of Sephardic descent.

The articles of the new, united congregation did away with any hint of Mikvé Israel's 1833 *haskamoth* that imposed numerous prohibitions and instructions on the rabbi and subordinated him to the mahamad. The 1965 Mikvé Israel-Emanuel regulations ended up being very similar to Emanu-El's 1950 regulations. They have only two specific governance responsibilities of the religious leader: one, to determine whether a prospective member is Jewish in any cases in which doubt exists; and two, to advise the board and membership on any cases in which they might contemplate incisive changes in ritual. Mikvé Israel-Emanuel's lay leadership in 1965 recovered the authority to establish the "ceremonial order of the services" but required the approval of the spiritual leader where religious matters were concerned. The merger thus undertook to follow a more modern system of governance in which those responsible were given decision-making leeway within established policies rather than attempting to describe the specifics of every circumstance that might arise and how these circumstances were to be dealt with.

Emanu-El's stipulation that "the congregation is governed by the Board and the General Meeting" was replaced in the merged congregation by an article that stated that "the congregation is governed by a Board and a Council of Elders." The council of elders assumed some of the responsibilities that the general meeting had borne at Emanu-El. The authority to appoint a spiritual leader had not been the same at the two congregations; the new procedure, perhaps a compromise, called for the board to appoint the spiritual leadership, but only after consulting with the council of elders. The general meeting, which had been responsible for direct-governing and "legislative" functions, was now responsible for supervision and reporting to the membership about general and financial affairs once or twice a year, a practice that is fully consistent with twenty-first-century governance principles. As an unintended consequence of the merger, governance practices that had been in use for three centuries were thus discarded and replaced by modern governance principles.

## Conclusion

This article studies in some detail how the governance of Curaçao's historic Sephardic congregation developed from 1651 to today, and how this has driven numerous changes in the Curaçao Jewish community during more than three and a half centuries.

In a 2016 book review, Rabbi Lance J. Sussman refers to a “well-established hegemony in the congregationalist policy of the American synagogue” and to “lay leaders being firmly in control of their congregations” in nineteenth-century American Jewish communities.<sup>87</sup> Quite clearly, this was also true about Mikvé Israel's mahamad. Lay leaders had founded Curaçao's synagogue and were firmly in control of it for over two hundred years. During that time religious functionaries risked losing—and, in fact, did lose—their pulpit by failing to follow even the smallest detail of the mahamad's ritual and liturgical instructions.

The mahamad ruled the synagogue and congregants, in no small measure as a result of Dutch colonial mandates and the policies of the West India Company (WIC), which provided the early Jewish settlers with special powers and privileges. While some of these were diminished or abolished after the emancipation of Curaçao's Jews in 1825, the firm control of the mahamad continued late into the nineteenth century. The Amsterdam Portuguese Israelite community, Mikvé Israel's mother community, was also able to exercise control over religious matters in Curaçao—control that was partially imposed by decrees of the Dutch royalty.

Interestingly, changes of governance had also taken place since 1651 at the Portuguese-Israelite Congregation of Amsterdam, “Kahal Kados Talmud Torah,” Mikvé Israel-Emanuel's Orthodox mother community. While it continues to follow Orthodox ritual and preserve its Portuguese-Israelite religious liturgy, its regulations of 2010 include numerous modernizations. Membership at Kahal Kados Talmud Torah is now considered on the basis of *halakha*<sup>88</sup> and does not (also) require

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87 Lance Sussman's review of Zev Eleff's *Who Rules the Synagogue?* in *The American Jewish Archives Journal* LXVIII, no. 2 (2016): 119–123.

88 In its original Dutch language: “Artikel 04-1: Voor toelating tot het lidmaatschap komen in aanmerking joden die op grond van de halacha als zodanig worden erkend.”

Spanish or Portuguese ethnicity. Women can be elected to the *parnasim*, but the officer who presides during services must be male, and the majority must be so as well.<sup>89</sup> Perhaps most notably, the *parnasim* requires the approval of the general membership meeting to determine the responsibilities of the rabbi or the chief rabbi and to hire or fire the spiritual leader. This shows that governance traditions can and do change—not only at Curaçao’s liberal Jewish congregation, but even in Amsterdam’s Orthodox Jewish environment.

The second half of the nineteenth century was marked in Western Europe by reform movements and liberalism. This was the era of scientific discoveries, ranging from the telephone to the light bulb to an improved quality of life. This was also the period in which Reform Judaism was founded in Germany. Liberal ideas spread on many levels, and philosophies of equality and individualism grew across countries and continents. Younger members of Mikvé Israel aspired vocally and energetically to more liberalism in religious observance. They were likely also bothered by the straitjacket imposed by the emancipation decree’s requirement to follow strictly the Israelite religious rulings coming from Amsterdam, a community and country that seemed to be ever farther away from their Caribbean island.

