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Rabbi Akiba Eger: His Life and Times

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Rabbi Akiba Eger: His Life and Times

Abstract

Among the responsa of Eger much valuable material is found on the social, economic, and religious situation of the Jews during the long years of his ministry. The study of rabbinical responsa is important to the historian because it enables him to study the actual living conditions of a period. Eger's responsa consist of two parts: some deal exclusively with explanations of difficult passages in the Talmudic literature; others are requests for halachic decisions in reference to a particular situation. The former, while of great value to the serious student of the Talmud - Eger's penetrating analysis of a problem and his incomparable mastery of the vast rabbinic literature make him one of the most important authorities on rabbinic scholarship of the nineteenth century - are of little interest to the historian. The latter, on the other hand, dealing with concrete situations, represent a mine of information to the student of history. In a separate section of this thesis14 such material is analyzed and important data on Jewish life in the first half of the nineteenth century are brought to light.

While Eger's method of instruction and his attitude to early and late rabbinical authorities have been examined in this study, it was clearly outside its scope to evaluate Eger's accomplishments in the field of Jewish scholarship. The writer can only hope that by concentrating on the historical aspect of Eger's writings, he will have contributed to a better understanding of the life and time of Akiba Eger.

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R A B B I A K I B A E G E R

His Life and Times

by

ANDREJ SIMCHA NEUSCHLOSS

Submitted in partial fulfillment of the
requirements for the degree of

Doctor of Philosophy

The Dropsie College
for Hebrew and Cognate Learning

1956

A P P R O V A L

This dissertation, entitled

RABBI AKIBA EGER

His Life and Times

by

Andrej Simcha Neuschloss

Candidate for the degree of

Doctor of Philosophy

has been read and approved by

Abraham Weiss

Solomon Zeitlin

Leo Levi Honor

Date April 20, 1951

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INTRODUCTION

There is a considerable amount of literature on the life of Akiba Eger. In 1838, the year following his death, there first appeared a brief biography by the noted orientalist, S. J. Kaempf, a former student of Eger. Entitled Biographie des Herrn Akiba Eger, its main theme deals with Eger's last years in Posen, making no attempt whatever to have the subject of the biography come to life. It would seem that the book stems from the pious desire of a student to see the memory of his beloved teacher perpetuated.

Twenty-four years later, Naftali Hirsch Bleichrode, a Berlin publisher and son-in-law of Eger's oldest son, Abraham, who had not only been a student of Eger but had exchanged numerous responsa[1] with him, published Eger's notes on the first part of the Shulhan Arukh, the traditional Jewish Code. In the introduction to this work he printed a concise Hebrew biography, Toldot Rabbi Akiba Eger, which contained a number of interesting details about Eger's childhood, his mode of living, love of learning, etc. But it was not Bleichrode's intention to assay Eger's achievement or personality, let alone to criticize his

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[1] In volume I of Eger's responsa, the following are addressed to Bleichrode: #57, 94, 194, 195; in volume II: #4, 125-127, and 140.

work against the background of his time.

In 1884 S. Lewysohn published (in German) a Complete Biography of Rabbi Akiba Eger which, its impressive name notwithstanding, was nothing more than a collection of legends and anecdotes about the great Posen rabbi; it certainly does not contribute to a better understanding of Eger's life work.

Not until the beginning of the twentieth century (in 1906) did Dr. Leopold Wreschner's authoritative monograph, Rabbi Akiba Eger, appear. This was the first scientific biography to appear and contains valuable analyses of many of Eger's responsa. However, although Wreschner made wide use of other publications dealing with the history of the Jewish communities in Eisenstadt, Lissa, Posen, etc., he failed to pay sufficient attention to contemporary documents affecting the Jews of Prussia in Eger's lifetime, nor did he always realize the historical significance of what were apparently purely halachic responsa. In addition, his study of Eger suffered because at the time Wreschner wrote there was not yet available to him the wealth of historical material that was later published in Freund's monumental study of the emancipation of Prussian Jews,[2] which shed light on many aspects of the struggle by the Jews of the Posen province for emancipation.

In 1908 Solomon Schreiber,[3] a great-grandson of Akiba

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[2]Ismar Freund, Die Emanzipation der Juden in Deutschland, (two volumes) Berlin, 1912.

[3]His father was the son of Sarl, Eger's second daughter.

Eger, who had access to many, up to that time unpublished letters of Eger, wrote a biography of his famous ancestor, Sefer Hut Hammeshulash.[4] The very wealth of family tradition on which Schreiber was able to draw is, perhaps, the greatest deficiency of the book: fact and legend, pious exhortations, and authentic historical material were thrown together indiscriminately. Schreiber is also the author of the very important Igrot Sofrim[5] which contains over sixty of Eger's letters.

The centenary of Eger's death produced a number of studies. The first volume of the Israel (then Palestine) quarterly Sinai[6] contained a study by Obadya entitled Akiba Eger, in which the author analyzed the relationship between Eger and Hassidism. While important in itself, this study does not help us to understand the main problem Eger faced in Germany, viz., the struggle between traditional Judaism and the rising reform movement.

Saul Blum's book on Eger[7] is merely an inadequate translation of Wreschner's earlier work, adding nothing of significance to our knowledge of Eger. Of an altogether different character is the biography by Weitz,[8] which con-

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[4]Solomon Schreiber, Sefer Hut Hammeshulash. Drohobycz, 1908.

[5]_____. Sefer Igrot Sofrim. Vienna, 1929.

[6]B. Obadya. "Rabbi Akiba Eger," Sinai, Vol. II, #1, Jerusalem, 1938.

[7]Saul Blum. Hayye Haggaon H. Akiba Eger. Warsaw, 1938.

[8]Mordechai Weitz. Ateret Poz - Toldot Rabenu Akiba Eger. Kalisz, 1938.

tains a wealth of information on Eger's family and, in addition, corrects formerly erroneous vital data on Eger.[9]

It has been said by a great historian[10] that

> . . . biography . . . becomes history when it considers the individual in his setting in society; . . . for it is only by connecting the individual with his own society that he enters into that great general current of events which we call time.

Yet, in all the available literature on Eger, no attempt has been made by any biographer to view him as a product of his environment, reacting to and influenced by the pressures of outside society.

In a number of instances the present writer has traced the significance of some of Eger's halachic decisions to their historical background. Thus, a query by the Berlin rabbinate as to the proper method to grant a Jewish Bill of Divorce (Get), in the light of the then recently enacted Act of Emancipation,[11] is shown to be the result of a series of laborious negotiations with the Berlin authorities. Again, only a thorough examination of the Prussian government's attitude toward the question of Jewish proselytizing can reveal the motivation behind Eger's decision in such a case.[12]

An intensive study of the documents published on reform Judaism's open challenge, in Eger's time, to accepted

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[9] Vide infra, Chapter I, footnotes 18-20.

[10] Shotwell. History of Histories. Columbia University Press, 1939, p. 7.

[11] Chapter IV, pp.

[12] Chapter III, pp.

religious practices, revealed that he took a much more prominent part in the struggle against the reform movement than hitherto had been realized.

Having evidence of Eger's great love for the study of the Talmud and the Codes, it is only natural to find him at the forefront of the battle that was then raging over the issue of their continued study in Germany. While he was much more sympathetic to the question of secular education than were the leading rabbis of the late eighteenth century - but one of the most important conclusions of this thesis is that he looked with favor on only a minimum program of secular education - Eger found it difficult to bridge the gap between the one-sided exclusive study of the Talmud, that he could not help but favor due to his upbringing, and what alone could have saved orthodoxy under the conditions then existing: the ideal of a combination of secular and Jewish studies. Thus, he failed to draw up a detailed syllabus for a proposed school in which both Jewish and secular subjects would be taught,[13] and thereby delayed the establishment of a network of Jewish schools in which scholars would have found Judaism compatible with secular learning. Because he aimed at perpetuating the study of the Talmud to the exclusion of all else, except for a bare minimum of secular education, he was not able to influence the bulk of German Jewry to follow his thinking.

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[13] Vide infra. Chapter IV, p.

Yet, Eger's boundless devotion to the study of the Talmud and the enthusiasm he engendered among many of his students who flocked to his lectures from all parts of Germany, had so profound an effect that there always was a small but devoted group of men anxious to carry on the tradition of their fathers. In the second half of the nineteenth century such men formed the nuclei of the revival of modern orthodoxy in Germany, so that Eger's students became a strong link in the chain that handed down Jewish tradition to a modern age.

Among the responsa of Eger much valuable material is found on the social, economic, and religious situation of the Jews during the long years of his ministry. The study of rabbinical responsa is important to the historian because it enables him to study the actual living conditions of a period. Eger's responsa consist of two parts: some deal exclusively with explanations of difficult passages in the Talmudic literature; others are requests for halachic decisions in reference to a particular situation. The former, while of great value to the serious student of the Talmud - Eger's penetrating analysis of a problem and his incomparable mastery of the vast rabbinic literature make him one of the most important authorities on rabbinic scholarship of the nineteenth century - are of little interest to the historian. The latter, on the other hand, dealing with concrete situations, represent a mine of information to the student of history. In a separate section

of this thesis[14] such material is analyzed and important data on Jewish life in the first half of the nineteenth century are brought to light.

While Eger's method of instruction and his attitude to early and late rabbinical authorities have been examined in this study,[15] it was clearly outside its scope to evaluate Eger's accomplishments in the field of Jewish scholarship. The writer can only hope that by concentrating on the historical aspect of Eger's writings, he will have contributed to a better understanding of the life and time of Akiba Eger.

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[14] *Vide* Appendix, Excursus. The moral, social and economic status of women.

[15] Chapter VI.

I

EGER'S YOUTH

1761-1791

Among the hills and dales on the western rim of the Great Hungarian Plain, where the last spurs of the mighty Alps merge with the vastness of the lowlands, nestles the ancient city of Eisenstadt. Jews have lived there for many centuries;[1] and since the end of the seventeenth century, were granted special protection by the feudal lords of the district, the Esterhazys. The Eisenstadt Jewish community became in the course of time an important center of Jewish scholarship, counting among its spiritual leaders the well-known MaHaRaM ASH[2] (Rabbi Meir ben Isaac, 1670-17[illegible]), author of the responsa Panim Meirot, who headed an important Yeshivah in the city from 1718 until his death in 17[illegible]. The autonomous Jewish community of the city was for a time also the center of the so-called Sheba Kehillot, the seven Jewish communities of Burgenland, Hungary's westernmost province.[3] Into this flourishing environment came the family which presently will produce the subject of our biography. In the year 1722, Israel Schlesinger, son of one of the elders of the Vienna Jewish community, Marx Schlesinger, settled in the city of Eisenstadt. He had been for many years

the official tax collector of the royal free city of Guens (today Koeszeg, on the Austro-Hungarian border). His son, Samuel Guens-Schlesinger, was a prosperous, civic minded person of substantial means who became the leader of his community (Rosh Hakahal), and who in this capacity made an important endowment to the community: two houses and the interest on a capital of 5000 fl.[4] This money was to be used for the support of six needy children; the houses were to provide homes for the communal employees.

Samuel married Sarl, the daughter of Rabbi Moses Broda (rabbi of Worms, 1732-1742), son of the renowned talmudical scholar Abraham Broda, formerly rabbi in Prag and Metz, Ab Beth Din and head of a famous Yeshivah in Frankfurt from 1713 until his death in 1717. Abraham Broda was the author of Kahel Avraham, novellae on several tractates of the Talmud, and of many other learned works. It is not surprising, therefore, that the son of such parents, Moses Guens - the father a public benefactor and foremost personage in the city, the mother a daughter and granddaughter of famous rabbis - should marry a woman from a family that possessed the admirable combination of good breeding and a worthy Jewish background.

Gittel, the wife of Moses Guens, the daughter of the famous Akiba Eger of Pressburg, the grandfather of our Akiba Eger, brought with her the tradition of a deep love

of and reverence for Jewish learning. When her father died in the prime of his life in his thirty-eighth year he was already a well-known scholar and author of many responsa, as well as the Mishnat de Rabbi Akiba, published posthumously. Her two brothers, Leb and Binyamin Wolf, both were scholars of standing.[5]

This, then, is the immediate ancestry of Akiba Eger II (as he is sometimes called by historians to distinguish him from his equally famous grandfather),[6] born on October 29, 1761. From his earliest childhood it was evident that this youngster was destined to greatness. Quite like his less gifted contemporaries, Eger was instructed in the study of the Talmud at a very early age. His father Moses, himself a scholar,[7] no doubt first taught his young, promising son, but soon recognized the necessity for finding a teacher more capable than he for the child genius. Akiba was about six years old when his parents sent him to the neighboring Mattersdorf, where he continued his studies under Natan Nate Frankfurter[8] for several years.

The choice of this teacher proved to be a happy one; Natan Nate Frankfurter was appointed Ab Beth Din of Mattersdorf at the age of thirteen to succeed his father, Aryeh Leib Frankfurter. One can imagine with what love and interest the Mattersdorf rabbi taught his young protege, who must have seemed to him a duplicate of his own studious self.

Young Eger developed his faculties as a talmudic

scholar to an extraordinary degree. At the age of fourteen his uncle, Binyamin Wolf Eger, helped to bring the youth to the Breslau Yeshivah. Uncle Binyamin Wolf was at that time head of the Yeshivah. He was the son-in-law of the Breslau Chief Rabbi, Landesrabbiner Joseph Jonas Fraenkel, and it is in the house of Fraenkel that an official document of the Fall of 1776 places Akiba. The entry reads:

> Kiewe Moses, born 1762; is a relative of Fraenkel and studies here at his expense.[9] [author's italics]

The fact that Eger lived and studied at the expense of the Landesrabbiner supports the account of Schreiber[10] (and others) that his uncle, Wolf, and the other scholars in Breslau were anxious to have young Akiba live and study in their midst.

In Breslau Eger found what could be called an academy of Talmudic study. Besides Fraenkel and his uncle, the lad joined men who developed into successors to the Chief Rabbi: Yeshaya Pick-Berlin, an Hungarian Jew,[11] Zvi Hersh Shkalb and Aharon Karfunkel, all of whom were destined to lead Breslau Jewry in their time.

In the year 1776, or the year following, Eger began to teach others the intricacies of Talmudic studies and he was to continue in that position of teacher for the rest of his life. In spite of the many infirmities of body which often threatened to curtail his activities, he continued to teach until the very end. It is charac-

teristic of the man that when drawing up his Last Will he requested that no eulogies be mentioned at his funeral except that

> . . . since my fifteenth or sixteenth year I have taught students [while] under great personal sufferings [ ].[12]

Soon the news about the young prodigy spread to the surrounding towns; many must have been the attempts to secure this promising young man as a son-in-law. As it happened, a family of Lissa, one of the oldest and most influential of all Jewish communities in Poland, carried off the prize. At that time the town ranked high as a principal place of Jewish learning. Foremost among the leading personalities was the town's rabbi, David Tevele Chorochov. A galaxy of additional Talmudic lights included his son, Zecharya Mendel Chorochov,[13] who became Eger's close friend, Tobiah Asche,[14] rabbi of Zempelburg and author of Et Barzel, and Chayim Auerbach, Dayan in Lissa for many years, still later (1812) rabbi of Lenzyce. This list could be considerably enlarged, because a number of outstanding talmudical scholars lived at that time in Lissa, but a full description of these scholars can be found elsewhere.[15]

There lived in Lissa, too, a prominent lay leader of the community, Yizhak Izik Margolies, commonly known as Reb Itzik Parness, because he was, after the death of his father Eliyah,[16] the parness (leader) of this important community. Through his business friends in

Breslau, Izik Margolies heard of the brilliant young man, Akiba Eger from Eisenstadt, and in keeping with the traditions of his time he longed to have such a promising scholar as his son-in-law. His oldest daughter, Massa, had already married[17] Yehoshua Feibelman, who became Dayan of Lissa in 1794 and later rabbi of Samter, where he died in 1807. R. Wolf Eger, who acted as the guardian of Akiba, agreed to the proposal and in the spring of 1778 (April 1) the wedding was solemnized in Lissa. In the Pinkas, the minute book, of the Lissa community we find the following notation of the marriage contract:[18]

> Today, Wednesday the fourth of Nissan 5538 [1778] there took place - l'mazal tov - the wedding of the Chayer Rabbi Akiba, son of our master Rabbi Moshe . . . of Eisenstadt and Glickche, the daughter of the noble, our master Rabbi Izik Parness. . . . The groom agreed to pay an additional Ketuba of 807 adumin [1 adum - 3 Reichsthaler; 1 thaler - 6 gold pieces].[19] . . . R. Izik and his wife promised to give to their daughter Glickche a special room in their home with a bedroom [Stuben-kammer] and a kitchen. . . . R. Izik also undertook to supply the couple with their needs from his table for the following four years . . . .

While these arrangements could not be considered extravagant, at least they enabled young Akiba to devote himself exclusively to the study of the Talmud without distraction.

His uncle did not find it possible to attend the wedding of his beloved nephew in Lissa, but he arranged a special gathering in Breslau of friends and well-wishers of Akiba, who toasted the young couple. They also discussed

some talmudical problem at that gathering, as a result of which quite a correspondence developed between uncle and nephew. We have that correspondence in the responsa of Eger[20] who quoted his uncle's letter:

> On the day of your wedding we arranged a special holiday for the scholars and because of their great regard for you they all came to the party I arranged for them. We are all happy and wish you all the best, my dear nephew, and your partner in life. . . . Happy are your parents, my distinguished brother-in-law and my only sister Gittel, who is pious and learned like a man. . . . Happy is your father-in-law who merited to bring you into his house . . . we praise the Almighty that he has granted you the pleasure of marrying the daughter of such a generous and saintly man. . . . We all bless you with a Mazal tov blessing . . . .

Eger was deeply moved by such an expression of kindness on the part of his uncle and Rabbis Fraenkel and Pick and other Breslau scholars who attended the celebration in his honor.[21]

Lissa became the town where Eger spent the happiest time of his life, devoting all his energies to perfect himself in the complexities of talmudic lore. Immediately upon his settling down in Lissa, the scholars of the city visited him, and he reported to his uncle:[22] "Daily new people, the honored scholars of the city come to me . . . ." In later years, Eger was to look back with nostalgia on the peace and happiness of that time.[23]

Eger was already well established by 1781 as an outstanding scholar in Lissa; we find a flattering reference to him by his uncle in the introduction to Mishnat

de Rabbi Akiba by his grandfather, the first Akiba Eger. Writing about Gittel and Moses Guens, he expressed the hope that they would derive much pleasure from all their children, "especially their oldest son, the outstanding scholar though still young in years, who studies the Torah of the Lord day and night, Akiba."[24]

It was an important period not only in the life of its young resident, but the city of Lissa as well, which had reached a high level of prosperity; in population it led Posen by several hundred souls and it was thus the most important Jewish community of western Prussian Poland.[25]

We must pause here to describe a development which in time was to involve Eger in a controversy of the "old and the new," but which already concerned his friend and master, Tevele Chorochov, Chief Rabbi of Lissa. Indeed, it is one of the phases of the movement called Haskalah, the "Enlightenment." Several years before Eger moved to Lissa, Rabbi Tevele gave an official approbation to the Commentary on Pirke Abot by the young Naftali Hirz Weisel-Wessely. This approbation, which graces the opening pages of Wessely's work,[26] was signed by the communal rabbi as well as by his five colleagues of the Beth Din, and reads in part:

> The distinguished rabbinical student, the perfect sage . . . the understanding and learned . . . Naftali Herz Weisel . . . .
>
> We have heard from those who proclaim the truth . . . who know how to evaluate that

> man . . . that our nation still possesses such a precious vessel! . . . . Teach your children these books which the learned author has already written and will write in future . . . let them learn to imitate him . . . .

Similar praise was showered upon the author by other prominent rabbis of the time; foremost among them was Rabbi Yehezkel Landau of Prag, author of the well-known responsa collection, Noda Bi-Yehuda. He writes in his approbation:

> Though I do not as a rule like to give Haskamot but I was very much impressed by your Gan Haul [a philological work on Hebrew synonyms]. . . . As far as his other publications are concerned . . . I am very happy that they will appear . . . and now let him print this whole letter, word by word, at the beginning of his books. . . . [signed] Yehezkel Levi Landau, who is interested in the publication of his valuable works, especially his commentary on the Pirke Avot.

This friendship, however, was only of brief duration. After having received the enthusiastic support of these leading rabbis of the old school, Wessely met Moses Mendelsohn, by whom he was greatly impressed[27] and for whose Biur (Bible commentary) he composed the commentary on Leviticus. This close collaboration with the founder and main proponent of the "enlightenment" movement made Wessely suspect in the eyes of the old rabbis, who must have rued their endorsement of his earlier works. At this crucial period when the old and the new concepts of Judaism engaged in a life and death struggle,[28] there seemed to be no place for anyone who, while believing in the old values of Judaism as practiced throughout the

ages, was yet prepared to move with the times and modify and adapt Judaism to the needs of a new era.

Cooperation with Mendelsohn was but a prelude to the main controversy which embroiled Wessely with his erstwhile supporters, the venerable Rabbis of Lissa, Prague, and Frankfurt.

The next point of contention was the everyday language that the European Jew was expected to use. In 1781, Joseph II of Austria issued his famous Edict of Toleration, in which he removed the harsh disabilities from the Jewish citizens of his empire, but in requital he ordered that Jews educate their children in the German language. The traditionally-minded Jews both of Austria and the rest of Europe consequently regarded the Edict as nothing less than a calamity.[29] They feared that once the Jewish youth, as a result of their German studies would neglect the study of the Talmud, which until then was the sole subject studied in the Hadarim and Yeshivot of Central and Eastern Europe, the whole structure of traditional life for the Jew would collapse. Wessely, an ardent believer in secular learning, held that a knowledge of other subjects and especially a mastery of the vernacular, far from hindering the study of the Torah, actually enhanced such studies, and openly supported the Kaiser's edict. He published a pamphlet, entitled Dibre Shalom Ve Emet[30] (Words of Peace and Truth), in which he urged Austrian Jewry to rejoice at the good intention of

their ruler and to implement immediately his order of establishing German schools for Jewish youth. The one-sided emphasis on the study of the Talmud must cease, he demanded. Everyone must learn at least how to read and write the vernacular. Jewish studies would be graded and only those who by their thirteenth year had shown proficiency in and special aptitude for talmudical studies would be encouraged to continue. "We have not all been created to become experts of the Talmud," declared Wessely[31] categorically, "[and] unless we all become familiar with European culture, we forfeit our right even to be called human."

Such an attack on the existing educational system then prevailing could not go unanswered. Wessely, in his enthusiasm, had perhaps spoken a little too harshly in criticizing the old rabbis who were ignorant of any other learning but the Talmud and its commentators, and the latter were no less vehement in their condemnation of him. There must have been close consultation and cooperation between the leading rabbis of the time. The Sabbath of March 23, 1782, preceding the Passover Holiday (Shabbat Hagadol) must have been selected by agreement as the day on which the concerted attack on Wessely was to begin. This we can infer from the fact that at least two of the most prominent rabbis of the time, Yehezkel Landau of Prague and Lissa's David Tevele Chorochov delivered stinging attacks on Wessely on that day.

We are fortunate, indeed, that both these sermons have been preserved.[32] They help us to recapture the mood of the time. The challenge was thrown down to the Jewish authorities to come forward and lead the erring youth who were grappling with the consuming problem of the day - how to adapt oneself to the new realities of a life outside an enforced ghetto. Of special interest to us is the stand taken by the Lissa rabbi.[33] After thanking providence that Jews now live under the protection of monarchs who are favorably inclined towards Jews - the Kaiser of Austria and the King of Poland - Chorochov begins his attack on Wessely:

> A low person [משפיל גרם] has come forward to advise us about the study of the Talmud and secular learning. . . . He asks more of us than the Kaiser himself; we, too, would not mind to have schools where our children could be taught a little secular knowledge for a few hours, but where would the funds for such tremendous expenditure [sic] come from? The Kaiser will no doubt make arrangements for that too, for he means well with us Jews. . . . But this accursed Hirz Weisel presumes to counsel us; there are plenty of learned scholars in Austria and we do not need his counsel. . . . Perhaps he thinks that people who are not interested in the pleasures of this world are therefore devoid of culture and for this reason he calls anybody who grows a full beard as devoid of human attributes [בעל אדם הוא]. As leader of this community I must be on guard not to allow any dangerous books among you. In view of this last book of Weisel I must suspect also his earlier works and therefore I ask you to send any of his books that might be in your possession to me and I will dispose of them [בזיון].

Chorochov is fully aware of the irony of the situation that only a few years previously he had so wholeheartedly endorsed the Yen Lebanon, and he explains:

> I did not want to approve the book at first because a person who is not fully conversant with the depth of talmudical learning based on the explanations of the rishonim cannot be called a real scholar [ראשונים]. But you [the people of Lissa] persuaded me that it was safe. Landau, who also approved Weisel's work, must have had his doubts even at that time for he added: "I want his works to be published on condition that none of our minhagim be changed [מנהגינו]." [author's italics]

Wessely was not the man to take these attacks lightly. In a second letter[35] dated April 21, 1782, which he also distributed among Jewish communities of Austria, he wrote that a knowledge of the vernacular was essential for any student of the Bible; Jews with secular knowledge, like Mendelsohn, Doctor Herz,[36] Doctor Bloch,[37] who are a credit to the whole community, bring only honor to their people. At times his style is devoid of any bitterness and almost pathetic: "Why should you be angry, O house of Israel," he writes,[38] "against one who does not deny the truth." He spoke from bitter personal experience, Wessely continued, because as a youngster of five, without the slightest knowledge of Bible or Mishnah he was plunged into the middle of Tractate Kiddushin. After explaining how Ashkenazi Jews had had no chance to improve their cultural standards because they used to live among uncivilized peoples, in contrast to Sefardim who often lived among nationalities intellectually active, Wessely bluntly challenged his opponents: "Produce proof that there is anything amiss in my first open letter, and do it in writing, for all to see, or forever hold your peace."[39]

At this point Wessely impugns the sincerity of his opponents. Considering the abuse heaped upon him we can perhaps understand it. He writes:[43]

> Even those who do understand the correctness of our stand (i.e., the need for better education in general subjects) are annoyed with me for having drawn the attention of our young men to it because the proponents themselves fear a diminution of the honor they imagine is due them, inasmuch as they, too, lack secular education.[44]

Then he reiterates:[45] "We already found it necessary to answer the loud cries of protest of these men who think themselves superior to the whole people [ ]."

As can be expected, neither was Chorochov's attack on him glossed over in silence. Wessely writes:[46]

> The rabbi of Lissa demanded on Shabbat Hagadol in his synagogue that my letter be burned and that the rest of my books be impounded. . . . You can see how great is the stupidity, the foolishness of those districts, . . . you can see for yourselves how the rabbis of Prague and Lissa with their whole collegium [ ] praised my works warmly[47]. . . and because of this letter how they have become enemies of mine and of my Torah explanation.

These altercations continued unabated, with Lissa and its rabbi taking the lead in rigorously defending the old pattern. It is interesting to speculate what part, if any, Eger took in these violent discussions that must have been going on in Lissa at this time. It is inconceivable that a young man with the brillian mind of Eger would have been entirely disinterested in the vital question of the need for secular education. It is probably correct to assume that Eger did not altogether share the violent dislike of

Chorochov and of the other prominent rabbis of his time; that he did not think the violent denunciation of Wessely was proper. While we have no direct contemporary evidence on this point, there are sufficient indications from Eger's later pronouncements and letters to enable us to infer what his attitude to the whole question was years later. This problem will be discussed more fully in another chapter.[48] What is of primary importance now is to realize that during the formative years of Eger's growth, the intellectual battle for complete Jewish emancipation was joined; that the reverberations of these struggles deeply stirred the minds of Jews everywhere and particularly so in Eger's home city, in Lissa, which, owing to its importance,[49] assumed a position of leadership among the Jewish communities of western (later Prussian) Poland.

Meanwhile, in Lissa, four children were born to Eger: in 1779 his firstborn, Abraham; in 1781 a daughter, Shendel; four years later Solomon; and, in 1786, Sarah.

By nature Eger was a very affectionate person and he lavished love on his family. We have two responsa[50] in which Eger exchanges talmudical notes on difficult problems with his father, but which also serve to demonstrate Eger's deep familial feelings. They were both written when Eger was still a young man,[51] perhaps while he was still in Breslau.[52] We see how the lonely Akiba suspects that his father sought information from him as a means of demonstrating

his love for his son. He writes:[53]

> I think I know your intention of wanting to derive pleasure from my words [ ] because of the love that nature implanted into the hearts of the parents towards their children . . . .

In turn we have abundant material to show the intensity of his love as a parent. We have a number of responsa that Eger exchanged with his first-born son, Abraham;[54] in them Eger expresses the pleasure he felt when communicating Torah-thoughts to his son.[55]

This pleasure was even more apparent in his voluminous correspondence with his favorite son, Solomon; the latter, best known and historically the more important of his sons,[56] seemed to have inherited his father's brilliant mind, and there is no mistaking Eger's real joy whenever he corresponded with Solomon. In the very first letter, commenting on some novellae of his son, Eger wrote:[57]

> To my beloved son, . . . a father in wisdom though young in years[58] Solomon, . . . My soul rejoices at your pleasant words . . . they are the first fruits of your produce which you have brought to me since you left me; why did you hide your words until today, my son? I am indeed happy when I see you follow the path of understanding of our great scholars. . . . Continue in your studies and I am certain that you will yet become an outstanding scholar.

In later years Solomon hesitated to burden his father with many questions, knowing that Eger had to answer too many queries addressed to him from all parts of the Jewish world; thus he wrote:

> I return to my original request, let not my father . . . weary himself by replying to my

> question in detail . . . my father may believe me it is because of his habit to reply at great length that I hesitate to put my problems before him. . . .[59]

To this plea of his son not to exert himself needlessly, Eger replied with a letter full of love and longing for his son:

> As to the misgivings of my son lest my answers to him become a burden to me; believe me, they are my very life, because when I write to you I imagine that you are actually standing before me and that I speak to you face to face. . . .[60]

With his wife Glickche, Eger lived the blessed life of a couple devoted to the same ideals; she watched over her husband's bodily needs, taking great care that he should not neglect the nourishment his weak physique so badly needed; it was she who was primarily responsible for the early education of her children, instilling the same unquestioning love and loyalty for Jewish learning that she and her husband received from their own parents. She was a deeply religious woman who combined a thorough knowledge of Jewish lore with innate piety, which enabled her to discuss for many hours matters of the heart and mind with her learned husband. As Eger wrote:[61]

> Who . . . knows the greatness of her piety and modesty better than I? Many times we had prolonged discussions concerning religious problems [פלפולא] until midnight.

Thus the idyllic years in Lissa passed by; surrounded by his loving and beloved family,[62] in constant intellectual contact with friends and students, Eger lived the

life of a gentleman-scholar. All his needs were met by his father-in-law, who supported Eger well beyond the four years he had contracted to support him at the time of the marriage.[63] Moreover, Eger himself testified[64] that all the precious objects of his household - books, silverware, candlesticks, etc., - date from his Lissa days when, as he puts it, "I could have been considered fairly well-to-do [ ].”

Nor was Eger a recluse who lived within the four walls of his study. He was treasurer of the Lissa Talmud Torah, an institute for higher Jewish learning;[65] he was also consulted by the Bet-Din in important matters, as his signature on a legal document signifies,[66] though this body consisted of dayanim in addition to the communal rabbi, the Av Beth-Din David Tevele Chorochov.

All this happiness was suddenly shattered by the devastating fire that broke out in Lissa on June 2nd, 1790. In the course of a few hours nearly two hundred Jewish homes were burned and many people lost all their belongings;[67] among them was Itzik Margolies, Eger's generous father-in-law. The unfortunate victims of this holocaust found refuge in the neighbouring towns, many of them in nearby Rawits. Itzik Margolies and his illustrious son-in-law were warmly welcomed in the house of one of the city's leading citizens, where they lived for nearly a year.[68]

All efforts were made by the Lissa Jewish community

to rebuild their city and, in keeping with the tradition of the times, moving letters of appeal, so-called Nisraf-letters, were sent far and wide, all of them being written by Rabbi Noah ben Shimeon,[69] the noted Hebrew stylist.

Eger found his stay in Rawitz a pleasant one; his oldest son Abraham later married a girl from that city,[70] and in later years he wrote with great assurance about the Rawitz Jewish community who, in Eger's opinion, would do almost anything for him.[71] But he now faced one of the most important decisions of his life: in the reduced circumstances that his father-in-law found himself, it was not reasonable to expect that Eger could continue the leisurely life of a Rosh Yeshiva without the responsibilities of the rabbinate that usually went with such a position. Therefore, he had to be ready to accept a call to the rabbinate if such were forthcoming. On the other hand, he was extremely reluctant to accept the position of a rabbi.[72] In the end, the die was cast when the city of Maerkish Friedland offered the rabbinate to Eger in the Spring of 1791.

Itzik Margolies[73] himself urged his reluctant son-in-law to accept the position, and Eger did, though with a heavy heart. The call to greatness came. In spite of strenuous efforts of Eger to escape it, he could never again be a respected lay leader. The rabbinate, with all its responsibilities and challenges, was now to claim

him to the end of his life. For better or for worse, the following decades of traditional Jewish life in Central and Eastern Europe were to carry the imprint of Eger's personality.

II

EGER IN FRIEDLAND

1791-1815

The small Jewish community of Maerkish Friedland is known neither because of ancient origin - it is not one of the many old Kehillot that dotted the map of Central and Eastern Europe - nor for any famous men of learning and scholarship who were born or lived in the city. Its only claim to fame lies in the fact that for a quarter of a century it was the seat of Rabbi Akiba Eger's Yeshiva.

In 1772, by partition of the Kingdom of Poland, Prussia acquired the western parts of Poland, linking for the first time East Prussia with the main parts of the Prussian monarchy. Maerkish Friedland therefore passed from Polish to Prussian sovereignty. As far as its Jewish population was concerned, this change had very important results. At that time, life of the Jews of Prussia proper was regulated by the provisions of the special law dealing with Prussian Jewry, issued by Frederic the Great on April 17, 1750 (General-Reglement).[1] With typical Prussian thoroughness this law set forth all the details of Jewish communal life and lay down the rules of what was forbidden and what allowed. No sooner

had the new provinces been incorporated into the Prussian monarchy than the provisions of the Reglement were applied to them.

The Jewish community was divided into three categories: (1) fully protected Jews (Schutzjuden); (2) extraordinary protected Jews (ausserordentliche Schutzjuden); and (3) tolerated Jews (geduldete Juden), i.e., employees of the local Jewish communities.

The sections of the Juden-Reglement of special interest to us are those dealing with the election of the rabbi, his duties and jurisdiction within the Jewish family. In section XXIX[2] we read that the election of a rabbi was to be carried through by a group of 32 electors, representing the three classes of Jews in the community, the rich, the middle-class, and the poor. In section XXXI[3] the jurisdiction of the rabbi over matters affecting internal affairs, like marriage and inheritance, is conceded, though reluctantly.[4]

The Maerkish Friedland Jewish community organization consisted of three parnassim[5] (elders) whose election had to be confirmed by the local authorities.[6] It was such a group of thirty-five men - thirty-two electors and the three elders[7] - that met on February 12, 1791 and decided to appoint the young Lissa scholar, Akiba Eger, to fill the vacancy caused by the death of their former rabbi.[8] During the same meeting the financial conditions under which their rabbi was to work were written out in full.[9]

His basic salary was to consist of 12 Reichs-Thaler (Rt.) per month (144 Rt. per annum), and with all other sources of income did not amount to 200 Rt. per year. In order to understand the significance of this sum, it might be helpful to point out that in 1808 Minister Freiherr v. Schroetter, in a draft of an emancipation bill submitted to King Friedrich Wilhelm III, suggested that the basic salary for a communal rabbi be no less than 800 Rt. per annum.[10]

In spite of these extremely unsatisfactory financial terms, Eger accepted the call of the Friedland community and for the first time occupied a position of importance as the recognized leader of a Jewish community. Here he continued the career of a gifted teacher, already begun in Lissa. Though his original contract with the community merely called for the establishment of four free tables[11] (plätten) for needy students, soon tens and later hundreds of students flocked to Friedland to draw from the well of wisdom and Torah-knowledge in Friedland.

Nor did he neglect to answer questions of Jewish law and learning that were addressed to him from far and near. By means of these responsa, he won the enviable reputation of being one of the outstanding scholars of his time. Many of the leading rabbis exchanged responsa with him:

R. Meir Posner,[12] Rabbi of Danzig, author of the authoritative Bet Meir; R. Zvi Hersh Zamosh,[13] Rabbi in Glogau (1782-1802) and later Hamburg (-1807), author of

the responsa Tiferet Zvi; Yehuda Leb Kalisher,[14] an old friend from Lissa (since 1807 Av-Beth-Din of that city), author of well-known Ha-yad Ha-Hazakah; Yaakov Lorberbaum-Lissa, prolific author,[15] unhappy yet outstanding,[16] and many others. A complete list of Eger's correspondents, those mentioned both in his own collection as well as those that included his correspondence in their own collection of responsa,[17] reads like a register of the great rabbinical scholars of the late eighteenth and early nineteenth centuries.

In spite of these stimulating activities, Eger was deeply unhappy in the rabbinate. Basically, he was an extremely modest and self-effacing personality who would have preferred to devote himself to the study of his beloved Torah without having to assume the duties of the rabbinate.

As a rule, he was reluctant to give a decision to a practical problem for fear lest his decision be erroneous and he might therefore have caused others to err. As for his modesty, few leading rabbis of his or any other time so longed to escape honor as did Eger. When faced with some difficult problem, Eger would be loath to accept the responsibility and would preface his decision with the remark that this decision be accepted only if one or more fellow rabbis subscribed to it. From the wealth of material[18] only a few striking illustrations will be presented. Eger was asked[19] if a Sofer (a scribe),

who was found to have fraudulently supplied the local citizenry with ritually unfit phylacteries, could still be trusted with regard to two sifre Torah (Torah scrolls) he had written in the meantime. After a careful analysis of the relevant rabbinical literature, Eger came to the conclusion that these sifre Torah were fit to be used, but he added: "In this matter I do not want to depend on my own reasoning without the approval of the great rabbis."

In another instance,[20] of much greater importance, Eger was asked by the rabbinate of Slotwe (Platow) to decide a difficult and serious case: A woman, whose husband left for a long journey after Pesaach, (and who apparently committed some offense later and was imprisoned and unable to attend sessions of the Beth Din later)[21] and who since then twice observed her menstrual periods, gave birth to a child on Purim of the following year. There were rumors about her marital infidelity and, after careful investigations by the local Beth Din,[22] witnesses came forward testifying that they saw the woman in compromising situations with a certain young man, of known loose moral standards.

After a thorough analysis of the testimony and a supreme effort[23] on the part of Eger to save the child now born from the stigma of bastardy, he found a way to declare the child as being considered her husband's truly born son. But again he writes:[24]

> Heaven forbid that you should rely on my humble opinion, for who am I and what is my strength, I who am but young and incapable of understanding [ ] except if the great men of our time were to agree with me, and if the decision will be on their responsibility, [ ] then I too will add my humble consent to their favorable verdict.[25]

Following the suggestion of Eger, the local Beth Din submitted his detailed decision to some of the greatest authorities of the time: Meir Posner, Zvi Hersh Zamosh, then rabbi in Glogau, and his own cousin Zabel Eger, Av-Beth Din of Braunschweig.[26]

Now followed an extraordinary series of responsa. Meir Posner, in a detailed scrutiny of all the arguments advanced by Eger, while agreeing basically with Eger's views (and heaping praises on Eger for his brilliant and original deductions) was unable to come to a clear decision.[27] "The Lord knows," he writes, "that I strongly desire to find a way to adjudge the child as born in wedlock [ ] . . . if at all possible."[28] He therefore suggested that Eger, in conjunction with one other rabbi that the Beth Din of Slotwo might choose, come to a decision, and he, Posner, would acquiesce in it, since the evidence culled from the authorities was none too clear. "May Haven help us in reaching a true decision," he added as an afterthought. It seems that the very sincere dread to incur such a heavy responsibility was felt as strongly by Posner as by Eger.

Eger was now faced by a serious problem. His innate

modesty urged him to abide by the verdict of Posner, the recognized authority of the time and by many years his senior. He was aware, too, that in a serious case of this nature doubt was tantamount to an unfavorable decision. On the other hand, he was filled with compassion to save the child from the stigma of being a mamzer (bastard). Moreover, he felt that his interpretation of the authorities was sound.

Without hesitation Eger wrote a second, searching responsum,[29] in which he refuted point by point Posner's argument. In a properly respectful tone,[30] he showed that a careful reading of the sources would still uphold his interpretation; that therefore there was really no basis for Posner's doubts. With typical humility he decided, however, that he would never render a favorable verdict against the considered negative opinion of Posner. He would come out with a favorable legal opinion, he concluded, only if Posner could see his way unequivocally clear to admit the child into the Jewish community.

Posner accepted the challenge; though valiantly defending his original position,[31] he nevertheless gave the declaration Eger asked of him in favor of the child and accepted the responsibility of the final decision.[32] All he asked now was that Eger should obtain the approval of at least one other rabbi, since their decision was rather novel in its apparent contradiction to the textual interpretation of earlier authorities. Though concord seemed

to be reached, Eger, with the zeal of a scholar, could not restrain the impulse to answer some of the points raised by Posner in his second letter.[33]

We now come to the exchange of views between Hersh Zamosh and Eger; the former was disinclined to agree with the favorable verdict of Eger,[34] finding fault with a number of technical points concerning the trustworthiness of the witnesses in this sordid affair.[35] In Eger's reply we suddenly find a complete change of attitude. Gone is the self-effacing hesitancy he adopted in replying to Posner; he used very strong[36] language wherever he felt Zamosh did not fully understand a certain fine point that he made, and did not hesitate to tell his correspondent: "From his words it becomes apparent that his Honor did not sufficiently examine my statement."

He was especially surprised that, with regard to the reliability of one of the witnesses, Zamosh seemed to take the opposite view from that taken by himself or Posner. At any rate, Eger felt positive enough not to be shaken by the adverse opinion. His cousin Zabel Eger also hesitated to accept Eger's reasonings fully, and even quoted his father, Yehuda Leib Eger;[37] but he ultimately acquiesced in the decision.

Thus we see Eger in true perspective: usually modest, scholastically cautious, and full of awe lest he decide an issue not in strict accordance with the laws of the Jewish

religion; yet full of a warm understanding towards the needs of people in distress and ready to marshall all the arguments his inventive mind could wring from the codes and commentaries of Jewish learning.

During the first few years of his life in Friedland, his wife Glückche continued to lavish care and affection on him, enabling him to devote himself wholeheartedly to the study of the Torah. She even succeeded in hiding the difficult financial situation[38] under which the family had to live with Eger's low salary. She lent a patient and understanding ear when out of the depth of his over-sensitive nature he complained to her about his plight: that he had to accept this position of the rabbinate in which he was being paid for doing nothing[39] and which moreover imposed on him the terrible responsibility to decide matters of Jewish religious law.[40]

Though the daughter of a prominent businessman, accustomed to the amenities of life which money provided even in the frugal, unsophisticated life of that era, she was willing, according to the testimony of her husband,[41] to retire with him from his position, once their children would be settled, and to live on bread and water alone. Two of their children were already happily married: in 1795 the proud parents led their scholarly firstborn, Abraham,[42] to the Huppah, and early in 1796 their daughter Shendel married a well-to-do, learned, and charitable merchant in Bromberg, named Davidsohn.

Eger already was discussing with his son Abraham and other friends the possibilities of giving up his position and accepting the humble post of a sexton (Shammash) or a night watchman,[43] when his wife began to ail. Her condition deteriorated rapidly and in spite of the greatest efforts by her husband and her physicians she died on February 21, 1796.

Eger's grief at the loss of his beloved wife was uncontrollable. During her illness he had watched over her day and night, and the exhaustion of his limited physical strength brought on a severe illness. He was unable to retain food, nor sleep, nor, what was even more taxing for him, could he concentrate on his beloved studies. Three weeks after Glickche's death the desolate widower wrote to his friends in Lissa:[44]

> Friends suggest different matters [possible re-marriage] to me . . . but I do not listen to these suggestions and I tell them that I will not consider anything of that kind until I have recovered a little from my sorrow. . . . When I open letters [containing suggestions for a match] as soon as my eyes see anything of that kind my tears cover the letters and I throw them down, without answering them.