The resulting schism between the more conservative and the more liberal members, aided by commercial rivalry between Jewish families, led in 1864 to the founding of the Reform Israelite congregation Emanu-El. Its liberal philosophy and governance were clearly reflected in its regulations. Gone was the all-powerful mahamad, replaced by officers with specific responsibilities and a general meeting with clear mandates. Gone too was the subordination of the clergy to the secular leadership and the dictates from Amsterdam’s Orthodox rabbis; these were replaced simply by the stipulation that the new congregation would follow the ritual of a Reform congregation in New York City that had been founded in 1845.

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89 In its original Dutch language: “Artikel 07-1: Een meerderheid van het College (van Parnassim) moet uit personen van het mannelijk geslacht bestaan.... De functie van voorzitter van het College, alsmede Parnas President (eredienst) kan alleen worden vervuld door personen van het mannelijk geslacht.”

Twenty years after the schism, there were stark changes in Mikvé Israel's 1885 *haskamoth*. The new philosophies of liberalism, individualism, and equality were also gradually entering the venerable Orthodox synagogue, even if its rabbis and more religiously observant members still forcefully resisted them.

When Mikvé Israel and Emanu-El met in 1964, the main points of negotiation were not theological, nor liberal versus Orthodox philosophies, but rather how to maintain as much as possible the Sephardic traditions and customs of Dutch Portuguese Israelite origin. That principle was of cardinal importance to Mikvé Israel, and it was explicitly stated in the articles of the new congregation. At the same time, the regulations reflected Emanu-El's liberal philosophy and gender equality, which gained a first, even if very small, foothold in 1964.<sup>90</sup> It would take another thirty-six years for complete egalitarianism to be firmly embedded in the regulations and the religious customs of the united congregation.

As reflected from 1651 to 2017 in the *haskamoth*, regulations, and articles of the three Curaçao Jewish congregations, the hegemonic rule of a powerful and elitist mahamad over secular and religious life eventually led to a sharing of responsibility and to virtual equality within the merged congregation. Responsibility would be shared between officers and members for the secular aspects of the congregation and between lay leaders and religious leadership for the religious aspects; the subordination of one to the other that had existed for over two hundred years would be a thing of the past. Equality would also exist in terms of ethnic origin and genders. The merger between the Orthodox Mikvé Israel and the Reform Emanu-El had brought with it not only a liberal theology and ritual but also a modern style of governance and secular regulations.

All of the above have come together to shape today's Mikvé Israel-Emanuel, a unique blend of traditional Sephardic and liberal Reform liturgy. The congregation is affiliated with both the World Union for Progressive Judaism and the Reconstructionist movement. It is a Sephardic congregation that for decades has accepted Ashkenazim

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90 Emanu-El had been egalitarian from its very start in 1864. After the merger in 1964, men and women would sit together and women would be included in the *minyan*.

to membership and elected Ashkenazi Jews to its mahamad, now referred to as its directiva. Mikvé Israel-Emanuel prays from the Reform *Mishkan T'flah* siddur but carefully maintains in its Torah services its centuries-old Sephardic practices, including *Mi Shebeirach* formulations in Portuguese. The congregation's origin is clearly Sephardic, but the large majority of songs and chants are Ashkenazi, brought to Curaçao by Ashkenazi rabbis and cantors over the past fifty years. At the same time, the *Snoa*,<sup>91</sup> as the synagogue and the congregation are lovingly called, offers a unique blend of languages. It maintains Sephardic trope in the reading of the Torah and the *V'e'avavta* prayer after the Shema; announcements for Rosh Hodesh, the new moon, are said in Hebrew, English, Dutch, Spanish, Portuguese, and Papiamentu, the local vernacular; the accompanying prayers are chanted in Hebrew; and on Yom Kippur, *Yizkor*, the memorial service, includes a long prayer in Spanish, and the traditional reading of the Jonah *parashah* is in Papiamentu.

In Curaçao we like to say that our style of Judaism is "*krioyo*," a Creole version, which was shaped by its history into a form that enabled its survival for over three and a half centuries. It is a survival that defies the odds on a Caribbean island with a population of 150,000, of which Jews number fewer than 250 souls—less than one-quarter of 1 percent—a survival that perhaps teaches us that to survive we must adapt but at all times maintain the principles that are truly fundamental to our faith and our beliefs.

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91 "Snoa," in the local vernacular Papiamentu, finds its origin in the Dutch word "Esnoga," meaning synagogue. It has been commonly used for many decades by the Curaçao Jewish community to its synagogue and congregation in both writing and speech. It is not a word used to denote synagogues elsewhere in the world.