Earlier in the same letter Eger poured out his grief to these two friends from Lissa, Rabbi Mendel Chorochov[45] and Rabbi David Pollak:[46]

> Now that she has returned to her Father's house in her youth . . . I am bereaved and smitten, a broken vessel. . . . With whom will I talk of my worries and ease my mind? . . . How can I ever forget my own right hand? . . . All happiness and joy have gone from me.

We obtain a glimpse of his real attitude to the rabbinate in this passage of his letter:

> I need a little time to gather my thoughts concerning my bodily needs . . . the needs of my household, before I can begin to think about a second marriage. . . . Whether I will continue to remain in the rabbinate or whether I will search out a way to find some respite and throw off the yoke of the rabbinate and to live like one of the people; it is known to you how intensely I dislike the rabbinate - Thou O Lord knowest it all - . . . .

Now his reasons follow:

> Quite apart from the fear of the wrong decision, for one as ignorant as I am [it seems] as if the Gehinnom were open underneath me; moreover the necessity to lecture before others . . . and to expound pilpulistic arguments, where it is at times impossible to suppress the [vain] joy of satisfaction.[47]

And then comes the one reason that is perhaps most characteristic of him: lest by accepting the piteous allowance his community paid him at that time, he should in fact be a parasite, receiving a salary without really deserving it:

> The manner of earning my livelihood also displeases me; to be a burden to the congregation [and getting paid] for nothing, without any actual work; to take [money] from individuals who perhaps only give reluctantly, under pressure of public opinion. . . . Believe me, I pray most fervently during the High Holidays to be saved from this predicament. . . . Though I realize that I am not unique in this position, I presume that the other rabbis have their own reasons . . . but I cannot find any solution for it at all.

There was one more factor that Eger was considering and weighing before making up his mind about a second marriage. There was the possibility[48] that his widowed mother,[49] who had in the meantime led to the Huppah her

youngest daughter, Sarl, in 1794, and who lived under rather difficult financial conditions, might want to join her oldest son, Akiba. Eger realized what strain this would impose on a young and inexperienced girl like the one his friends proposed to him - the daughter of his brother-in-law Yehoshua Feibelman; and he felt that if such an eventuality came to pass, and his mother were to live with him, a more mature person than his young niece should be his partner for life.

The fact that his two friends hurried the matter and had already spoken about the proposed match to the bereaved in-laws of Eger in Lissa greatly disturbed Eger; he felt that such premature action might be misconstrued by his parents-in-law, for whom Eger had the greatest love and admiration;[50] it might indicate that he could easily forget the love and devotion that had united him with his first wife.

On second thought, however, Eger found the proposal more to his liking; he knew and respected Feibelman as an outstanding scholar[51] and by marrying his daughter he would perhaps bring satisfaction to Izik Margolies, his liberal and devoted first father-in-law, whose granddaughter he would now wed. This consideration tipped the scales of decision and in the summer of the same year (Monday, August 29, 1796[52]) the wedding took place in Lissa.[53]

With his second wife, Brendel, Eger also lived very

happily, and in spite of her youth (she was only sixteen years old when Eger married her) his children from his first wife treated her with consideration and respect. In one of his letters[54] to his "new" father-in-law, Eger wrote:

> . . . concerning his daughter . . . let his pure heart be confident and assured and let him not worry about anything because great is the fear of the Lord in her and her wisdom stands her in good stead. . . . in spite of her tender years she is, the Almighty be praised, the very support and mainstay of the house . . . my children also . . . are comforted through her after their mother and revere and honor her as if she were their true mother.

In the same year, 1796, his uncle Wolf Eger passed away and the men of his community in Leipnik pressed Eger to accept the position there.[55] Eger was almost willing to accept, it would seem from the inquiry of his relative Hersh Zamosh who wanted to know if Eger intended to move to Leipnik. Similarly, we can understand the significance of a letter which Eger wrote to the leaders of the Friedland community, asking them for an increase in his salary.[56] Since the community of Leipnik was willing to accept him, presumably at a higher salary, and since Eger was now fully aware that he could not manage on his present salary, he was forced to ask for an increase. Though this letter was undated we are safe in surmising that it must have been written at the time of his second marriage, when he was made aware of his poor financial condition. In view of his attitude to the rabbinate in general and his

reluctance to accept a salary at all, this step could only have been taken under great compulsion.

Eger asked for a weekly salary of 5 Reichsthaler, as against the original salary of 12 Thaler per month under the agreement signed at the time of his coming to Friedland. The relevant passage in which Eger seems to hint at being ready to leave Friedland if his request for an increase would go unfilfilled reads:[57]

> Undoubtedly it is not your wish that my stay here should be under forced hardships [ ] so that my desire should be to endeavor to find another way before me . . . .

The desire to leave the rabbinate and to lead a humble life, devoted exclusively to the study of the Torah and to the service of the Lord, never left Eger. We know of at least one more letter that Eger wrote[58] to one of his students, begging him to help in the great cause; he had already enlisted the interest of a few generous men who were willing to set aside a sum of money for the purpose of supporting Eger, but this sum was not yet sufficient - would his correspondent also help? This briefly is the essence of the letter, and because it enables us to see Eger clearly before us, a few abstracts from this letter now follow:

> I then thought that I and my household will live like some of the poor; for who says that it is necessary for us to dress in expensive clothes and to eat rich food? Are there not many people . . . who eat but dry bread and wear cheap garments! Let us also be like them; and such expenses I could easily earn by being a <u>Melammed</u> or something similar,

> because I would prefer any such profession to being a rabbi . . . but my wife and my children . . . held me back because they were unwilling to change their accustomed way of living and because of this I was drowned in the mire of the rabbinate.

About a year before writing this letter,[59] Eger had decided to extricate himself, come what may. He had persuaded his wife to accept the change and had found the brothers May, printers and publishers in Dyhrenfurt, willing to set aside a sum of money which would enable him to retire. Some of the rich men in Friedland, who understood and sympathized with their rabbi's spiritual plight, also volunteered to contribute a small sum, and together this would have sufficed for him to leave the rabbinate, though it would have meant a life of hardship and extreme economy. As Eger wrote:[60]

> I said now was the time to accomplish my intention, and I encouraged my wife until she also agreed to it . . . and I was certain that now my plan would succeed.

A new complication arose, however, when the decision had to be made to what locality Eger would move after his retirement. On the one hand his son Solomon suggested that he return to his native town of Eisenstadt, while both his son Abraham, who was then living in nearby Kavits, and his son-in-law Avraham Mosheh Kalisher,[61] rabbi of Schneidemuehl, urged that he should remain in Prussian Poland so that they should be able to remain in close personal contact. Eger continued in that letter:

> . . . since I did not want to settle in either Lissa or Ravits they advised me to settle in Dyhrenfurt; because I prefer a small city . . . where the few inhabitants would not unduly distract me [from the study of the Torah]; my friends also told me that since the brothers May were the first to commence with this Mitzvah it would only be right to give them the satisfaction of living near them.

Yet, at the last moment difficulties arose: leading rabbis of the time, relatives - Zvi Hersh Zamosh of Glogau, Meir Weyl of Berlin, and others - begged him not to go through with his plan. Most important of all, his own mother categorically refused to allow him to resign his present position on the ground that the various contributions promised to date would not be sufficient for the upkeep of his family; nor did his friends and well-wishers actually set aside a sum specially for the purpose.[62]

In utter despair Eger continued:

> They [his mother and other relatives] persuaded my wife to change her mind and now I remain imprisoned as I was before, unable to extricate myself. The Lord knows my affliction . . . daily I loath my life on account of the rabbinate; after all, I was sent here to do the work of G-d. . . . is indeed one, who occupies the position of a rabbi, worthy to be called a servant[63] of the Lord? Many are the victims of the rabbinate . . . my thoughts will not rest from planning some means to escape it.

In spite of these strenuous efforts, Eger was never to succeed in escaping this burden; before many years passed he was to occupy one of the most important positions in Greater Prussia, in one of Europe's oldest communities: he was called to be the spiritual leader of the venerable Jewish community in Posen.

There was one aspect of the rabbinate, however, which Eger did enjoy: the opportunity it afforded him to work for the improvement of local conditions. In this letter, from which the preceding passages were quoted, Eger proudly refers to the good institutions he was privileged to introduce in Maerkisch Friedland as his real treasures [את מקנל גה בניה שבירין שלים בן מאה בשב שפה, כשה שאן אחם ומקנים].[64]

It might not be out of place to mention here that this strong dislike of the office of the rabbinate influenced to a certain extent some of Eger's relatives and friends. His son Solomon followed the occupation of a businessman in Warsaw until he lost his fortune in the aftermath of the anti-Russian rebellion of 1830, when he was forced to accept the position of a rabbi in Kalish.[65] A son-in-law of Eger, Chayim Shmuel HaLevi Birnbaum, while an outstanding talmudical scholar - Eger himself speaks very highly of him in a letter[66] to Birnbaum's father: " . . . whenever I see him my heart greatly rejoices that I was privileged to give my daughter to such an outstanding scholar . . . " - refused many offers of rabbinical positions and lived as an independent layman in Dubno until his death in 1887.[67]

The most striking example, however, we find in the person of one of his students, Mordechai Michael Yaffe, rabbi in Krotoshin, author of several works of novellae and responsa.[68] Yaffe apparently succeeded where his more illustrious master failed; toward the end of his life we

note would have sufficed. We have his reasons for such a departure, in a letter to his sons who were about to publish the first volume of his responsa:[73]

> Occasionally I would reply with a lengthy answer because of my respect for the questioner, when I knew that he would appreciate a detailed answer; and then again [I would be profuse in my answer] when I knew that my questioner was unhappy or suffering so that I might cheer him with my words.

Thus we find him replying at great length to his relative Meir Weyl of Berlin, in the case of a woman whose husband was drowned, but whom the witnesses were not able to identify with absolute certainty (not having been present when the accident occurred). At first he ignored some points that Weyl raised but which were somewhat irrelevant; and he actually apologized for doing so:

> There still remain a few points that are mentioned in his holy[74] letter which I did not discuss; not because I find them unimportant - because all his words are beloved by me - but because I intend to fulfill his request and reply by return mail, and the mail is about to leave.

As fate would have it, Eger missed that mail anyhow and he immediately added a postscript:

> Since my reply has been delayed on account of some difficulties with the mail, I will not refrain from further discussing the points his holy words raised. Though they do not materially affect the issue, I do so, because of my great love for him.

Numerous examples of this attitude are found in his responsa.[76]

Whenever Eger answered with such lengthy replies

find him outside the pale of the rabbinate, happily established as the "Klaus"-rabbinner of a small Bet Hamidrash in Hamburg, where, freed from the responsibilities of an official position, he could devote himself exclusively to the study of the Torah. In the introduction to his Tshuvot MRa'M Yaffe, he writes:

> I am grateful that fate has been kind to me and brought me here [i.e., Hamburg] into the house of study: I rejoice that I succeeded in breaking the yoke of having to render religious decisions [ ] and the burden of leading a congregation [ ].[69]

During the years that Eger spent in Friedland, there flowed an ever increasing flood of letters addressed to him by scholars from all parts of central and eastern Europe. Eger's attempts to answer these letters almost immediately[70] imposed a considerable strain on him; moreover, Eger insisted on keeping a copy of all his decisions, retaining both the question addressed to him and the answer he went.[71] Eventually, he was forced to refuse to answer any but the most urgent requests, informing new correspondents that in the future he could not answer the problems they might address to him. Thus he writes to one correspondent:

> I usually reply the first time, when my correspondent does not know my attitude [of not replying to questions from outside his own town] lest he should consider me discourteous, but let him know what to expect in the future.[72]

At times his good nature and kind heart triumphed over his intention of carefully economizing his time, and he would write a long and detailed answer where a brief

which consumed more time than he allotted for his daily correspondence,[77] he would make up for this indulgence by curtailing the few hours of his nightly sleep. His son Solomon testified:[78]

> I myself refrain from asking my father difficult talmudical explanations because I know how busy he is and he will under no circumstances give up his regular lectures [פירושים הנהוגים]. If a question is addressed to him from outside his own city, he will deprive himself of sleep in order to reply.

That this is no exaggeration we can see from a statement by Eger himself: "I did not want to give up my regular lectures . . . and since I did not want to delay I did not sleep last night. . . ."[79] In another letter[80] to the same correspondent[81] he writes in a similar vein: "Last night I stole a little time . . . to reply . . . very briefly."

Whenever possible he would leave all answers to questions addressed to him from other cities to Fridays, because this was the one day of the week on which no classes were held in his Yeshiva. His son Solomon writes:

> All the letters containing talmudical novellae as well as the majority of his responsa were written on the eve of Shabbat, on the day on which no classes were held for the students of Yeshiva.[82]

On one occasion Eger wrote[83] a responsum a half-hour before the commencement of a holiday.

Gradually, the scholarship and piety of Eger won him a reputation among Jewish communities which made it impossible for him any longer to entertain thoughts of a

possible life of contemplation and study, removed from the troubled realities of life. Important communities far and near were interested in securing the services of such an outstanding scholar and saintly man for the greater renown of their Kehilla.[84]

Politically, too, Eger's superiority and leadership in his own area - Prussian Poland - was recognized. Important political developments had taken place. After the peace treaty of Tilsit (1807) between Napoleon and the defeated Prussian monarch, a substantial part of Poland, including some of the territory hitherto ceded to Prussia, was reconstituted as the Duchy of Warsaw. Instead of bringing complete liberty to the Jewish subjects of this French-controlled protectorate, a series of oppressive taxation laws were issued against them. In June, 1810 the government introduced, in place of the original poll tax, a special Kosher meat tax, which inflicted hardships on the Jews of the Duchy. After various attempts to revoke this tax failed, it was decided to send a delegation, representing all Jewish communities of the Duchy, to the responsible minister in Warsaw, and the rabbi of the Friedland community was chosen to head that delegation.[85] Two years later, a similar assembly of Jewish leaders took place, at which Eger again played a leading part.[86]

Nor was the city of his birth, Eisenstadt, unmindful of the greatness her son had achieved in Germany. The more people spoke about the fame of Rabbi Akiba Eger, the

greater became their desire to bring about the return to that city of its most famous son. In the summer of 1810 the leaders of the Eisenstadt community decided to act. They sent Eger a formal letter of invitation [כתב הזמנה] asking him to accept the call to his native city in order to "raise the Torah to its former glory."[87] The terms offered were very liberal: an annual salary of 3,000 florin (Gulden), to be paid in four quarterly installments (two men had already been appointed to see that the salary was paid without fail), additional income guaranteed, an unequivocal commitment to increase the salary if it proved insufficient ("because our desire is that the income of our Master and Teacher, the Gaon, should enable him to live in comfort, without any worries"), and above all, a promise to support all the students who would flock to his Yeshiva.

The terms of this contract appealed very strongly to Eger, who was especially pleased about the prospects of finally living in a community that would be proud to support a large number of Yeshiva students.[88] Moreover, he had reasonable hope to raise some Torah scholars among the young students of Eisenstadt, whereas, as he bitterly complained in a letter[89] written towards the end of his stay in Friedland, he had been unsuccessful in enlisting even a single local boy in his Yeshiva. Added to all this was the prospect of being re-united with his beloved mother whom he had not seen since he left for Breslau in

1776, and of living with the other members of his family. Eger consented and he agreed to go to Eisenstadt in the summer of 1811.

The news of Eger's decision to leave Friedland and Germany and to return to his native Hungary caused a sensation among his own congregants and consternation among the rabbis of the province. At this late moment the leaders of the Friedland community reminded themselves in what niggardly manner they had treated their illustrious rabbi. They decided[90] to raise his salary to 12 Rt. per week, and when that did not seem to outshine the tempting offer of Eisenstadt, they increased it to the handsome sum of 16 Rt. per week. In addition, they undertook to donate 250 Rt. on the occasion of the marriage of each of Eger's children.[91] When all this did not seem yet enough, they resorted to the one means that was certain to be effective: they appealed to his sense of duty and loyalty to the cause of traditional Judaism.

A lively correspondence now began between the leaders of the Friedland community and the leading rabbis of Germany (included in this are the formerly Polish towns such as Ravits and Lissa which belonged - for a time at least - to Prussia). The leaders of the community did not want Eger to leave Friedland for fear lest his departure pave the way for reform tendencies within the community. The rabbis in their turn appealed to Eger to remain at his post to safeguard the interests of traditional Judaism.

Typical of the correspondence was the letter which three of the Friedland community leaders sent to Rabbi Abraham Titkin,[92] then in Gross-Glogau, appealing to him to intervene with Eger and to urge him to remain. By that time Eger had already allowed himself to be persuaded that it was in the interest of traditional Judaism that he remain in Friedland; he regretted his promise to the Eisenstadt community, and Titkin's intervention was sought to help break the deadlock:

> Undoubtedly it is known [to you] how our rabbi . . . decided to leave this city and to return . . . to Eisenstadt.
>
> We are heartbroken . . . and only with the greatest difficulties will it be possible to find a successor worthy of him. . . . From outside the country [it is impossible to obtain a successor] because it is against the law of the country [ ].[93]

This argument of the leaders of the Friedland community was a very sound one; it was indeed the deliberate policy of the Prussian government not to allow any Jewish scholars from abroad to take up rabbinical posts in that country. This factor contributed significantly to the rapid decline of orthodoxy in Germany during the first few decades of the nineteenth century. The letter continues:

> If the office of the rabbinate will not be filled immediately . . . many good institutions which our rabbi introduced, as well as the upkeep of the Yeshiva will be threatened.
>
> Our rabbi now wants to remain here, because he realizes the great harm [that would be caused by his leaving].[94]

In the same source,[95] we find Eger's reply to Titkin, in

which he consents to remain in Friedland if only a release from his promise to the Eisenstadt community would be obtained. Eger mentions that in addition to Titkin, such prominent rabbis as Yaakov Lorberbaum of Lissa, his uncle Leib Eger of Halberstadt, and Meir Weyl of Berlin had urged him to remain.[96]

Eger, then, did remain in Friedland, though he was to visit Eisenstadt in the fall of 1812. The occasion was the wedding of his widowed daughter Sarl to Hungary's leading rabbi of the period, Moses Sofer-Schreiber.[97] This marriage, which united two of the outstanding leaders of traditional Judaism, had a profound effect on Eger. Several years before the wedding Sofer and Eger had exchanged responsa which reveal a feeling of closeness that must have already existed between the two;[98] now these contacts became more and more cordial. Eger displayed so much affection for his illustrious son-in-law,[99] that when Sofer, shortly after the wedding, wrote to the leaders of the important Moravian community of Trietsch, whose rabbi[100] had left them for a position in Regensburg, and asked them to offer the vacant position to his father-in-law, for whom he had great affection and with whom he had spent eight happy days of intellectual kinship,[101] Eger was willing to move even to that small community provided it was near enough to his son-in-law to enable them to remain in close personal contact. The affection he felt for his son-in-law must, indeed, have been great, when we remember that he had

less than a year before withdrawn his acceptance of the position in Eisenstadt, despite the many attractions it offered, because of a feeling of loyalty toward the position of orthodoxy in Germany.

On the face of it, this sounds incredible. Were Eger to leave for Moravia, all the arguments advanced by the rabbis of Germany, quoted above, would still obtain; moreover, his beloved mother had died in the meantime[102] and, therefore, the one incentive - to be closer to his mother - no longer existed. Yet, Eger was ready to leave. We must assume that his desire to be close to his son-in-law was so great that he was prepared to ignore everything else: the appeal of his own parishioners, the counsel of his peers, the desire to fight a rear-guard battle for traditional Judaism. For some reason this plan did not materialize[103] and Eger remained in Friedland until he finally left that community for his great post in Posen.

The prospect of occupying Germany's[104] largest rabbinical pulpit filled Eger with misgivings. Eger did not love the rabbinate for its own sake, neither its honors nor its responsibilities. The rabbinate caused him mental anguish. The only consolation was his ability to introduce needed changes in the life of his community, to check abuses and to help organize philanthropic institutions that were lacking.[105]

In the Spring of 1814, when Eger was about to accept the call to Posen, he wrote, with characteristic humility,

to his beloved son-in-law, Sofer:[106]

> He who knoweth hidden things knoweth that I am fully aware that I am not worthy to be a head for foxes, let alone for lions; my position here in Friedland is greater than I deserve, and how much more so would be Posen.

But then he states the decisive reason for accepting:

> . . . But my teachers and colleagues from Lissa, Ravits,[107] Berlin and other communities near Posen appeal to me [ורבותיי] . . . to go [there] and to . . . increase the love for the study of the Torah.

The same men who so violently objected to his leaving Germany for his native Eisenstadt, now beseeched him to accept the call to Posen. He concluded his letter typically,[108] by begging Soffer to pray for him:

> . . . I very earnestly beg of my distinguished son-in-law that he should mention me in his prayers, that the Lord might strengthen me to lead such a big congregation, that He enlighten my eyes in His Torah and that He let me find favor in the eyes of the people so that I should not be disgraced in this world nor be put to shame in the world to come.

On the same day Eger also wrote[109] to his younger brother, Samuel, who had apparently urged Eger to accept the position for the sake of prestige, so that his children and especially his famous son-in-law should be proud of him as the "Posener Rav." Indignantly Eger rejected any suggestions that such motives should in any way influence his decision. The Almight be praised, he cried, that people seem to be quite willing to enter into arrangements for marriage with his children even now; and, as for Sofer, it is he who is proud of his illustrious son-in-law, not

the reverse.

Thus we find Eger at yet another crossroad in his career, facing the future with the same mixture of humility and determination that we have come to associate with him. Germany's largest Jewish community, against the turbulent background of internal strife, was a challenge for any personality; for one as shy and humble as Eger, it was indeed a supreme test.

III

PRELUDE TO POSEN

Prussia and the Jewish Question

In order to understand fully the background of the struggle inside the Jewish community of Posen, it will be necessary to outline the attitude of the government of Prussia to her Jewish subjects. In 1812, a few years before the call of Posen's leaders to Eger, Frederic William II had issued in Berlin the long anticipated and eagerly desired Edict of Emancipation, removing most of the restrictions under which Prussian Jews had lived ever since they were re-admitted into Prussian territories by the king's ancestor and namesake, the Margrave of Brandenburg - the "Great Elector."

While it is obviously outside the scope of this dissertation to discuss its many ramifications,[1] we will examine the attitude of the government to the internal affairs of the Prussian Jews. To what extent - if any - did the government show a desire to bring about a change in the basic attitude of the Jews towards their own religion? Was the government favorably disposed towards those who wanted to introduce reforms in the worship of the synagogue? And, above all, what was the attitude of the authorities to the most burning Jewish problem of

the day: the question of the education of Jewish youth?

Though at first glance it may appear that the Prussian authorities, reactionary in their dealings with non-Jewish subjects, would show little inclination to favor movements within the ranks of Prussian Jews to change the traditional pattern of worship or education, a careful examination of the data available shows that this was not so. However, during the development of the new policy, examples of official disapproval of any innovations are recorded - and some of these will be mentioned.

The first attempt of Berlin Jews to establish a "reform" congregation met with official disfavor.[2] The struggle of Leopold Zunz and others for the right of Jewish ministers to preach in the vernacular is another example of the restrictive policy of the official Prussian authorities toward their Jewish citizens.[3] The zeal of some authorities to prevent innovations in the religious life of Prussian Jewry is exemplified by this rescript of the Prussian Ministry of the Interior,[4] addressed to the Jewish community of Minden (in Westphalia), when the local synagogue authorities apparently intended to introduce the ceremony of confirmation. Thereupon the Ministry of the Interior intervened, saying:

> . . . that no changes, leading to the possible formation of sects among Jews, could be tolerated. Since confirmation has to be regarded as such [a dangerous change] it is not to be permitted.

Nor were orthodox rabbis slow in taking advantage of

this attitude of the authorities, since it would enable them to receive governmental support against changes that certain sections of the Jewish community wanted to introduce.[5] Thus, Chief Rabbi Abraham Sutro of Muenster appealed to the authorities[6] to intervene in the practices of the nearby community of Soest, where confirmation and other changes had been introduced. In reply to his request, the Ministry of Education advised the local authorities to take adequate measures against these changes.

Yet, a careful examination of the utterances of responsible leaders of the Prussian government shows that the instances just mentioned did not arise because of any respect for or interest in the maintenance of traditional Judaism for its own sake. Quite the contrary is true; the government consistently tried to break the religious solidarity of the Jewish community. As an illustration we may use the attitude of successive Prussian legislations on the use of religious excommunication (herem).

In the edict of 1714, which King Frederic William I issued shortly after his succession to the Prussian throne, he specifically permitted[7] the use of the ban by the rabbinical authorities provided that two-thirds of the fine of one Thaler per day, which the well-to-do Jews had to pay as long as they were under the interdict, were to go to the royal coffers. This followed the traditional pattern of medieval potentates who were interested in the strengthening of Jewish authorities, as long as a handsome

excommunication, was strictly prohibited.

After the death of Frederic II the Jews of all Prussian cities sent a petition to the new monarch, Frederic William II, asking him to abolish all the petty injustices and special financial burdens, and grant them full rights of citizenship. Now followed a long period of memoranda, commissions, reports, etc., in which the whole Jewish problem was carefully analyzed with Prussian thoroughness. After negotiations which lasted for a full quarter of a century, in which some of the foremost men of the country took part, the famous emancipation edict of 1812 resulted.

It will be of special interest to take chronological note of some of these views from 1787 to 1812, inasmuch as they reflect the attitudes of these high officials toward Jewish religious life, and the authority of the rabbis within the Jewish community.

In 1787 Staatsminister von Werder informed[13] His Majesty that in the opinion of the competent authorities it would be necessary "to moderate the compulsion of their ecclesiastical law which rests exclusively on the <u>authority of their rabbis</u>" (author's italics). A few years later the general directorate (<u>Generaldirectorium</u>), which the king had entrusted to make further recommendations concerning the solution of the Jewish question,[14] came forward with the following suggestion:

profit could be achieved for the benefit of the ruler.

In the most important legislative act of this king concerning his Jewish subjects - the Generalprivilegium of the year 1730 - there is a general tendency to restrict the rights of the Jews, in keeping with the hostility that this Prussian monarch nursed against Jews.[8] One item, however, remained unchanged: a Jew might be put under herem provided that the royal exchequer would receive the two-thirds of the fine imposed upon the sinner.[9]

The next monarch to issue a set of regulations concerning his Jewish subjects was Frederic II. He revised the Privilegium in the year 1750. This elaborate document, comprising thirty-three paragraphs, now contained certain significant changes. While it still maintained the position[10] that all Jews in Berlin and other cities of the Prussian monarchy were, in religious and synagogue matters, subject to the authority of the rabbis and the elders, it curtailed the jurisdiction of the rabbinate in connection with the ban. No one could be put under ban without consent of the magistrate for such secular "transgressions" as failing to pay one's taxes. For more religious transgressions, where the rabbi would sometimes put the offender under a secret interdict, the ban was categorically prohibited.[11] As in earlier provisions, the crown was still entitled to two-thirds of the ban penalty that was officially imposed. Under later legislation,[12] dated April 17,1797, any kind of ban, or

> ...to abolish completely the jurisdiction of the rabbis both in civil and in synagogue affairs, because by means of this jurisdiction they are kept under a compulsion which hinders their cultural development. . . .

It also recommended that:

> . . . no further alien, especially Polish teachers, who instill in the youth prejudices . . . tending to separate them from Christians, be tolerated. . . .[15]

More outspoken on the first point was the opinion of the Legal Committee of the general directorate which frankly declared[16] that the main purpose of the planned reform was to break the consciousness of unity among the Jews and to wipe out any vestige of rabbinic authority.[17]

This first attempt to improve the lot of Prussian Jews by partial emancipation was eventually abandoned because the Jews began to fear an attempt to interfere with their freedom of religion.[18] Under this plan the autonomy of the Jewish communities was to be suspended. This gave rise to suspicion on the part of responsible Jewish lay leaders.

Various other attempts to bring about the full emancipation of Prussian Jews from the restriction of Prussian officialdom failed until after the great catastrophe of the years 1806-07, when the complete defeat of Prussia and its subsequent partial dismemberment led to a searching of hearts, from which the Jewish question also benefited. The man primarily responsible for the edict of 1812 was the Minister of State, Freiherr von Schroetter, who turned from a convinced anti-Semite[19] to a champion of

the cause of Jewish emancipation. Even this man, who was ready to grant Jewish subjects equality before the law and who worked out a draft on which the final version of the 1812 edict was based, "had his axe to grind" when it came to religious observance and the feeling of national consciousness among the Jews. Thus he wrote in his supplementary notes to the draft:[20]

> The . . . appointment of a Chief Rabbi [over all Prussian Jews] is necessary in order to influence more vigorously the religious institutions of the Jews through him, especially the gradual modification of their ritual laws.
>
> The provision concerning education [no special Jewish schools to be tolerated] are intended to bring about the same [level of] education among Jews and Christians and thus to lead to the eradication of Jewish nationality.

Schroetter's plan for the new legislation concerning Prussian Jews (this draft included also such provisions as: "Marriages between Christians and Jews are legally permitted," to which provision Schroetter remarked:[21] "This provision will surely help bring, at least, part of the vast fortune amassed in Jewish hands to Christians since marriages between rich Jewesses and Christians can safely be expected . . . ") was now put before the members of the cabinet so that their opinions might be included in the final draft. Of these opinions there are two that are of special interest; both are from the Ministry of Education and Culture.

The world-famous philosopher and scientist, von Humbolt,[22] indirectly paid a handsome compliment to the

Jews when he declared[23] that the Jewish situation was so remarkable that many highly intelligent people doubted if it were at all explicable by ordinary reasoning. Nevertheless, the Prussian in him cropped out. Among the important suggestions he forwarded, the demolition of the Jewish ecclesiastical organization occupied a pivotal position.[24] He opposed the appointment of a Chief Rabbi because[25]

> . . . one should not introduce a separate orthodoxy among the Jews, but, through natural toleration, encourage further schisms and the Jewish hierarchy will disintegrate by itself.
>
> The Jews will gradually realize that they have no real religion but only a ceremonial law . . . and, driven by the innate human urge after a higher faith . . . they will turn to the Christian religion.

Similar sentiments were expressed by Humbolt's colleague, Suevern. He analyzed the situation by stating:[26]

> The Jewish nation is based on its faith and it will not fully be assimilated among Christians until it ceases to be Jewish [i.e., until the Jews become Christians].

He was also in complete agreement with the proposed amelioration of the position of the Jews in the Prussian monarchy; indeed, for him the proposed changes were not far-reaching enough. Only the granting of full equality could lead to the ultimate aim: the gradual, complete union between Jews and Gentiles. Suevern writes with disarming frankness:

> Perhaps the Jews will forget Palestine, if one would make them feel fully at home in Europe; perhaps they will believe Jesus was the Messiah, if one will no longer force them to await another.

Nor was he less outspoken when he discussed the role of the public schools to which all Jewish children of school age would have to go. These schools would have to become veritable "missionary institutes" for them, he insistently demanded.[27]

Events held out great promise to these Prussian statesmen to whom the ultimate solution of the Jewish question seemed relatively simple: merely wait for the eventual conversion of the Jews to the dominant religion. The wave of mass conversions of Jews both in Berlin and in other provincial cities[28] seemed to indicate that their endeavors to lead Jews to forsake their ancestral religion would be crowned with success. Nor are we to assume that with the granting of the emancipation edict in 1812 the Jewish question ceased to occupy the thinking of leading statesmen. The acquisition of the grand-duchy of Posen in 1815 brought large numbers of Jews into the kingdom of Prussia and afforded the statesmen an opportunity to deliberate the problem of either granting equality also to these Jewish citizens or re-examining the edict in the light of this new reality.[29]

One opinion above all others will be considered here because it shows clearly how the main objective of Prussian bureaucracy was still the conversion of Jews to the Christian faith. From the Ministry of Finance a lengthy brief was filed, outlining possible approaches to the problem. "There are two ways open to us," wrote the

Minister. "We could either exterminate the Jews or educate them. It seems to me we do not have enough justification to adopt the first way."[30]

Jewish Proselytism

The widespread desire to achieve the conversion of the Jews to Christianity was noted above; to prevent Gentiles from embracing the Jewish religion, however, was the concern of no less a personality than King Frederic William II himself. We can surmise it from a brief reference in one of Eger's responsa;[31] Eger was asked if it were permissible to teach the Siddur and Bible to a Gentile who would like to convert to Judaism. Since it was against the laws of the government[32] to circumcise a Gentile and formally accept him as a Jew, the rabbi wanted to know if he could at least study with him Hebrew subjects. Apparently the rabbi felt, and Eger agreed with him,[33] that it would be illegal for a rabbi to admit a Gentile to the Jewish religion. But we have much clearer evidence on the attitude of the king to such conversions.

The Ministry of Interior in Berlin addressed a note to the appropriate authorities in Posen,[34] concerning the cases of a number of young Christian girls who had indicated their desire to convert to the Jewish religion. These girls had become pregnant after having had affairs with Jewish men and must have thought that conversion to

Judaism might pave the way to an eventual marriage with their paramours.

At any rate, the Minister instructed the Posen authorities that the King ordered the Jewish communities not to accept a Christian into their religious congregations until the intended convert had been dismissed from the Christian community (Gemeinschaft der Christen) by the appropriate Christian authorities. When the intention of such a person became known he should, moreover, be taught the principles of Christianity by a Christian minister so as to discourage him from leaving his own religion.

This document taken in isolation does not give the complete picture. There exists a letter which the Minister of State, von Rochow, received from Frederic William II. The former had inquired how converts to Judaism should be treated before the law, and suggested that they be given the same status as Jews. To this the King indignantly replied:[35]

> . . . My order of November 19th, 1814, under which conversions [to Judaism] will not be permitted, must under all circumstances be enforced. If the rabbis will make the acceptance of a Christian into the Jewish community conditional on the release [of the would-be convert] by the Christian spiritual authorities, and if the latter would refuse to issue such releases, then such changes of religion could not be effected.
>
> Accordingly, I must correct your opinion, to consider every convert [to Judaism] as a Jew; because, if my orders will be carried out everywhere, there would not be any converts.

The local authorities in Posen in turn informed the

Jewish communities of the new regulations concerning possible conversions of Gentiles to the Jewish religion. This note, which was addressed to all Jewish communities of the Grand-Duchy, ordered:[36]

> By order of His Majesty, there is to be no conversion to the Jewish faith without a formal release of the would-be convert by the Church authorities.
>
> 1. Transgressions against this order to be punishable by four weeks imprisonment or a fine of 50 Thalers;
>
> 2. Every case of conversion must be notified to the authorities;
>
> 3. The would-be convert must produce a written document of release; in case of a Protestant - from the Evangelical royal consistory; in case of a Catholic - from the archbishop's consistory; and finally;
>
> 4. This document of release must be carefully kept by the Jewish authorities, to be produced whenever necessary. [author's italics]

In other words, after the Church authorities had been ordered to refuse the grant of an official release for a Christian who wished to embrace Judaism, therefore making such a conversion practically impossible, the local authorities admonished the Jewish communities to preserve such documents.

True to the letter and spirit of the royal command the Ministry of the Interior advised[37] the local authorities of the Royal Government in Bromberg that:

> The Church authorities [die geistlichen Behoerde] will in the meantime have been instructed by the Herr Minister of Spiritual Affairs [fuer geistliche Angelegenheiten]

> never to release a person from the Christian union[38] so that there will be no further conversions within the country if these instructions are followed.

Thus we can see that in spite of official documents that seemed to indicate that conversion to Judaism was permitted - though difficult (the convert had to produce a formal release) - Eger and the other rabbis were much nearer the truth when they maintained that conversion to the Jewish religion was against the laws of the government.

While these pressures were being brought to bear upon the Jews of Prussia from the outside - the promise of full equality at the expense of at least outer conformity to the cultural pattern of the majority, with eventual adherence to the majority religion as the driving power behind the government's attitude - a bitter inner struggle went on in the Jewish community.

In Berlin a school of thought among leading members of the Jewish community, the friends and pupils of Mendelsohn, David Friedlander, and the men of the Haskalah movement, welcomed the idea of introducing changes in the pattern of Jewish life and worship.[39] We shall see how these influences made themselves felt in the venerable Jewish community of Posen.

The Struggle in Posen

The Jewish community in Posen looked back upon a proud record of several centuries when, following the Partition of Poland in 1793, the city passed under Prussian

rule. The city enjoyed a reputation for Jewish scholarship that ranked among the highest in Poland. Some of the greatest talmudical scholars were active as rabbis in the city: Moshe Mintz,[40] Yehuda Loew ben Betzalel[41] ("der hohe Rabbi Loew"), Mordecai Yaffe[42] ("the Levush"), to mention but a few. In 1780 Rabbi Yossef Hazaddik Falkenfeld, a son-in-law of the Prague Rabbi Ezekiel Landau, was elected rabbi of Posen. When the Prussians occupied the city (1793) it was inevitable that some of the changes that had taken place in the capital city of Berlin, concerning the internal development of the Jewish community, should also begin to make themselves felt in Posen. These changes were partly brought about by the Prussian authorities. In 1797 a special set of laws was introduced[43] into the province of Posen, regulating the life of the Jewish inhabitants of this newest Prussian acquisition. One of the most far-reaching of these laws was the provision that:[44]

> In matters of ritual and Church discipline no Jew . . . should be punished . . . for disobeying religious statutes by either omission or commission.
>
> The rabbis are strictly prohibited from putting into effect excommunications.

Rabbi Yossef had difficulties in adjusting himself to the new conditions, and his relationship with certain parts of the community, who were beginning to disregard the traditional Jewish way of life, became increasingly strained.

When he died in 1801 there already was considerable

opposition to the proposed election of the rabbi's brother, Shmuel.[45] Nevertheless, Rabbi Shmuel, who enjoyed an excellent reputation among Talmudists,[46] occupied the position as Chief Rabbi of Posen until his death in 1806. By then, however, the community was in no position to think of appointing a successor. The unsettled political conditions[47] together with the after effects of the devastating fire that caused enormous damage in 1803 - a large part of the Jewish quarters, including the Beth Hamidrash and hospital were destroyed - made it difficult to overcome the existing obstacles.

The community was carrying a staggering load of 100,000 Thalers in debts, accumulated through a series of calamities during the eighteenth century.[48] Though under the peace treaty of Tilsit in 1807 Posen was incorporated into the Grand-Duchy of Warsaw, a French-controlled Napoleonic puppet state, where the Code Napoleon - in theory at least - granted full equality before the law to all its citizens, the Jewish hopes for equality were sadly disappointed.

In the following year[49] the Grand Duke of the Duchy of Warsaw declared that the Jews were to be excluded from the provisions of equality of the Code Napoleon for a period of ten years. During that time it was hoped that Jews would become worthy of this equality by eschewing all customs and ceremonies which separated them from the Christians.

The fact that Jews were now forced to live in what had hitherto been exclusively Gentile quarters - the fire of 1803 left no alternative - plus the official encouragement of the authorities for Jews to become, at least outwardly, like their fellow citizens, acted as a great stimulus to those members of the Jewish community who wanted to follow the new "Berlin" trend. In 1812 a cultural society was founded[50] which aimed at introducing its members to the German culture.

The leading spirit among these young men of the time was David Caro, a scion of a Hassidic family, who after extensive study of Talmud and cognate branches of learning, taught himself European languages and culture. He fought for the establishment of a Jewish preparatory school, where boys would be prepared for entry into the gymnasium, while also being taught Jewish subjects.[51]

For eight years the position of the communal rabbi had been left unoccupied. In the meantime the city was not without spiritual guidance: it had, as always, a number of distinguished scholars as Dayanim. But now the traditionally-minded faction of the community, members of the "electoral college," (under the constitution of the Jewish community only men who carried the honorary title of "Haver," bestowed upon them for their knowledge of the Talmud and impeccable manner of living, were entitled to vote) thought the time for action had come.

At the suggestion of the Dayan H. Joseph Landsberg,

a "shtar rabbanut," a call to office, was dispatched to the Friedland community calling on Eger to come and fill the vacant seat of Posen. In order to follow closely the course of events it will be necessary to watch carefully the dates in question.

The meeting of these electors took place on Sunday, March 13, 1814.[52] On Friday, the 18th of the same month,[53] Eger humbly acknowledged the call. While declaring to the leaders of the community how much he appreciated the honor bestowed upon him, he begged to be given a little time to make up his mind. Eger hoped he would be in a position to give them a definite answer within a few weeks.

In the meantime, knowing Eger's modesty, the Posen Dayanim must have communicated with Eger's friends and colleagues, urging them to encourage the rabbi to accept the call to Posen. We are strongly reminded of the feverish correspondence a few years earlier, when all efforts were made to prevent him from accepting the call to Eisenstadt. In fact, Eger himself draws attention to this striking difference in a letter to his son-in-law and devoted friend, Sofer. He writes:[54]

> . . . I am about to send an affirmative reply to Posen, accepting the call. . . . Just as they [the rabbis of Germany] beseeched me not to, and prevented me from going to Eisenstadt, so now, on the contrary, they insist I should go to Posen.[55]

From this letter we can see that as late as May, 1814, a full two months after the executive committee (Vorstand)

of the Posen Kehilla had sent him their call, Eger had no idea what a storm of protest this invitation was soon to produce.[56]

The opposition was vociferous in denouncing the act of the executive committee. Consisting of the rich members of the community, who were opposed to the older system of exclusive study of the Talmud, they saw in the appointment of Eger an obstacle to their more liberal views. Eger's reputation and personality, they rightly feared, might attract the young of the city to devote themselves exclusively to Talmudical studies.

What followed now is not quite clear; apparently the executive committee decided to bide their time, and wrote to Eger informing him of the changed situation.[57]

In January of 1815 a special letter from Posen was delivered to Eger, advising him that the auspicious moment had arrived to proceed to Posen immediately in order to assume the position of Chief Rabbi and thus present the opposition with a fait accompli. This letter was sent to him by the Posen rabbi and Dayan Eliezer Zults[58] together with the learned layman (ha-ra-ba-ni) Yossef Vialen;[59] they had both written after consulting with the first Dayan of the city, R. Hirsh Skag.[60] An air of mystery surrounds this letter and there are hints of some acts not quite above board - on the part of Eger's friends in Posen - which do not quite fit the pattern of Eger's usual sincere and honest dealings.

A letter was addressed to a certain Reb Aharon - neither he nor his town of residence is further identified[61] - and in it Eger wrote:[62]

> I wrote to my son-in-law in Pilehne[63] that a letter was sent to me by a special messenger FROM THERE, from rabbi. . . . Since they heard that I want to go away from here [i.e., Friedland] they want to know if I am willing to go THERE, because, in their opinion, all the important people in the community [כל עיקרי הקהלה] have acquiesced to [his accession].
>
> They [his Posen friends] ask me not to consult with anyone [author's italics], but to answer according to the dictates of my heart [ואשיב על פי לבבי].
>
> I sent the letter to Pilehne . . . sealed to give it to my son-in-law; and he should open it to read it and make a copy of it and send it to my son Avraham who will sign it with my own seal which he has in his possession.

Eger then gave the gist of the letter he sent:

> You will recall that I was already once willing to go to Posen when I was prevented from carrying out my plans because of the heart-rending letters that reached me from Posen.

He was afraid to go to Posen for fear that new quarrels might break out inside the community.

There is no escaping the impression that something surreptitious was being carried on here. Why should not Eger consult with anyone? Did his Posen friends fear that if their plans were to become known in the city there would be further opposition?

We have no further information as to what happened between January and mid-summer of that year 1815, but apparently Eger was won round to the idea of accepting

the call to Posen, in spite of the very apparent opposition he would encounter. In August the Vorstand of the community met in the little town of Moshin and sent an invitation to Eger to come; though they had by no means overcome the powerful opposition to Eger's appointment, they reasoned that once he was in Posen the forces of the opposition would soon be won over by his personality.

But they seriously underestimated the energetic and alert leaders of the opposing group. Though Eger had been duly elected by all members of the elective assembly[64] the previous year, according to the constitution of the Kehilla, the opposition lodged a protest with the Oberpraesident of the city, pleading that the appointment of Eger would constitute a dangerous act for the whole community. They said:[65]

> Every reasonable member of our community will agree with us that in view of the fact that [general] jurisdiction is prohibited for every rabbi and since we have in our community very learned men who are fully competent to decide issues of a religious-ceremonial nature, we only need a good moral teacher who will encourage the people through his vigorous sermons to [follow] every virtue and shun all vices.

They then proceeded to show that Eger simply did not possess the necessary qualifications; his voice was weak and almost inaudible and, in addition, he was a sick person suffering from dangerous maladies that threatened his life hourly. To reinforce their objections they also pointed out the precarious financial situation of the Jewish community, with its huge debt of over 100,000 Thalers.

This protest, which was circulated among the members of the congregation for signatures, called upon the government to order the communal executive committee to reverse its decision with regard to Eger's election. Appended to this protest were the "real" reasons for the opposition to Eger's appointment. It is interesting to note that the authors of this appendix, who were well aware of the popularity that Eger enjoyed among the Jewish masses, did not state their real reasons in the protest itself. To quote their own words:[65]

> . . . in order not to expose ourselves to the blind fury of some fanatical zealots.

In giving their real reasons, these men did not hesitate to reveal their violent opposition to the one-sided study of the Talmud for which, they knew, Eger stood. They knew how strongly the Prussian government was interested in modernizing Jewish life in the newly-won territories, and felt certain that the authorities would veto the appointment of a man who held such "backward" views as did Eger. Nor did they fail to denounce[66] Eger as a fanatic who was diametrically opposed to the spirit of the time; it was to be feared, they continued, that he would succeed in suppressing all interest in progress and education.

Notwithstanding this growing opposition, the Vorstand went ahead with its plans for bringing Eger to Posen. Now the government authorities intervened: on August 31, 1815 they demanded to be shown the minutes of the election, and

ordered suspension of the appointment of Eger because his views concerning education gave cause for some concern.[67] Moreover, the elders of the community were asked to show that, in the election of Eger, they had not overstepped their prerogatives; they were likewise asked to show on what grounds they based their conviction that the candidate-elect would be able to satisfy the needs of the community.

The leaders of the community replied immediately: they had acted within their rights, according to the community's election law, having consulted with "a number" of members from the community. The minutes of the election were written in Hebrew and would be submitted later in translation. In spite of the opposition of a large segment of the community, they had elected Eger because he enjoyed a reputation for extensive Jewish theological knowledge and because he had held the position of a rabbi in Friedland for over twenty years. Moreover, Eger had already resigned his Friedland position and there would be complications and inconveniences for the community if his election were to be annulled.

This last argument of the pro-Eger Vorstand makes one more inclined to believe the charges of the opposition that a carriage had already been sent to Friedland to bring Eger to Posen and that they (the Vorstand) were ready to use every means, including the establishment of Eger as a private person in the city for the time being, in order to secure the Posen rabbinate for him.

Nor had these leaders of the opposition misjudged the attitude of the Prussian authorities toward the vital question of whether Jews should continue in their isolation from the general population or whether they should, in time, become one with their fellow-citizens.

Oberpraesident Sposetti informed the opposition that he had passed their complaints on to the competent authorities and remarked:[68]

> The Prussian Government honors your conviction to make your co-religionists more capable of being fully accepted into the union of citizenship, by removal of all customs that are outside the very nature of the mosaic cult, and will gladly help you in every way.

On September 6th the government decided, however, that a majority of all members entitled to vote (stimmberechtigte Mitglieder) could elect Eger and decide the details of his duties; nor could the dissenting minority have any valid and well-founded objections.

In the meantime, strenuous efforts were made to reach an agreement between the two opposing factions, and on September 5th, 1815 a document was drawn up that Eger was to sign before the opposition would give their consent to his election. The main provisions of this agreement were intended to secure the gradual removal of the Talmud as the only source of instruction for the Jewish youth of the city. Here follow the most important points:[69]

1. Eger must keep no more than six students from other cities in his Yeshiva; he is authorized, however, to secure free places (Plätten) for them for Shabbat.

This limiting of students was explained by the fear that unless such a provision of limiting foreign students were made, their number would grow to at least fifty, with corresponding heavy financial obligations to the community.

2. No "Haver" or "Morenu" certificates[70] to be issued to unmarried men.

"Since the study of the Talmud leaves very little time for the mastery of useful sciences," the comment to Point 2 adds, "these honorary titles tend to limit the education of our youth to the exclusive study of the Talmud."

3. The rabbi must never cause enmity of one section of the community but should only preach "morality" in a general way [ ].

This was meant to prevent the rabbi from preaching against the part of the community sympathetic to the ideas of the Haskalah.

4. The Vorstand undertakes to provide 150 fl. every month for a fund to teach indigent youth a profession or trade.

The purpose of this provision was to make sure that these poor youngsters would be able to earn their own livelihood without resorting to the shameful practice of begging.

It was agreed that two representatives of the opposition would accompany the deputation to Friedland and witness Eger's signing the document[71] before he was handed the official Shtar Rabbanut.

In compliance with the government's decision that an

election be held, 161 of the total of about 200 members of the community who had the right to vote cast their vote unanimously for Eger.[72] After receiving the polling register, the government sanctioned the election.[73] Eger, who had already signed the document of compromise drawn up by the leaders of the opposition and the executive committee, was now free to proceed to Posen, and on September 14, 1815 he entered the city.

The agreement between Eger and the executive committee was never strictly adhered to; neither by Eger who could not - by his very nature - accept the numerical limitation of students he was permitted to teach; nor by the communal committee who failed to live up to their obligations for the establishment of a trade school for Jewish youth. This failure will be discussed in greater detail in the next chapter.

IV

IN POSEN

Eger came to Posen at a crucial juncture in the history of German Jewry. The upheavals of the Napoleonic wars, the changes of sovereignty in many areas of the country following these wars, the granting of full rights to Jews in the older parts of Prussia proper[1] under the edict of emancipation of the year 1812 - all these threatened a disintegration of traditional Jewish values. As mentioned previously, some prominent Berlin Jews had attempted to set up a modern house of worship where sermons were preached in the German language by enterprising young men. One of the young men who had taken an active part in the Berlin conventicle as a preacher, Eduard Kley, gathered a small group of like-minded people around him in Hamburg and there set up the first Reform synagogue in 1818. In this chapter we will examine the part Eger played in the concerted attack of the traditional rabbis of the time against this new venture. With the spread of the reform movement into other parts of Germany and some of its repercussions even further afield in Hungary, we shall examine Eger's activities in the light of his avowed intention to restore "the ancient glory of the Torah."[2] It was not only against internal opponents that Eger

fought; he was also a fearless champion when it came to the defense of Jewish values against the infringements of the government.

The Hamburg "Tempelstreit"

No single event in modern Jewish history, neither the monumental Bible translation of Mendelsohn, nor the fiery appeal of Wessely to rally to the cause of secular education as advocated by the "Tolerance patent" of Joseph II of Austria, caused such a wave of excitement in the camp of traditional Jewry, as did the establishment of the Hamburg temple. The heads of the local Beth Din - Hamburg did not have a chief rabbi at that time - appealed to the leading rabbis to come to their support. When the temple was first opened the rabbinate appealed to the local authorities to have this house of worship closed, because it violated the basic Jewish Law.[3] Thereupon the leaders of the temple searched for and found a man willing to write a book defending the innovations of the temple: Eliezer Lieberman,[4] an unprincipled opportunist, possessed a fair amount of Jewish learning, wrote such a book, Nogah Tzedek.[5]

In this book Lieberman argued that the use of an organ to beautify the service, the introduction of the vernacular as a medium for prayer, and other changes could be defended from the point of view of the Jewish law.

Faced by this direct challenge, the Hamburg rabbinate

now issued a formal prohibition against the reform practices, declaring especially the following three innovations as illegal:[6]

> 1. It is forbidden to change the accepted order of services . . . and especially to omit any parts of it.[7]
>
> 2. It is forbidden to pray in any other language but Hebrew; it is likewise prohibited to pray from any but the traditional prayerbook.
>
> 3. It is forbidden to use any musical instrument in the synagogue on either Shabbat or Yomtov, not even if a non-Jew were to play it.

The Hamburg Dayanim wrote[8] to Sofer asking him to publish a book in which the arguments of the author of the Nogah Tzedek would be refuted; they wanted him to publish it in cooperation with Eger.[9]

Surprisingly enough, Sofer refused to enter into any polemics with Lieberman. In his opinion[10] a book published against these reformers would only be followed by their reply and the matter would develop into a "free for all," in which idle spectators would be the judges. Then follows a surprising passage in the letter which would indicate that none other than Eger himself indirectly caused the defection of Lieberman to the camp of the reform movement. Sofer wrote:

> . . . it [the book Nogah Tzedek] only originated because Lieberman was persecuted by the Gaon, my father-in-law; he joined himself to the sect and wrote a book for them according to their wishes. . . .[11]

Be that as it may, both Sofer and Eger, as well as

many other leading rabbis from Germany,[12] Hungary,[13] Italy,[14] Poland,[15] and other countries[16] wrote a letter to the Dayanim of Hamburg approving of their prohibition. Of special interest to us is Eger's letter, which the Hamburg Dayanim published[17] together with the replies of the other rabbis.

Eger first bemoaned the fact that any man should have gone so far as to discard important prayers that are mentioned in the Talmud,[18] and likewise to omit references to the rebuilding of Jerusalem and the coming of the Messiah.[19]

He then expounded the view that the Talmud, the Oral Law, forms an indivisible unity with the written Torah and that, therefore, anyone who does not recognize the authority of the sages is, ipso facto, a heretic.[20]

He was in full agreement with the Hamburg Dayanim who had prohibited any change in the accepted order of services, and advanced a very cogent argument against the introduction of prayers in the vernacular. Eger wrote:

> And if some of them do not understand the Holy Tongue, and they did not familiarize their children with it, then this in itself is very tragic, to despise our pure and beautiful language. . . . Indeed it is a disgrace for us among the nations; because every nation loves and speaks its language; should we forsake our Holy Tongue?
>
> They instruct their children in French and Latin, but they forsake Hebrew!

Nor did Eger see any reason for omitting references to the rebuilding of Jerusalem; he felt that this in no way conflicted with the loyalty of Jews to the country in which

they reside:

> Though we live peacefully among the nations . . . and . . . are duty bound to pray for their welfare, nevertheless we look forward to and pray for the rebuilding of Jerusalem.

In a very ingenious manner Eger pleaded that our longing for the messianic era and the restoration of Jerusalem, far from being disloyal to the countries in which we Jews reside, is actually an act of kindness to the other nations. He explained:[21]

> And then the goodness [of the messianic era] will accrue both to us and the nations [in the midst of whom we live] in great abundance and prosperity, as it is said in the Scriptures: Praise ye the Lord, all ye nations . . . for the truth of the Lord endureth forever.

Without going into any details, Eger also condemned the use of the organ in the house of worship, comparing it to the prohibition of the setting up of an idolatrous pillar (מַצֵּבָה).

The letters of protest that the Hamburg rabbinate published in 1819 did not long remain unanswered. In the following year there appeared an anonymous book, entitled Berit Emet,[22] in which the author,[23] displaying remarkable erudition, assailed the attitudes and arguments of the rabbis, frequently quoting other rabbinic authorities of a former age, and always mercilessly satirizing the defenders of the old tradition.

The author of this aggressive book was David Caro, mentioned in the previous chapter as leader of the pro-

gressive elements in Posen.[24] He decided on anonymity because he did not want to expose himself to the ire of the traditional elements of his city and especially of Rabbi Eger, who had not escaped from a scathing attack himself in the Berit Emet.

We know that the moving spirit of reform Judaism in Germany, Israel Jacobson,[25] counseled Caro not to incur any risks; in a letter about Caro, Jacobson wrote:

> . . . but I would not want the author [David Caro] to receive the martyr's crown for his work - yet I fear it very much.[26]

To illustrate the style and methods Caro used in his book, here follow two brief excerpts. The first castigated Abraham Titkin, the well-known Breslau rabbi. In his letter to Hamburg,[27] Titkin had discussed the importance of the prayers and the impossibility of translating them into another language. "There are so many hidden meanings in every word," he had written, "that it is impossible to convey these in any other language but Hebrew." As a proof, he adduced the reluctance of the rabbis to compose the "Birhat Haminim"[28] (the blessing against slanderers); they did not feel they had the right kavanah (intention) to compose such a prayer.

To this argument Caro bitingly remarked:

> Our sages of blessed memory did not want to write this prayer against the sectarians because they gave them the benefit of the doubt [אולי בניהם טובים מהם] . . . like Abraham who interceded for the people of Sodom. . . .
>
> They [our sages] did not want to curse

> and revile them like the rabbis of our time . . . who [are prone to] curse and revile like the common people.[29]

When attacking Eger, Caro selected two minor points from Eger's letter to the Hamburg rabbinate, and with biting sarcasm uncovered apparent inconsistencies. Eger had written that "generally speaking, one is not permitted to introduce any changes into the version [נוסח] that has been arranged and fixed for us by our fathers from generations past to our master Moses, of blessed memory."

To this Caro retorted:[30]

> . . . But he [Eger] did not inform us what versions he had in mind when he ascribed them to Moses: whether he thought of Adon Olam[31] the Amidah[32] or the Psalm of David [מזמור].

Secondly, Eger had compared the playing of the organ in a house of worship to the biblical prohibition on erecting an idolatrous pillar; to this Caro retorted:

> . . . our sages of blessed memory did not think so but they said: He who appoints an unworthy Dayan over the community could be likened to one who transgresses the biblical injunction of " לא תקים לך מצבה " [Thou shalt not erect a pillar.]

There can be no doubt but that Caro wanted to remind Eger of the bitter struggle that had preceded his call to Posen. It is clearly evident that in Caro's opinion Eger was not worthy to occupy the position of a rabbi in Posen.[33]

In this connection it is no surprise to learn that during Eger's lifetime, Caro never publicly admitted the authorship of the Berit Emet; he simply did not feel

strong enough to challenge Eger openly. Immediately after Eger's death,[34] however, we find that Caro, in a contribution to the Allgemeine Zeitung des Judentums[35] openly acknowledged his authorship.

Needless to say, despite the fact that Caro had his book published anonymously, enough of his attitude was known to Eger so that the latter had no illusions about Caro's position. Though nowhere in the letters and responsa of Eger is Caro ever mentioned by name, it is reasonable to assume that Eger refers to him in a letter to Sofer[36] in which he discussed the question of education of Jewish children in Posen. In that letter Eger wrote that "One Satan of our own people causes all the trouble [...]."

In order to assess properly the activities of Eger in this struggle against the reform movement, one should pay attention to the following: Eger's letter to the Hamburg Beth-Din was sent on January 24, 1819. A month later,[37] Eger wrote to his son-in-law Sofer, strongly urging him to convene an assembly of Hungarian rabbis who would issue a public prohibition against the reforms introduced in the Hamburg temple. He likewise recommended that Rabbi Mordecai Benet,[38] rabbi of Nikolsburg and the officially recognized Chief Rabbi of Moravia, do the same under his own powerful name. In this letter Eger referred to the notes that Sofer had appended to Lieberman's book (which according to another letter of Sofer[39] Eger

had sent to him) and promised to send it on to others interested in the fight against reform practices. Eger wrote:[40]

> On my arrival here in Rawits[41] I found your letter and notes on the book [by Lieberman[42]]; I sent these notes to the . . . rabbi of Breslau[43] and I also intend to send it to . . . the rabbi of Lissa.[44]
>
> In my opinion it would be advisable . . . to convene a meeting of all rabbis as I suggested in my earlier letter [פיקוח נפשות].
> [author's italics]

Apparently Eger had already communicated twice with Sofer on this matter of finding the best way to combat this dangerous reform movement; and now he reiterated his opinion that a public declaration, in book form, would be the best solution. We have already noted[45] that Sofer opposed the idea, and in spite of the feverish correspondence that went on between Pressburg, Posen, Trieste,[46] and Alt-Ofen (Buda-Pest)[47] there seemed to be no action forthcoming.[48]

Moreover, the rabbis of Hamburg did not possess the finances needed to keep up a sustained campaign against the new movement; for example, they had to ask Sofer to pass their letters on to Trieste, because they did not have sufficient funds to drfray the costs of their extended and prolonged correspondence.[49]

No account of the early activities of Eger against the reform movement would be complete without mention of the only important sympathizer with religious reform in Hungary - Aaron Chorin, rabbi of Arad. Chorin, who

had received a traditional Jewish education in the Yeshivot of his native Moravia,[50] became suspect in the eyes of Hungary's traditional rabbis because of some ritual decisions that deviated from the accepted practices of the day.[51] Lieberman found support for his views in the Arad rabbi, and this open support for the reform point of view aroused a new storm of protest in Hungary. Rabbi Moses Mintz of Brody, rabbi of the old Jewish community in Alt Ofen (O-Buda, the older part of Buda-Pest) directly appealed to Choriner, calling upon him to recant publicly his "heretical" pro-reform views.[52] Rabbi Choriner[53] acceded to the request and wrote a letter in which he withdrew his support of Lieberman.

Mintz immediately passed this good news on to Sofer,[54] who was responsible for the Mintz-Choriner correspondence in the first place. Though Sofer did not trust this public recantation, he nevertheless sent it along to Eger with a request to have it made public in Berlin and in Hamburg. Sofer wrote:[55]

> [Date: March 2, 1819, i.e., shortly after the receipt of Eger's letter.] I send you a copy of the recantation of . . . ACHeR, written in German letters [אאר נאך] . . . because after I had written to the Gaon of Alt-Ofen [Moses Mintz] - a copy of that letter I sent to my teacher and father-in-law the Gaon[56] - the latter sent a long letter to "ACHeR," as a result of which he confessed. . . . It would be good to publish it [Choriner's repudiation] in Berlin and Hamburg.

Nonetheless, Sofer regarded anything coming from such a source as suspect, and added:

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Nonetheless, Sofer regarded anything coming from such a source as suspect, and added:

> . . . But I say, let this public confession be burnt together with all the other books of his witchcraft. . . .

Thus we see that while Sofer was the moving spirit behind the battle of the old rabbis against the Hamburg reformers, he cooperated closely with Eger. Eger was also in close contact with his relative, Meir Weyl, the acting Chief Rabbi of Berlin, in this matter.[57] Thus Eger achieved a reputation among the Jews of Germany as a fearless champion of traditional Judaism. Whenever the rights of traditionally-minded Jews were threatened by interference from outside, through government intervention - or by coercion from inside by a rabbi of a community who sought to follow the new trend and wanted to force new ceremonies on his unwilling flock - they would appeal to Eger.

We have a record of such an appeal to Eger from the small Jewish community of Stadtlengsfeld, in the Arch Duchy of Weimar.[58] On June 20, 1823, the Archduke of Weimar ordered that henceforth Jewish divine services were to be held only in the German language.[59] This edict caused considerable consternation among the small Jewish communities of the district who were, on the whole, loyal to the traditional methods of worship.

The rabbi of Stadtlengsfeld, Isaac Hess Kugelmann, handed the Archduke a formal protest, and during his lifetime the law was not enforced in this small community. After the death of the rabbi, however, the authorities

ordered the strict enforcement of the law concerning the language of worship. We find[60] that several members of the Jewish Community (Juedische Familienvaeter) turned for advice to a number of rabbis, especially to Chief Rabbi Akiba Eger in Posen.

> He quieted their fears in the firm confidence in the justice of H.H. the arch-duke, the tolerance of the authorities. . . . Since any change of ritual could lead to heresy and complete disbelief he felt certain that a prince, being G-d's ambassador, would want to prevent it.

But he was willing to go further, because he added:

> Public Jewish services could only be held in Hebrew . . . or else they had sooner to be cancelled altogether.[61]

The document goes on to say that other rabbis, especially M. Weyl of Berlin, concurred in this view.

We possess another letter[62] that Eger addressed to the leaders of the Eisenach Jewish community after the latter had inquired of him what to do with their rabbi, who wanted to introduce changes in their mode of worship. Eger's letter is lengthy, strongly reminiscent of the one he had sent to the Hamburg rabbinate.[63] In it, he reiterated the arguments against any changes in the prayers, urging them to dissociate themselves from men who wanted to introduce such changes.[64] The whole Torah is one, Eger wrote, and those who belittle the Talmud undermine religion itself, because

> Without a perfect belief in the words of the Talmud and in their tradition the whole Torah would collapse, heaven forbid. . . . There have always been men [who denied the

> authority of the oral law]; in the days of the sages of the Talmud there were the Sadducees. . . .
> But we had nothing to do with them. . . .

As to the question of the rabbi who openly disregarded the laws of our religion, Eger counseled that of course he was not to be listened to; that he either did not know the laws, in which case he could not possibly be an authority, or what is even worse, he knew them and deliberately transgressed - in which case he was not a rabbi, but a teacher of evil.[65]

Eger then gave this advice:

> Since the Lord has made us dwell . . . under kings and princes who deal kindly with us and who encourage us to keep our religion and who don't want us to transgress against our religion . . . why do you not appeal to your ruler? [author's italics]

Eger was fully convinced that were the Archduke but to know that the prerequisities of an orthodox rabbi were the complete mastery of the Shulchan Aruch and the personal observance of all the Laws of the Talmud, he would remove the apostate Rabbi of Eisenach from office. The naive and childlike faith displayed by Eger in the authorities, whose good faith it never occurred to him to doubt, is very remarkable indeed.[66] However, this childlike trust in the goodwill of the authorities towards internal religious affairs of the Jewish community was shared by other rabbis, too.[67] It is all the more surprising since Eger had come across numerous instances of intolerance and outright obstruction on the part of the government whenever their

policies came in conflict with traditional Jewish practices.

The Problem of Hasty Burial

At the end of the eighteenth century, various European governments questioned the need for early interment of the dead, as practiced in all Jewish communities. In Austria the famous Prague rabbi, Ezekiel Landau, wrote a lengthy reply to a government inquiry, giving the reasons for such practices. In time there was quite a discussion about this subject in the Meassef of the 1780's, and the matter came to a head when Dr. Marcus Herz[68] wrote his booklet, Ueber die fruehe Beerdigung der Juden. Herz was not satisfied with merely attacking the practice of early interment and demolishing the arguments adduced by its defenders; he branched out into a broad attack on the rabbis and their opposition to progress. He said:

> . . . And what is the source of so many of our weaknesses and our insistence on them . . . which are the cause that the other nations accuse and despise us, what else is it but the labyrinth, in which our national scholastics love to mislead reason, and from which no exit can be found. . . .

Herz declared that in arguing with the rabbis it was impossible to use rules of logic (Vernunftsregeln) since they did not recognize such rules.

As a result of some agitation on the part of the progressive elements in Breslau, the magistrate ordered that in the case of Jewish burial the body would have to remain uninterred for two or three days. Thereupon the leaders of the Hevrah Kadisha (Jewish Burial Society) appealed to the

authorities and obtained from them permission to resume the old practice of early interment.

In the year 1823 the local authorities in Posen were advised by the royal government to enforce the rule that no person could be buried before the local police physician gave his approval. This caused considerable alarm, and in a letter to the leaders of the Hevrah Kadisha in Breslau, Eger urged them[69] to send him a copy of their letter of appeal so he could use it in Posen in his dealings with the authorities.

We are in a position to see this question from the point of view of the local authorities as well; one of the documents of the Heinemann "sammlung"[70] deals with the unsatisfactory situation in the Posen district. "It has come to our attention," the report said, "that in the Jewish communities the prevention of the possibility to bury people alive is not treated with sufficient care." To prevent such an error, the government strongly reminded all rabbis to follow instructions carefully, and then, with biting sarcasm:

> . . . because in all the arguments adduced by the followers of the faith of the Old Testament (alttestamentarischen Glaubensgenossen) for an early interment, always a real dead body [ein wirklicher Toter] must be presupposed; but the question whether somebody is dead or not, is not a matter of religion but of physics. . . .
>
> Accordingly, it is for the local police authorities to decide the time of the burial.

At the request of Eger, young Solomon Plessner, of whom we shall speak in greater detail in the next chapter,

wrote a booklet in which the traditional mode of Jewish burial was successfully defended before the authorities.

An echo of this prohibition against early interment is found in a *hálachic* reference of Eger,[71] where he wrote:

> . . . according to the orders of the king . . . they don't permit to bury anyone until the third day.[72]

The Problem of Divorce

Of a more serious nature was the other instance where Eger's considered opinion clashed with a government decree: the problem of *Get* as opposed to civil divorce.

Under the edict of 1812, sweeping religious changes were introduced among Prussian Jews. Those dealing with the laws of marriage and divorce were among the most important.

Section #17 of the edict stated[73] that Prussian Jews did not need to obtain a special marriage license (*Trauschein*) before marrying. The local Berlin rabbinate, who feared that this provision might have some effect on the existing marriage laws, inquired of the Ministry of Interior whether the religious forms of wedding ceremony would in any way be altered because of it. On June 12, 1812 the Ministry replied[74] and clarified the situation: paragraph #17 of the edict applied only to civil marriage and did not interfere with the religious ceremonies of the wedding.

Much more serious were the provisions of the edict

regarding divorce. Section #26 stated:

> Any party may institute divorce proceedings on grounds established under the general law [Allgemeine Landrecht].

More important still was the following paragraph which read:

> The decision of a competent judge is sufficient to effect the civil changes [buergerliche Wirkungen] in the case of a Jewish divorce.
>
> It will not be necessary to obtain a bill of divorce [Get].[75]

Not only did this law imply that henceforth the status of a wife with regard to financial obligations (property, inheritance, etc.) would be dependent on the granting of a civil divorce, but it seemed to render the granting of a Jewish Get unnecessary, if not illegal.

Apparently this was the view held by the Royal Supreme Court of Judicature in Berlin (Koenigliche Kammergericht), which, in the summer of 1813, ordered the head of the Berlin rabbinate, Meir Simon Weyl, to furnish a list of all Jewish couples who had obtained a Get since March 12, 1812.[76] It was implied by this request that in granting such a divorce the rabbis had overstepped their rights. In a spirited reply, Weyl defended the action of the Berlin Beth Din and wrote:[77]

> Though the famous edict under section 30 prohibits actus jurisdictionis on the part of the rabbis [in no case must the rabbis . . . arrogate themselves . . . the right of jurisdiction . . .], the issuance of a Get is a non-judicial [aussergerichtliche] act.

To support this position, Weyl quoted Section #25 of the

edict which provided for a religious ceremony at a Jewish marriage (wedding ring, marriage canopy, etc.); since no party could re-marry in accordance with Jewish law without first having obtained a religious divorce, it followed that the law must recognize the validity of/and the need for a religious divorce bill. Weyl asked for further instructions.

On August 17 of the same year the Minister of Justice, von Kirchheisen, upheld the views of the Berlin rabbinate and declared the motion of the Kammergericht to prohibit the issuance of a Get by the rabbis or their assessors as inadmissible.

> . . . The edict merely states that a Get is not necessary; but in no way does it decide that a Get is expendable or even improper for religious conditions among Jews. These Jewish bills of divorce, however, will not be effective in civil matters until the decision of a judge [Erkenntniss] is obtained.[78]

Apparently the Minister was satisfied with the logical arguments of Weyl and he asked the Kammergericht to inform the Vice-Ober-Landrabbiner[79] accordingly.

On the very same day we find the Kammergericht communicating the decision of the Minister of Justice; they copied his letter verbatim but made explicit the provision about the ineffectiveness of the Get in civil matters:[80]

> . . . The rabbis may therefore continue to issue divorce bills at the request of their co-religionists. On no account must these bills of divorce be effective in civil matters [buergerliche Wirkungen] until the appropriate decision of a judge has been obtained. . . . Everybody desiring to obtain a bill of divorce must be informed of this. [author's italics]

Rabbi Weyl must have felt quite happy that at least the main problem - that of issuing a Get at all - was solved. He was uneasy, however, about the condition of not considering the Get valid in civil matters and of the need to so inform the parties who came before a Beth Din. Consequently, he addressed a responsum to Eger,[81] asking him to consider the problem, which he succinctly summed up as follows:

> It is not our custom to inform the couple seeking a Get from the Beth Din that in all monetary affairs [ ] such as inheritance, etc., everything remains as before until such time as a divorce called "Scheidebrief" will be granted by the court.

Eger was fully aware of the difficulties involved but was not willing to accept the government's decision, which was contrary to the Jewish law. "It certainly seems to me," wrote Eger, "that the king has no right to say [ ] that the Get should not be effective and that in matters of inheritance she should be considered his wife and inherit from him," [should the husband die after the Get was obtained].

Moreover, he continued, if the couple were to be told explicitly that in all financial matters everything remained unchanged, then a very serious question as to the validity of the Get from the Jewish point of view would arise. According to the Talmud, if a man intends to divorce his wife and does not deprive himself of sharing in any possible inheritance by the wife,[82] then the Get is invalid. Being a realist, Eger tried to find a compromise solution which

would maintain the supremacy of the Jewish law and yet not clash openly with the provisions of the government. He came up with this solution:

> The husband should make the following declaration: I give you this Get without any reservations whatsoever and it should be effective in every respect; as your husband I have no claim whatever against your property [ ]. It is the law of the king, however, that though you are no longer my wife . . . the king gives me the customary [property] rights a husband vis-a-vis his wife.

Thus, here we find that when it came to a matter of religious principle Eger would, if necessary, fearlessly oppose the orders of the government - if no other avenue remained open - to fight for what he considered right. Perhaps the best example of this determination to fight for his rights is seen in the events around the most lasting work of Eger - the Beth Shlomo Hospital.[83]

The Struggle for the Beth Shlomo

We have already mentioned[84] that in 1803 the Beth Hamidrash and the Jewish hospital of the city of Posen were destroyed by the great conflagration that devastated the Jewish quarters. Eger, who had always shown a great personal interest in the welfare of the sick and ailing of his community - while in Friedland he had personally visited every sick member of the community - felt the urgent need for a hospital. He enlisted the aid of Shlomo Zalmen Binyamin Latz on a great hospital project. In his Will Latz left the sum of 6,000 Reichsthaler for the

establishment of a hospital and a Beth Hamidrash, to be erected and administered by the local Oberrabbiner.

There can be no doubt that this sum of money - it was officially designated as the "Solomon Benjamin Latz Fund" - was left at the disposal of Eger, rather than that of the community, because the testator knew of the great need Eger felt for the establishment of a hospital. The very fact that Eger would be responsible for its establishment would ensure that its character be of an unquestionably orthodox nature. To this end, presumably, the joint occupancy of the building by a hospital and a Beth Hamidrash would serve such purpose.

Latz passed away in 1829 and Eger soon began to take steps to implement his Will; at first he rented two rooms for the temporary establishment of the hospital and the house of study.[85] After hesitating for a time whether to rent a house or erect a new building, Eger eventually decided to build. He organized a committee of laymen[86] and, with their assistance, a substantial building was erected in the year 1832.

As if anticipating the later wrangling over the administration of the new institution, Eger reiterated the will of the testator in an official document, on the occasion of its establishment (Stiftungsurkunde). He wrote:[87]

> [Latz] declared in his Will officially (gerichtlich) that the sum should be handed over to me and that I should have full authority over it . . . and nobody, not even

> his heirs, should have any right to interfere with my disposition of the money. . . .

The official leaders of the Jewish community did not care for the idea of a semi-public charitable institution in which administration they had no voice. In the next year, when the government reorganized the set-up of the Jewish communities in the Posen[88] province, the communal leaders asserted their right to supervise all charitable institutions, including the Krankenanstalt that Eger built. When their insistent demands were spurned by Eger, they lodged a formal complaint of mismanagement and abuse with the local authorities, since they could get nowhere in their dealings with Eger. We can imagine how Eger must have felt when the leaders of the community proceeded against him in this manner, and it is not surprising, therefore, to find that Eger again contemplated leaving Posen.[89]

On August 10, 1836 the local authorities addressed a letter to Eger asking him to show cause why the management of the hospital should not be entrusted to the communal leaders in order to rectify any existing abuses. (It should be noted that an official inspection of the Krankenanstalt had been made but no evidence of mismanagement was found.) In a dignified manner Eger replied to the official inquiry, remarking: "I forgive them willingly for it [the complaint against himself] but I deeply regret to have noticed such a weakness."[90]

After receiving Eger's answer the government decided:

(1) the local public health authorities would in future also have the right of inspection, and (2) the Posen Jewish community did have the right to place patients into and to supervise the hospital.

While Eger conceded the first point of the government's decision, he very strongly attacked the second point. In a second letter to the local authorities he stated that he had no intention of allowing the community to dictate the conditions under which he would have to administer the hospital, since this would be clearly against the intent of the testator. Eger then enumerated the principles according to which he intended to administer the hospital, most of them designed to safeguard the religious character of the hospital, and he concluded his official reply: "I hope that H.M. Government will come to the conclusion that they have no right to interfere with [my planned administration] it."[91]

After a long correspondence with the local authorities, in the course of which Eger was not intimidated, even by threats of "strict measures" against him unless he would hand over the administration of the hospital to the Jewish community, he was asked to hand in a written constitution, which was approved by the authorities.

In February of 1837, about a half year before his death, the long, drawn out struggle for the Katz Hospital came to an end. Eger triumphed. Under the terms of the constitution, the religious character of the Krankenanstalt

was secured;[92] but the bitterness engendered by this struggle must have alienated the heads of the community from their Rabbi.

We find that after Eger's death the leaders of the Posen community did not heed the last wishes of their departed Rabbi. In his Will,[93] Eger requested the Posen Jewish community not to leave the rabbinate unoccupied for more than four weeks. The leaders of the community, who had but recently fought their struggle with Eger, were in no hurry to risk the appointment of another personality of the type of Akiba Eger. Such is the inference one obtains from reading a letter by Solomon Eger to his brother-in-law, Moses Sofer:[94]

> . . . In Posen itself the work of Satan prospered and about a year ago the common people [ ] obtained the majority and appointed leaders who looked askance at traditional values.[95] . . . According to the constitution [i.e., the Verordnung regulating the working of the Jewish communities, of 1833] the religious elements . . . cannot even assemble [in protest] without the consent of the leaders, let alone take action.

Solomon no doubt referred to the fact that the leaders of the community had successfully prevented his election to the Posen rabbinate for two years.[96] In even a relatively small request of their late Rabbi, the Posen leaders had shown their disregard for Eger. In his Will he had asked[97] that a notice of his demise be inserted in the newspapers to inform the students of the passing away of their teacher. It was his wish that the students should study a chapter

These conditions might apply to the one-room school of the average American community, the little red school house, of about the same period!

The instruction of the older students was not of a different caliber, for, as Lazarus continued:

> The higher school [9-13] is for Humash and Rashi, also for Talmud. Arithmetic and calligraphy are a form of relaxation.[5]

As in the lower school, there were no qualified teachers either. The students, however, underwent regular weekly examinations, "Verhoer," where an apple or a pinch of the cheek constituted the only reward. Yet the students were ambitious to shine at these examinations.

According to our informant, the small town of Filehne (Jewish population at that time: 200 families) had about fifteen to twenty such poorly paid, unqualified "Melamdim."[6] The older students went to the Yeshiva where "they eat at the homes of beneficent families during the week for nothing, but on Saturdays they are assigned "Billets" [pletten]."[7]

At the age of fifteen the student was ready for the Yeshiva; we have as authority Eger himself, who considered this the ideal age to send a boy to this highest school of Jewish learning.[8]

In Posen itself the study of the Talmud occupied the central position in the Jewish school though there, too, about two hours each day were devoted to secular subjects, mainly writing and arithmetic. The local

authorities, while not actually supervising the Jewish schools, insisted that this minimum program of secular education be covered.[9] This was, of course, far too little for the progressive elements among the Jewish population, who were in favor of reversing the program, viz., to teach secular subjects during the bigger part of the day and to reserve but a few hours of the afternoon for Jewish studies.

The attitude of the government to the whole problem was one of "wait and see." As far back as April, 1797, when Prussia first acquired the city of Posen under the third partition of Poland, the General-Juden-Reglement of that year ordered the establishment of German schools for Jewish children.[10] The Jewish community was not too enthusiastic about this plan and in the following year they complained about the prohibitive costs such an undertaking would entail and the difficulty of procuring suitable teachers who would master Polish, German, and Yiddish. Apparently some type of school was established, but in 1805 the community declared itself unable to maintain it and recommended that those Jewish children who desired a good secular education should attend the public school.[11]

During the next decade, the political upheavals in the wake of the Napoleonic wars made it impossible to pursue the solution of the problem seriously, and when in 1815 Prussian troops re-entered Posen the progressive group within the Posen Jewish community, with the whole-

hearted approval of the authorities,[12] agitated for the establishment of good elementary and trade schools.

Despite the solemn intention of the community executive committee to establish a trade school for indigent children - a promise which formed the basis for the compromise between the conflicting groups prior to the election of Eger[13] - nothing happened. The old "chadarim" continued, and eventually David Caro established a private preparatory school for the sons of the rich members of the community, where such students were prepared for eventual entry into the local gymnasium.[14]

Two leaders of the progressive group in Posen, Peter Lippmann[15] and Wolff Eichhorn[16] protested to the government[17] that not only did the Jewish community do nothing to establish a trade school, but that young Jews who were willing to be apprenticed to Gentile masters were being discriminated against. To remedy the situation they suggested the founding of a society which (1) would provide clothing and food for poor children and assist these in the learning of a useful trade; and (2) would, in the evening, instruct the young people in the main principles of their religion.

The local authorities then requested the Jewish community to take action, but again things were allowed to continue in the old manner. The authors of this protest preferred to remain anonymous, using the pseudonym "Zadeksohn and Neumann" instead of their real names.[18]

This is one further proof of the great respect which Posen had for Eger at that time, since any accusations leveled against the community leadership would automatically reflect upon the rabbi as the spiritual leader of that community.[19]

Gradually the complaints of the dissatisfied members of the community against the Gemeindevorstand became bolder; they demanded that the government force the Jewish communal leaders to act. A typical complaint from the year 1822 reads, in part, as follows:[20]

> A father who means well with his children . . . cannot send them to our [i.e., Jewish] schools. Our teachers know nothing but Talmud. . . . Scientific knowledge they do not understand at all. . . .

Two years later:[21]

> The Talmud is revered by us but our children need more, if they want to progress in this modern age.

Finally the government decided to act. They realized that they could hardly expect wholehearted or enthusiastic support for the planned improvement of the status of the Jew in Prussian territories. On May 15, 1824, the Ministry of Education in Berlin passed a law concerning the organization of the Jewish schools in the Prussian State. The most important provisions of this law were:

1. If Jews do not make adequate arrangements for the education of their children they must send them to public school.

2. School attendance to be strictly enforced.

3. Only qualified teachers to be permitted to teach in Jewish schools.

4. Even religious instruction must be given by teachers who are fully qualified.

Since this law was also applicable to the Grand Duchy of Posen, it vitally affected the Jews in that province as well.

Several years prior to this date,[22] instructions had already been given to put all existing Jewish schools under the supervision of the State; while this was, perhaps, done in the older parts of Prussia, we saw how the Posen province - just recently reincorporated into the Kingdom of Prussia, took no notice of this legislation. The new law was primarily intended to put an end to the indifference of both the responsible Jewish authorities and the local government.

The Ministry of Education was aware of the fact that the more progressive elements among the Jews were anxious that action be taken, but they had no illusions about the rest. The preamble to the law stated:[23]

> . . . the mass [of Jews] cannot be expected to undertake voluntarily measures designed to save them from their terribly neglected situation.
>
> It will be necessary to insist - with rigor, if necessary - that the following provisions [of already existing laws] be carried out.[24]

This law, in effect, demanded that all sub-standard schools (Winkelschulen) be closed immediately; this meant that all existing Chadarim were to be closed and Jewish children either would have to attend the public school,[25] or the Jewish communities would have to establish schools

that would meet the exacting requirements of the Prussian Ministry of Education.

When the government granted full civil liberties to the Jews but insisted on the integration of the Jewish population in the State, the main intention of the Prussian authorities was to ensure that the secular instruction of Jewish children be on a par with the standards prevailing in the general schools. The authorities did not wage war against the study of the Talmud per se - though they had little enough sympathy with this branch of learning - but merely insisted that all Jewish schools be conducted by qualified teachers. The end result of this new legislation, however, spelled the doom of intensive Talmudical studies as it had existed hitherto.

Eger could not allow such a threat to pass, without fighting vigorously against what he believed to be a danger to Jewish religious survival. As soon as the new legislation was announced there began a widespread correspondence between Eger and leading Jewish personalities in all parts of Germany. Eger appealed to Aron Moses Fuld,[26] a prominent Frankfurt leader and friend of Baron Amschel von Rothschild, the noted orthodox banker, also of Frankfurt. Apparently Eger had approached Fuld and had asked his help in combatting the danger that threatened traditional Judaism in the wake of the new legislation concerning Jewish schools. In his reply Fuld wrote:[27]

> . . . Concerning the new [evil] decree . . . it seems to me that this is the result of the anti-traditional element among us.[28]

Now follows a highly important revelation: Fearing that the government's decrees concerning secular education were irrevocable, Fuld and Baron von Rothschild suggested that Eger himself draw up a syllabus for a Jewish school that would combine both Hebrew and secular studies.

> . . . von Rothschild agreed with me that your Honor draw up a syllabus for a Jewish school where the students would learn Bible, Mishnah, Talmud, etc. . . . and also writing, arithmetic, history, etc.

Eger was to work out the details, how many hours should be devoted to each subject, and above all, he was to see to it that these subjects were actually taught, in order not to give an opportunity to the opponents of traditional schools to find fault with the arrangements. Nor should the leaders of traditional Judaism neglect to appeal directly to the Berlin authorities to revoke or modify the obstacles that were placed in the way of students desirous of studying the Talmud.

> You from there and the baron from here will write to the Berlin authorities; he [the baron] will send you the answer he will receive. . . .[29]

We do not know if Eger did work out a syllabus for a Jewish day school, combining secular and Jewish studies. But there can be no doubt that he not only caused a letter to be written in his name to the authorities, but he was also instrumental in alerting all the Jewish communities of the newly-acquired Prussian provinces to the dangers

of the situation. In a letter which the rabbinate of Lissa sent to the Jewish communities of the district,[30] we read how Eger had written to Lissa, asking the community to make a formal appeal to the government. He asked that the answer to their appeal should be sent on to him because "if, heaven forbid, the reply should not be to our liking, then we can take counsel together about any further steps we might take."[31]

In this letter mention is also made of the fact that the unqualified Melamdim were forbidden to continue to teach the young;[32] likewise, the fear was expressed that even if recognized Jewish schools would be established, the religious qualifications of the teachers active in these schools would continue to be a vexing problem.[33]

Eger was not satisfied with the steps taken thus far. He therefore approached one of the outstanding tradition-minded young men of the time, Solomon Plessner, who also possessed a fair amount of secular education, to write a pamphlet in defense of the Talmud. Plessner was born in Breslau in 1797 and had received his early Jewish training from the well-known Abraham Titkin; he later also studied in Kaempfen under the guidance of the revered rabbi Yisrael Yona Landau.[34] In general subjects he was a self-taught man, and he had a good knowledge of the classics - both Greek and Latin.

Plessner was attracted by the works of Naftali Hirz Wessely and shared the latter's love for the study of

secular knowledge. For many years he was active as preacher in Posen, and he was one of the first orthodox rabbis in Germany to preach in the vernacular.

In 1826, Plessner published his Edut LeYisrael,[35] a defense of the Talmud. In this pamphlet Plessner collected the testimony of ancient, medieval, and modern authors who had spoken favorably about the Talmud. This book, and a letter which he wrote at the expressed request of Eger, were submitted to the authorities by Eger in his attempt to modify their strict measures against the Chadarim.

Of special interest is Plessner's introduction to the Edut LeYisrael. His enthusiasm for Wessely is apparent from the very beginning. He wrote:[36] "Very true are the remarks of Hartwig [Naftali Hirtz] Wessely, who is without peer among the newer Jewish theologians. . . ." In a footnote ad loco Plessner said:

> These words were spoken by the grave of Wessely, on March 3, 1805, in Hamburg:[37] "Here were joined in one harmonious soul a thorough and rare knowledge of the Divine Word with a true life lived in accordance thereof. . . . O, House of Jacob, come let us walk in his light! If anyone can show you the word of G-d in its beautiful glory, . . . it is the great Wessely in his almost incomparable works."

Further on in his volume, Plessner mentioned how he had expounded the Ethics of the Fathers in the synagogue, using Wessely's commentary.[38]

Eger enthusiastically praised the merits of Plessner's book. In a letter dated January 26, 1826, Eger

said:[39]

> . . . Today I have finished reading your book; I rejoice in its words . . . your Honor did well . . . to show that the great sages among the gentiles also speak very highly about the Talmud.
>
> May the Lord reward you for your work . . . and may He give you strength to continue in your endeavor. . . .

It is said that "necessity makes strange bedfellows" and it is possible that Eger was not at all in agreement with Plessner's views on Wessely and on the usefulness of secular knowledge,[40] and that he merely expressed his appreciation for the booklet in general terms; but, in view of Eger's sincerity it is unlikely that he would have lavished praise on a person with whose basic philosophy he disagreed, especially since, in the same letter, Eger seemed to admit the need for a minimum of secular education. He wrote: "It is good to combine Torah with secular knowledge and to teach thechildren 1 to 2 hours a day, writing and reading."[41]

Forty-four years had elapsed since young Eger had heard the violent denunciation of Wessely from the pulpit of the Great Synagogue in Lissa. Here we have clear evidence that Eger did not agree with the verdict of Rabbis Chorochov, Landau, and others who had heaped abuse upon Wessely because he espoused the cause of secular education.

In a second letter to Plessner,[42] Eger stated that he did not want undue emphasis to be put on secular education at the expense of traditional Jewish studies.[43]

> What good is there in the study of Gemara in those hours . . . when the children are already tired from the study of other subjects and they will have no longer the energy and the enthusiasm to study our holy Torah?[44]

In this letter to Plessner, Eger also was enthusiastic in his praise of the author's book; everybody wanted to see it and read it, wrote Eger, and in fact the one copy he possessed had been borrowed by so many people that he did not know who actually had it then. He asked if Plessner would let him have another copy. With a typical touch of his consideration for others, he even suggested acting as the local representative for Plessner:[45] "You could send me about twenty copies and if I will find it possible to sell them to your advantage, I shall not hesitate to do so."

Eger was receptive to new ideas; he was concerned that women should also have some text which would acquaint them with the basic tenets of Judaism. In a time when mass conversion to Christianity was rampant in Berlin and other towns, Eger felt that it was of paramount importance that Jewish women should have a book that would defend Judaism against the calumnies of its detractors. In the postscript of the same letter to Plessner Eger wrote:

> I heard that in Breslau there is to be found the book Chizuk Emuna, which contains an excellent defense of Judaism [ספר חזוק האמונה]. Perhaps you would be kind enough to publish it both in Hebrew and German so that women and the less learned among men might read it.

It is remarkable - and typical of Eger's broadmindedness - that he did not hesitate to recommend the translation of

this book, when he felt that its publication would serve a useful purpose, although its author was a Karaite, Yitzchak ben Avraham Troki (1533-1594).[46]

A close personal friend of Eger, Shlomo Zalman Landsberg,[47] whose father, Joseph, was a member of the Posen Beth Din, and who had proposed the appointment of Eger to the Posen rabbinate,[48] held views that were quite in keeping with those Eger cherished. A compendium of their feelings would have produced a policy holding that while concentrating on sacred lore one should by no means neglect a minimum of secular education. In a letter to his son Moses, who at that time (1818) was a student in Eger's Yeshiva at Posen,[49] Landsberg drew up a detailed schedule for his son at the Yeshiva. This document is of significance because it demonstrates that leading orthodox men of that time were fully aware of the need to broaden the horizon of the young talmudical students with the fundamentals of a sound, general education. Landsberg wrote:[50]

> In these long [summer] days it is quite sufficient for you to rise about one hour before the waking for the synagogue[51]. . . so that you may hurry . . . to say your prayers by all means in the synagogue. . . .
>
> After your main shaur [lesson] in the Talmud, practice Hebrew writing [ ] for at least one hour. Then study codes. . . .
>
> And study how to read and write German and Polish on alternate days. Engage for this purpose a gentile who is thoroughly familiar with these languages.

> At least once a week study intensively Hebrew grammar; also geography; read the newspapers.
>
> Have on your window some plants and flowers in order to observe their nature; peruse occasionally books on Mathematics.

This detailed schedule is but an elaboration of Eger's desire for a minimum amount of secular education.[52]

Thus we have seen the approach that Eger followed when personally appealing to the authorities - through Plessner - to revoke their limitation on Talmud study. Apparently some Jews had approached the local authorities and suggested to them that the study of the Talmud be prohibited. While the government order about the reorganization of the school system did not actually go so far as to prohibit the study of the Talmud - it merely wanted all Jewish schools brought under the close supervision of the state - the Jewish opponents of the traditional school did go all the way.[53]

After deploring the low esteem in which the study of the Talmud was then held among the Jews, Plessner, in his Edut LeYisrael, wrote:[54]

> . . . And some Israelites even brought themselves to appeal publicly to the authorities to prohibit completely the study of the Talmud.[55]

This total prohibition of the Talmud, if it did occur, could only have been a short-lived measure. Already in the Spring of 1826, when Plessner, at the behest of Eger, drew up the letter of appeal to the government,[56] Eger found it necessary to ask for a new draft:

> [Your letter] is based on the assumption that they [the authorities] forbid the study of Gemara; but they say that, on the contrary, they want [our children] to study Gemara in their free time, after the children have completed their secular studies.

The important point was, however, that even the teachers of the Talmud had to be men authorized by the government.[57] It was this last point which made the government's decree so obnoxious to Eger, because he knew how difficult, if not impossible, it would be to obtain such teachers.[58] The insistence of the local authorities that only they had the right to license even private Jewish (i.e., also Talmud) teachers would, under the then existing circumstances, have been tantamount to a total prohibition of the Talmud.

Happily for Eger and the exponents of traditional Judaism, the local authorities reversed their stand and vested authority for the appointment of teachers of Jewish subjects in the rabbis. This was the situation, at least in Posen, in the year 1829, where, according to an official survey of the Jewish child population,[59] there were 801 Jewish children of school age. These children attended:

a. Five pre-school institutions for Hebrew studies for children under seven, in which they were taught only Hebrew subjects by teachers who were found qualified by the rabbis;

b. Preparatory schools for elementary instruction in Hebrew, German and Polish; and

c. Public higher elementary classes.

The sub-standard schools (Winkelschulen) were abolished,

but the study of the Talmud was approved.[60]

For the time being, at least, Eger's intervention was crowned with success. The small group of convinced reformers, who saw in the continued study of the Talmud a threat to the spread of their own version of enlightenment, continued their agitation. In a letter to Sofer dated February 21, 1830,[61] Eger wrote:

> As far as the education of our children is concerned, thank G-d the authorities do not cause any difficulties; indeed, they heed my words.
>
> But a certain Satan among our own people[62] causes all the trouble; as Rashi explains the biblical passage: "And your enemies shall have dominion over you."[63]

One other question caused difficulties to the Jewish population: While by this time the community had established its own elementary schools, in which children received their secular as well as their Jewish education, the community was still being taxed for the upkeep of the public schools as well. By a decision of the Ministry of Education in Berlin,[64] Jews had to contribute to the maintenance of the public schools, through local taxation, even if their children did not attend such schools. Nor did the government agree to compel individual Jews to pay for the upkeep of the communal Jewish school. The Ministry of the Interior ruled[65] that:

> . . . the authorities must not intervene [to ensure funds for payment of teachers in Jewish schools] because even . . . schools supported by the whole [Jewish] community do not have the character of a public school, inasmuch as the Jews are only to be considered a tolerated sect.[66]

As a result of this attitude of non-interference on the part of the authorities, Jewish teachers were often not paid on time by the local Jewish schools. In such cases the school ministry advised the teachers to deal directly with the communal leaders.[67]

The supervision of Jewish schools in the Posen district was intensified by the special legislation of June 1, 1833, which we will now examine.

The Patriot

Ever since the Posen province had been re-incorporated into the Prussian monarchy, the Jewish population had chafed under the injustice that they alone, among all other Jewish inhabitants of the kingdom, were denied the benefits of complete equality under the Edict of Emancipation of 1812.[68] When two years had passed and the authorities still had not taken any steps to improve the civil rights of the Jews of the Grand Duchy,[69] Jewish communal leaders met in the city of Kurnik in 1817 and addressed a formal plea to the Oberpraesident of the Posen province, di Sposetti. They humbly beseeched the authorities to grant them full civil rights enjoyed by Jews in the older parts of Prussia.[70]

In reply, the Oberpraesident expressed the hope that things would improve soon;[71] yet fifteen years were to pass, when thanks to a more liberal Oberpraesident, Flotwell,[72] Friedrich Wilhelm III consented to give his

Jewish subjects of the Posen province their inalienable rights as citizens.

The unsettled legal situation of Posen Jewry prompted Eger to address himself to the supreme appellate court in Posen (Koenigliche Oberappelations-gericht) in order to clarify his own authority in matters of inheritance. The court denied any jurisdiction to Eger and submitted its decision to the highest legal authority in Prussia - the Minister of Justice - for approval. The latter upheld the court's ruling. It stated that in considering the jurisdiction of a rabbinical court in civil questions - such as inheritance - one would have to determine when the case of inheritance occurred:

1. Before May 1st, 1808;
2. Between May 1st, 1808 and March 1st, 1817; or
3. Since March 1st, 1817,

because the autonomous jurisdiction of the rabbis was completely abolished after 1817, while until 1808 it was fully effective.

On May 1st, 1808, French civil law (the Code Napoleon) was introduced, affecting all inhabitants; consequently, all former jurisdiction, including the prior autonomous jurisdiction of the rabbinical court, was suspended. Though, as we noted earlier,[73] there was a special ordinance in 1808 suspending the political rights of the Jewish population in the Grand Duchy for ten years, this had no effect on the question of civil jurisdiction. Not without a touch

of official anti-Semitism, the legal document continues:

> Should their rabbis, however, have arrogated to themselves the right to decide questions of inheritance according to [their] ritual law . . . and if such arrogation was not censured officially . . . it is only due to the incompleteness of supervision practiced against this class of people. . . .[74]

Finally, since on March 1st, 1817, the Allgemeine Preussische Landrecht had officially been introduced for all citizens, all cases of inheritance would have to be adjudicated in accordance with the Prussian law, unless valid Last Wills or contracts changed the circumstances.[75]

> We intend to so inform the local Chief Rabbi Kivo Ginsimo [sic][76] who [the document concludes] by his inquiries caused this report to be written. . . .[77]

Thus the Supreme Appellate Court in Posen acknowledged that the zealous will of the local chief rabbi to clarify the legal status of his own Beth Din had led to a report from that august body.

But Eger's desire for conformance with the laws of the nation showed itself in other ways too; we have already briefly alluded to a rabbinical decision of Eger[78] concerning his opposition to the conversion of a Gentile to Judaism, since he felt - very rightly - that this was against the intention of the government; in connection with that decision Eger addressed himself to his correspondent and delivered a veritable paean in praise of patriotism. Since he did not write with an eye to the public,[79] this feeling of intensive loyalty to the country in which he lived represented, then, his innermost conviction. He wrote:

> It is indeed the duty of every rabbi . . . to impress on the people in whose midst he dwells that they should by all means keep the regulations of the government [ ] and not transgress in his commandments; as I have . . . repeatedly shown in my addresses . . . . - and here is not the time to discuss this at length - that this is the inescapable duty of every Israelite . . . howmuch more so is it incumbent upon the rabbi to practice what he preaches so that the whole congregation should follow his example and honor their king and respect him. . . .[80]

We have two examples of such sermons which the Chief Rabbi of Posen delivered. One was delivered on the occasion of the election of representatives to the new Jewish Synagogue Council under the special legislation of Friedrich William III.

To the Jews of Posen, this new legislation[81] meant a great deal. Granting them partial equality before the law - while not giving them the full advantages of the edict of emancipation to which they had aspired - at least removed the worst disabilities of one category of Jews[82] - naturalized Jews. It is not surprising, therefore, that when Posen Jewry was about to elect the representatives, who in their turn would elect the officers who were to administer the internal affairs of the Jewish community, they made it a festive occasion. Eger himself delivered the address that was later published.[83] In it Eger said:

> The great and important moment of history, which begins with the naturalization of Israelites in the Grand Duchy of Posen and which places us in a higher and more honorable position in society, demands of us that we thank G-d in our multitudes, and that we solemnly express . . . our heartfelt thanks to our all-merciful king . . . for his fatherly act of bringing us closer to his throne.[84]

After elaborating on the need of Jewish subjects always to be loyal to their sovereign, he quotes the verse: "Fear the Lord, my son, and the king!"[85] and continues:

> We call on you especially: Revere the ruler, our king Friedrich Wilhelm III, wise and just regent and lawgiver, who, by the act of naturalization, placed us in a more favorable position, and who inspires us with self-respect - and self-confidence by his esteem of us.

Eger had a deep devotion to Israel, to its land and its Torah.[86] He vigorously attacked the Hamburg reformers who ignored references to Israel's eventual return to its ancestral home. However, Eger was heartened by the extension of full civil rights to Posen Jewry. He was fully aware of the significance of the new legislation, the impact it was bound to have on raising the status of the Jew and enhance the possibilities of his taking his rightful part in the country of his domicile.

It is of interest to compare - and to contrast - Eger's attitude on the question of Jewish emancipation and that of his famous son-in-law, Sofer. On the occasion of the granting of partial rights of emancipation to the Jews of Austria (in 1832) there was great rejoicing among the Jews of Preasburg. Sofer saw fit to use this very occasion - in an impassioned appeal to the Jewish community in the great synagogue - to arouse their feeling of being in exile. "Woe to us," Sofer exclaimed, "if our heavenly father makes our lives easier here, apparently indicating that the return to the land of Israel is still in the distant

future."[87] Eger, on the other hand, singled out for praise the pro-Jewish Oberpraesident Flotwell, whose favorable report on the eligibility of Posen's Jewry for at least partial emancipation hastened the new legislation. Said Eger:

> It is our most sacred duty to show our exalted benefactor [Flotwell] our gratitude by punctillious obedience to his commands at all times.[88]

At the conclusion of his address, Eger composed a special prayer for the occasion, in German, at the end of which the congregation was enjoined to respond with the traditional Amen yeAmen.[89]

> Lord, G-d of hosts . . . Thou hast begun to show Thy mercy to . . . Israel, in that we rose in the esteem of the nations . . . and were brought closer to the illustrious throne of our most gracious king Frederic William III.
>
> Bless . . . our . . . king . . . and all the royal family, the . . . state council . . . and especially the Oberpraesident of this province . . . and let the congregation say Amen, Amen.

In accordance with the new regulations,[90] the representatives duly elected by the community were formally installed in the synagogue during a solemn ceremony on April 2nd, 1834. Again Eger delivered a sermon[91] wherein he renewed his expressions of gratitude to the local authorities, the government, and the king. After briefly reviewing the history of the Jews during the Middle Ages when they were merely a tolerated group of aliens living under the protection of the monarchs, to their present

happy state when they are recognized as full citizens in their land of domicile, he called on the people to be extremely careful in the observance of the laws of the country.

> Since I am one of the most loyal subjects of the king . . . and I am careful not to transgress the smallest regulation, because I realize that this is one of the principles of our religion - would that H.M. the King had many such loyal subjects as I am - I have chosen this day, on which we celebrate a special thanksgiving service . . . to bless the king. . . .

In this sermon Eger struck a more serious note in regard to internal Jewish affairs. The newly-elected representatives were about to choose men for the management of the communal affairs. Eger wanted to make sure that these new officials would be men who revered and respected Jewish traditions. He assured them that the government authorities did not want to interfere in any of the religious practices of the Jewish community. For this reason, he said, it was essential that the communal officers now to be elected should all be G-d fearing men, well-versed in the management of communal affairs, who would zealously guard over the religious character of the community.

In the conclusion of his sermon there was still an echo of the old controversies that had rocked the Posen community prior to Eger's election and that had continued throughout his ministry; but the pleasant personality of Eger must have won him the love and affection of the

majority of the Jewish population, because he said:[92]

> . . . I have now been here for eighteen years and have grown old and weak; there is no doubt in my mind that you would want to make me happy . . . you can best achieve it if everything will be done in complete harmony and there should be no memory of any conflicts or division of opinion.

On this occasion, too, Eger recited a special prayer in German for the royal family. He said:[93]

> . . . Look down from Thy heights on Thy holy anointed one, whom Thou hast appointed king over fortunate Prussia, our king Friedrich Wilhelm III. . . .
>
> We beg of Thee, whose Power is infinite, to requite our king according to his deeds, since we enjoy the same favor as the other subjects.

Eger also maintained close contact with the local authorities during the outbreak of the cholera epidemic in 1831. He took immediate measures to ensure that especially the poorer elements of the Jewish population would be adequately provided with food and medical care; he likewise took precautionary steps in the synagogues to prevent the gathering of large numbers of people at one time.

Largely because of these measures, which a very active committee of laymen helped to carry out,[94] the mortality rate among the Jewish population was low; this activity of Eger was noted with great interest by Plottwell, who informed the monarch about it.

In a letter dated September 5th, 1831, Friedrich Wilhelm III addressed a special note of appreciation to

Chief Rabbi Jacob Moses Eger for these precautions.[95] In the midst of the fight against the epidemic, through preventive measures and through special prayer-sessions to ask for help from on high, Eger included a prayer for the welfare of the royal family as an integral part of every Divine Service.[96]

In writing to the rabbi of the nearby town of Plessen,[97] he advised him to ask for the cooperation of the local police in order to maintain strict control over the number of worshippers at each service.

> . . . Submit an application [for police cooperation] to your local magistrate informing him that I have advised you to do so; if they refuse to cooperate write to the government [authorities] here in Posen and you will certainly succeed if you will mention my name. Tell them that I warned you about having too many people in the synagogue. . . .
>
> . . . That I have also advised you to say psalms daily and to pray for the welfare of the king. (author's italics)

All this would indicate that Eger had the most cordial relations with the local authorities and that he understood the need for cultivating among his fellow Jews an attitude of deepest loyalty to the government and to the royal family.

Liberal Interpretation of the Halachah

Eger was liberal and realistic in the application of Halachah. In a certain city there was only one Mohel,[98] who was not a Shabbat observer; the question arose whether it was permissible to employ this man to perform the

circumcision ceremony. Eger used every pilpulistic argument to prove that it was indeed lawful for this person to act as mohel, saying that since it would be difficult to obtain another qualified person, this case could be treated on an emergency basis ( ), especially in view of the fact that if they insisted that an out-of-town person be brought in, this would lead to internal fights in the community.[99] Again he was asked[100] if the Jewish population of a small city that was not surrounded by a wall[101] would be allowed to carry their small children, who were not yet able to walk. Eger came to the conclusion that from the point of view of the law this was definitely prohibited; nevertheless he continued:

> . . . since this case would come under the category of [ ][102] since the people are certainly not going to listen to our prohibition - it will be best not to broadcast the truth.[103]

Only to those people who are disposed to accept the decision of the Jewish law unquestioningly, should the truth be told, he added.

In another instance[104] Eger ruled that though a person openly violated a Jewish religious law, he could not be prevented from serving as a witness, since this transgression was widespread.

Another aspect of Eger's realism can be seen in his readiness to consult expert opinion on matters that had to do with Jewish law. When asked to decide the case of a woman who had difficulty in observing the seven days

of purity following her menses, because of some internal malady,[105] Eger consulted medical experts, and when he found that they were not unanimous in their views he wrote to a specialist in Frankfurt.[106] Thus, he did not hesitate to make his own decision on a religious issue dependent on the opinion of a medical expert.

In spite of Eger's reluctance to decide a point of law against the verdict of early rabbinic authorities - this will be discussed fully in the next chapter - he did not hesitate to use the opinion of experts to decide a serious issue against the noted Talmudist, Isaac Barfat (RIBaSH).[107] The latter had stated that a person who had drowned but whose body had not been recovered could be presumed to be dead only after the lapse of three hours. When called upon to decide the legal status of a woman whose husband was carried away by the waters of a river,[108] Eger held that Barfat's time limit of three hours was merely a guess and that one could therefore depend on the views of experts (אומנים) that nobody can survive for more than half an hour under water.

At times he permitted, and even welcomed modification of current religious practices if he felt that such modification would strengthen their observance. Thus, he permitted the use of heating devices in a Mikvah in Hogasen,[109] though until the new mikvah was built women were willing to use cold water for their ritual immersion. Eger used two arguments in support of the innovation: first, by

using cold water the women exposed themselves to physical dangers, and second - here he is again the great realist - it was to be feared that some women would simply cease to go to the Mikvah at all,[110] unless minimal requirements of comfort were met.

Writing to another correspondent, also on the problem of making the ritualarium more attractive, he said:[111]

> I am fully aware of the importance of the question to make our ritual baths in such a manner that they be consonant with the requirements of hygiene [illegible]. In my own community we built a mikvah where . . . other pipes remove the unclean water.

By modernizing the ritualarium Eger hoped to stop the drifting away from traditional Judaism that became apparent among large sections of Germany's Jewish population.[112] This attempt, however, failed in the end to stem the tide toward complete assimilation, even in Posen itself.

Eger, while standing squarely for Jewish tradition and staunchly defending the old against the inroads of opponents from without and within, was not implacably opposed to the new. He was a moderate advocate of secular education, a convinced and sincere patriot, grateful for the improvement of the lot of his co-religionists in Prussia. He was, moreover, a man who was prepared to re-interpret the law so as to solve halachic questions in keeping with the spirit of the times.

VI

EGER: THE SCHOLAR AND MAN

Eger's main and lasting contribution still is to be found in the realm of Halachah.[1] Of special interest is his attitude to the Rishonim[2] and early Aharonim,[3] and his own method of instruction in vogue at his Yeshivs, especially his views concerning pilpul.[4] His own numerous works will be discussed as well as the bases on which he approved the works of others.

Attitude to Talmudical Authorities

We already have had occasion, in a previous chapter,[5] to mention that by nature Eger was unwilling to disagree with the decision of any of the earlier authorities. If his own reasoning compelled him to disagree with their views, he would only do so reluctantly, often prefacing his remarks with words of abject humiliation for having dared to differ with them. Hundreds of examples[6] from his responsa and other writings could be quoted. Here are just a few typical instances.

In one case, when Eger disagreed with the views of the RaSHBA[7] concerning a difficult theoretical discussion, where according to Eger we should involve the talmudical principle of [illegible], whereas the RaSHBA main-

tained that this principle did not apply, he (Eger) said:

> I am but like dust under the soles of the feet of the RaSHBA, and I say with dread and fear [ ] that [we do have many instances where this principle is applied].

Writing to his brother-in-law, Shimon Feibelman,[8] Eger, because of his interpretation of the Talmudical sources, was inclined to decide a question involving a new and ingenious interpretation of the Talmudical principle of , against the views of the rishonim. He wrote:

> If I would dare to go against the views of our saintly rabbis, the rishonim, I would say. . . .[9]

In discussing the problem[10] of whether it was necessary that parents observe the rule of shivah[11] in a case where the news of the death of a son reached them on the eve of Shabbat, thirty days after the event happened, Eger was puzzled by a decision of the SHeCH and Ta2,[12] and wrote:

> I am [at a loss] to understand whence these two lions arrived at their decision. . . .

Since Eger regarded the study of the Talmud as a religious obligation, he was deeply unhappy if he failed to understand the views of the early commentators and codifiers, and he often addressed a pious prayer to the Dispenser of all knowledge to help him understand an obscure passage.

In the introduction to his novellae Derush veHidush, his sons attest that their father would only utter such prayers if the difficulty were a very apparent one; never

if it were the outcome of some "pilpulistic" reasoning.

When finding it difficult to penetrate the meaning of a difficult passage in Rashi, Eger would intone:

> May the Lord remove blindness from my eyes and reveal to me the secret of Rashi's intention in this passage. . . .[13]

Again:

> May the Lord enlighten mine eyes in the holy words of our saintly teacher, Rashi. . . .[14]

In a correspondence discussing a difficult Talmudical problem with his brother Bunim, Eger lamented:

> I did not grasp fully these words of the Tossefot . . . I was not fortunate enough to understand them. . . .[15]

A good insight into the deeply reverential attitude of Eger to Tossefot may be obtained from an interesting correspondence[16] with his son Solomon. The latter had raised a number of interesting points based on a novel interpretation of a passage in the Talmud by Tossefot. Eger proceeded to answer the points raised by his beloved son and developed a fascinating, seemingly very simple theory, under which the whole complex problem became perfectly clear. The only difficulty was that if Eger's own views were accepted, the interpretation of Tossefot would be seriously challenged. With deep humility, however, Eger retracted his views:

> But I withdraw my proposed solution because we must make a supreme effort [illegible] to grasp the intent of Tossefot, in order to remove the problem we ourselves raised earlier. . . .

He expressed similar feelings toward an apparent contradiction in Rashi, which someone had brought to his attention.[17]

That these difficulties really caused him deep unhappiness we can see from a most significant passage, taken from one of his letters.[18] Eger was puzzled by a passage of the Mishna, which, to his chagrin, all the Mishna commentators had passed by. In real anguish he wrote:

> I was not fortunate enough to understand [this passage]. . . . It grieves me [כאב עד מאד] because none of the commentators seems to have found it difficult; apparently the matter is quite simple, and only my understanding is too limited to grasp it.[19] (author's italics)

Occasionally we find that Eger, with all his great respect for the early authorities, would oppose their decision. In the cause celebre of Zlotowo, in which, as we have noted above,[20] Eger took a prominent part, he even dared to criticize a decision of the ReMA.[21] Though he felt very diffident about it ("I am not worthy to question his decisions . . . "),[22] in the interest of the truth - as he understood it - he dared to disagree. Quite different was Eger's attitude towards Aharonim or his own contemporaries.

In connection with that famous case, we saw[23] how Eger could be very outspoken to his correspondents if he thought that they did not understand his point. Throughout his responsa we find ample evidence that he did not hesitate to criticize the views of Aharonim, if their

reasoning were forced or illogical. A correspondent had sent him an attempted answer to a question that the well-known Mishna commentator, YomTov Lipman Heller,[24] posed in the tractate of Keritot. To this Eger replied with unusual acrimony:[25]

> In my humble opinion it is not worth while to waste one's time in attempting to answer this question, because there is absolutely no basis for it [פרוץ מראש אין] as I wrote in my notes to the Mishnah commentary. . . .[26]

In a more conciliatory manner he dismissed an attempted answer to a difficult Tossefot in the tractate of Pessachim, which the well-known Talmud commentator MHaRSHA advanced.[27]

Though Rabbi Yechezkel Landau enjoyed a reputation as the foremost Talmudist of his time, Eger did not hesitate to attack his views wherever he found them incorrect. In a note to his son Abraham[28] he succinctly said that Landau erred greatly in a note to the Talmud, as found in his [Landau's] commentary, TZLaH;[29] in another case[30] he made this comment:

> We are not obliged to answer the question of this Gaon [Landau] of blessed memory. . . .
>
> In reality there is absolutely no basis for the statement he makes. . . .
>
> His argument is a good one - but here it does not apply.

Eger took the decisions of the Halachah very seriously, as problems of life and salvation,[31] and he was an implacable opponent of anyone who dared to issue a religious decision without adequate knowledge. In the case we men-

tioned earlier,[32] the matter was further complicated by the fact that an unauthorized person had presumed to lay down the rule without waiting for the decision of the local rabbi, Ezra Apolant, rabbi of Jastrow. Eger bitterly assailed this act:[33]

> As for that man who decided and took a lenient view, he does not understand the first thing about the issues involved; they also [the family who listened to him] acted wrongly in depending upon this broken reed. . . . Let them not do it again.

Against the background of Eger's desire to have the rabbinate held in the highest possible esteem, we can understand his actions in protesting the appointment of men who, in his opinion, were not yet ready for the position of a rabbi. Early in 1830 Eger wrote to a young man warning him not to proceed with his plans to assume the office of rabbi in a small locality:[34]

> It has become known to me that . . . you are attempting to secure a position as a rabbi and thereby go back on the promise made to me but recently.
>
> I want to make it absolutely clear that I do not agree with this and that I forbid you to decide religious questions. It will be best if I won't have to publicize this. . . . If not, I will not be silent.

In a second letter[35] Eger elaborated the point he had just made; during a personal interview he had convinced himself that young Schwerin, the man in question, had not yet had sufficient time to study the Talmud adequately, as well as its early and late codifiers and commentators. Therefore, he felt it would be necessary for the young man to

spend at least another three years in intensive study before he would be ready to assume the responsibilities of the rabbinate. The man, Jonathan Alexanderson-Schwerin, later went to Hungary where he became the rabbi of Tshaba, near Miskolcz. There, in the early decades of the nineteenth century, he was involved in a violent struggle that rocked Hungarian Jewry, with the leading orthodox rabbis - Sofer of Pressburg, Moshe Teitelbaum[36] of Ujhely, Heller of Alt-Ofen[37] - solidly arrayed against him.[38]

Almost incredible was the persistence with which Eger tried to prevent the appointment of young, unmarried Baruch Yitzchak Lipschitz as rabbi of the latter's native Wronke. Eger had been a close friend of the family for years; he had exchanged responsa with the young man's grandfather, Gedalya Lipschitz,[39] rabbi of Chodsiesen (Chodzitz, in Polish - between Schneidemuehl and Posen). He also had written several responsa to the young man's father, Yisrael Lipshitz,[40] author of the popular Mishna commentary, Tiferet Yisrael.

Notwithstanding this long standing friendship, Eger was greatly disturbed when he learned that Yisrael Lipshitz was making efforts to have his son Baruch installed as rabbi of Wronke. In a very sharply worded letter Eger protested against this plan. He made it perfectly clear that he was not taking this stand because of any personal motives, but because he felt strongly about the sanctity of the rabbinate.

We well may marvel at how this usually modest man wrote with the authority of a "gadol hador" (an outstanding personality of the time) where the rabbinate was involved. He was particularly concerned about the appointment of young Baruch Lipschitz as rabbi, since the accession of an unmarried young man as rabbi would introduce a new practice in his own province:

> My heart burns like fire at the thought of introducing also into our province new practices, to appoint a young man, still single, as the rabbi [of a community]. . . .
>
> Incalculable harm might come from this because other communities might follow this example and might appoint unqualified men [ ] as we unfortunately witness so frequently.[41]

As an additional reason for his opposition to the appointment of young Lipschitz as rabbi, Eger mentioned the fact that the young man was actually a native of the town whose spiritual leader and religious guide he was now to become. How, he asked, could such a man be expected to deliver sermons and preachments to those who knew him in swaddling clothes?

In this very first letter Eger made it clear that he would do all in his power to make this planned appointment impossible.[42] He suggested, therefore, that Yisrael Lipschitz voluntarily give up the project.

The elder Lipschitz replied to Eger's letter, apologizing for any derogatory remarks he might have made against the Posen rabbi; nevertheless, he did not

change his mind about letting young Baruch accept the Wronke position. To this letter Eger replied:[43]

> Your apology was not necessary, because my objection to the proposed appointment of your son has nothing to do with any hurt feelings on my part.
>
> But . . . I repeat: I will under no circumstances allow your son to carry out the duties of a rabbi - not even the least important decision - in Wronke.
>
> Let this suffice.

The second letter is dated July 11, 1833. Two days previously Eger had written to Baruch himself, informing him in a very curt note that he prohibited any rabbinical function by the young man, including even the right to officiate at a wedding.[44]

At the same time Eger addressed a letter to the shohet of Wronke warning him not to recognize the rabbinical authority of the young man.[45] Apparently the leaders of the community were aware of the fact that young Lipschitz, although strongly recommended by his own learned father, did not measure up to the exacting standards of Eger. A correspondence developed between them and Eger, in which the latter tried very hard[46] to dissuade the parnassim of Wronke from pursuing their intention. He appealed to their sense of responsibility as leaders of a Jewish community, and beseeched them to appoint a worthy, learned rabbi.

A note of resignation and pain can be discerned in the second letter: after pleading with them, Eger concluded:[47]

> If you will ignore my words and completely ignore my views in this matter, at least I will have done all in my power . . . the failure will be all yours. . . .

Apparently Eger's pleas were ineffective, and young Baruch was installed as rabbi of Wronke. Eger was not yet ready to accept the rebuff; he demanded a test! It will be recalled that his opposition to young Lipschitz was not only due to Baruch's youth and the fact that he was unmarried, but primarily because in Eger's opinion the young man did not possess sufficient learning to occupy the rabbinate of any community. This, of course, could be helped, and Eger let it be known that he would no longer continue his opposition to the new rabbi of Wronke if the latter underwent a thorough examination by recognized rabbinical authorities. Unless their rabbi was prepared to appear for a thorough examination either before Eger himself or the rabbi of nearby Filehne, Eger was prepared to impose sanctions against the community of Wronke.

In a letter[48] to the rabbi of Filehne, Eger suggested that word be passed around among Jewish travelers not to eat anything of the Wronke <u>shehita</u>, unless the local rabbi submitted to the examination Eger demanded. Hearing of this campaign against their rabbi, the leaders of the Wronke community finally realized the gravity of the situation. They urged their rabbi to accede to Eger's demand and obtain the approval of a leading rabbi.

We can sympathize with the young rabbi, who probably underestimated the relentless zeal Eger displayed in the

whole affair. He had, it must be admitted, the official approval of his own father. But by this time the Wronke leaders were not ready to take such evidence alone, and asked Eger if such testimony about the knowledge and experience of a son as a rabbi could be accepted as bona fide. To this Eger immediately replied with an emphatic "No." "You cannot depend on any ritual decision of your rabbi," he informed the communal leaders, "unless he will show you official approval [semiha] from leading rabbis." With typical thoroughness, Eger added:[49]

> . . . Send these documents to me [for an examination] and I will return them to you. . . .

Apparently Baruch Lipschitz must have satisfied Eger, for nothing further is known about this incident. In spite of this long dispute, Yisrael Lipschitz wrote very highly about Eger whenever he made mention of him in his Mishnah commentary.[50]

It must not be thought, however, that Eger, who by that time was already an old man, spoke and acted as he did because of the natural tension that exists between the generations. We have his own words, in his letter to the Wronke leaders, in which he made it clear that his unalterable opposition was not due to any personal motives but was dictated exclusively by his concern for the spiritual welfare of Posen Jewry.[51]

On another occasion, some nine years before this issue arose, Eger entered the lists on behalf of young Rabbi

Yossef Shmuel Landau,[52] son of the well-known scholar and kabbalist Yisrael Yona Landau.[53] Indeed, the troubles Eger experienced in order to maintain this young scholar in the rabbinate of Kempen, as successor to the elder Landau, are almost the reverse of those of the Wronke incident.

Very briefly, this is what happened: After the death of his father, the parnassim of Kempen appointed young Landau as the rabbi of the community. This met with the opposition of the local Beth Din, of whom one member now aspred to the position. An ugly incident occurred in the community when the members of the Beth Din publicly declared a ritual verdict by young Landau as invalid. Thereupon, Eger intervened and appealed to the Dayanim of Kempen to work out a compromise solution, under which both young Landau as well as the senior Dayan would, in turn, preside as head of the local Beth Din.[54] Of special interest to us is the plea to the Dayanim of Kempen made by Eger on behalf of young Landau - whom Eger knew from personal knowledge to be an experienced Talmudist. He wrote:[55]

> I am greatly surprised at your illustrious Beth Din . . . that you should be willing to prolong needlessly this quarrel, especially with the son of your late rabbi, the Gaon, whom you are in duty bound to honor even after his death. . . . Even if he [Yossef Shmuel Landau] is still very young, is this a reason for fanning the conflict . . . ? (author's italics)

Thus we see clearly that Eger did champion the cause of youth when he was convinced - as in the case of Landau - that the young rabbi possessed the necessary knowledge for the high office.[56]

Eger's Approach to Pilpul

Among the outstanding authorities, Eger enjoyed a reputation second to none as a commentator on Talmudic literature. The high esteem in which he is still held by students of the Talmud is to a large degree due to the simplicity of his approach, his lucid analysis of problems raised, and above all, to his brevity of style.

His attitude to pilpul - the unique method of dialectical mental gymnastics - was one of cautious reserve. Though he would indulge in it occasionally - it seemed to hold quite a fascination for him - Eger would not accept any conclusions reached by means of pilpul as binding from the point-of-view of Halachah.

We have an excellent example of this attitude in one question that was submitted to him by the Beth Din of a small town.[57] Though he agreed with their verdict, Eger found it impossible to affix his signature to their decision. One principle used by them in arriving at their conclusion was not very clear and could be understood only by comparing - in pilpulistic fashion - two unrelated aspects. After advancing arguments of his own in support of the theory, Eger asked:

> Are we actually going to decide the issue [ ] just because we have compared [two ideas] by means of pilpul?
>
> A great deal of intensive thought will have to be given to this question before coming to any final conclusion.[58]

Eger's clear, logical way of thinking rejected pilpul,

but nonetheless he was still attracted by its methodology. This contradictory attitude is illustrated in another responsum.[59] A former student of Eger attempted to answer a difficult point of law he once had heard his master raise during a discussion of a Tossefot in the tractate of Erubin. Eger found the attempted solution very ingenious, but added:

> My friend, your words are well thought through, using the method of the pilpul, but not to answer the difficulty simply [ ] and to arrive at a truly satisfactory answer, one will still have to work very hard. . . .

Then, almost as an afterthought, Eger added:

> If we are going to answer the question by using pilpul, . . . were it not for the fact that I am not worthy to engage in it [ ] I would say. . . .

and then he proceeded to give a brilliant answer of his own - using pilpul.

There was one basic exception to his reserve towards pilpul; he would freely engage in it if he thought it would help as an exercise to sharpen the minds of his students. As an illustration we might use a learned brief on some intricate Talmudical problem that the Posen Dayan Yakov Calvary raised. In his reply to Calvary, Eger admitted that he himself had discussed the question in his Yeshiva, not as a real question [ ], but by way of pilpul. He then quoted his own line of reasoning and concluded:[60]

> All this I have expounded by way of pilpul in order to sharpen the minds of the friends[61] in their studies at the Yeshiva [ ].

Almost apologetically, he added: "But the contents of these words are, thank G-d, correct." We find a similar note in Eger's commentary on the Shulchan Aruch,[62] partially defending pilpul by pointing out that despite the pilpul, the conclusions reached are valid. On the occasion of a siyum (formal celebration at the conclusion of a tractate of the Talmud) of the tractate Ketubot, Eger had joined together, in the manner of the pilpul, the beginnings of each chapter in the tractate, and he added:

> . . . Praise be to G-d, every detail [of the pilpul] has some worth while things . . . but the joining together was done in the manner of study customary in yeshivot.

There was also one further reason for Eger to elaborate[63] an answer to a direct question on Jewish law submitted to him, over and beyond the confines of what was necessary, viz., if he felt that the points raised by his answer, though not bearing directly on the problem involved, might serve a useful purpose by clarifying underlying basic principles which would help solve similar problems in the future.

Eger was asked[64] to decide a problem of internal management in a synagogue, in which a German group and a Polish group decided to join together and build one synagogue for both elements. The question arose about the rights of persons who were accustomed to lead the

congregation in prayer in the separate Polish chapel: Could they maintain these rights now in face of the demand of the German faction to have some of their men to be the readers?[65] Eger gave an elaborate survey not only of the immediate problem but also of the whole complicated question of hazakah. He concluded by saying that he had written this long brief only for further reference [עיין לקמן אות כ"ג] because he could (and did) answer the immediate problem in four short lines.[66]

The same ambiguity discovered in his attitude to the pilpul - using it occasionally, yet frowning on it at other times - is also found in regard to his own novellae. To a person who studied the Talmud and the multitude of its commentators with the thoroughness and intensity of Eger, there was no respite from this labor of love. At all times he was busy gathering, comparing, and collating the diverging views found in the primary sources, and almost invariably he came up with an original answer to a seemingly incomprehensible problem.[67] Eger's attitude to his own novellae can best be seen from the following:[68]

> Because of my many and diverse concerns it is impossible for me to study adequately the works of the aharonim; and on account of that the overwhelming majority of the novellae I succeeded to evolve were lost; I did not take the trouble to write them down since I thought there was nothing really new in them, and surely somebody else must have anticipated me.[69] (author's italics)

On the other hand, we find Eger delighted when he discovers a simple answer to an apparently difficult

problem. His son Abraham raised a number of important points and the proud father hastened to answer them one by one.[70] After answering the points raised, Eger then wrote:

> Since I am happy to exchange my thoughts with you,[71] my beloved son, I will not fail to inform you of the great novum that I perceived today - a matter that still needs a great deal of thought - something that I have not yet revealed to anyone; it is still new with me.[72]

In almost identical terms Eger wrote to a former student,[73] after giving his opinion on a number of interesting points raised by the latter:

> In reference to what you wrote about . . . I have not had time to examine it carefully; right now something really important was revealed to me. I like it, because it is novel, and I will not keep it back from you.[74]

At times his justifiable pride in his own contributions would clash with his innate modesty, and then we come across an incongruous mixture such as this: (Eger is here corresponding with his son-in-law's father, Zanvil Schmuel Munk-Schiff[75])

> I want to mention in this connection a little contribution I made [ ]; it is an extremely valuable one - in my humble opinion. . . . (author's italics)

Despite his sincere modesty, Eger was very anxious to defend his views, especially if they had been misrepresented. A correspondent raised a number of points[76] on an explanation of a difficult passage by Eger. Full of indignation Eger replied:

> . . . From your words I gather that he who told you in my name either did not fully grasp what I said, or if he did he must have forgotten my explanations and then must have attempted to reconstruct them adding some of his own [thereby] detracting, completely upsetting, damaging and confusing. . . .
>
> Therefore your Honor found an occasion to raise his points. . . . Indeed, in all humility, I did not explain it so but. . . .

If anyone dared to imply that he was unaware of some important point raised by one of the classical commentators or codifiers, then Eger was really hurt. We have one[77] very clear example of this. In response to a critique of his views, Eger wrote:

> . . . My friend writes that apparently I am unaware of the decision of the "Teshuvot HaMaymuni"[78]; it is unheard of that I should be thus judged [ ]. . . .

Works and Approbations

We already have seen how, throughout his entire life, Eger continued to study the vast Talmudic literature and to annotate with comments the books he studied. Again and again in his responsa he referred to such comments, at times quoting from them. Lovers of Torah and the Talmud have been greatly attracted by his brilliant and lucid notes, written with a brevity that reminds the reader of another great commentator who annotated the classical works of the Talmudic literature - the Gaon of Wilna.[79] The overwhelming majority of these notes have not yet been published though some appeared in print, either as reprints from original European editions or, at times, directly from MSS - an

eloquent proof of the perennial interest that his works hold for students of the Talmudical literature.[80]

As an illustration of his marginalia we shall use his notes on the works of the Rambam. In one of his letters[81] Eger quoted what he had written on the margin of his own volume of the Rambam. This copy was later acquired by an admirer of Eger, and the marginal notes were later (1921) printed in the magazine Degel Torah (Warsaw) by M. Kasher.[82] When, in 1947, the brothers Shulsinger of New York published their monumental edication of the Rambam's works with many new commentaries, they also included Eger's notes.

Other printed works of Eger include:

Drush veHidush,[83] novellae on a number of tractates in the order of Mood and Zeraim.

Chidushe R. Akiba Eger, on several tractates, part of Vol. IV of his responsa.

Drush V'Chidush, on tractate of Chulin (Warsaw).

Gilyon HaShass, marginal notes on the entire Talmud (Vilna edition).

Tossefot Rabbi Akiba Eger, a concise Mishna commentary.

Hagahot on the Yore Dea and Orech Chayim[84] (Berlin 1862).

Hagahot on Kanot Temarim of Moshe ibn Habib[85] (Pietrekow 1912)

Hagahot on Choshen Mishpat and Even Haezer (Thorn 1869).

His magnum opus undoubtedly is his collection of responsa, the first volume of which was prepared for pub-

lication by his sons Abraham and Solomon[86] during his lifetime. In the introduction to this first volume there are a number of points that both his learned sons and Eger himself raise, and it will give us a better understanding of Eger, the scholar, if we examine some of them.

Apparently Abraham and Solomon Eger felt a little uneasy when they published this volume of responsa; not because they had any qualms about the intrinsic merits of their great father's work, but because, unlike most of the contemporary volumes, this one did not contain any honorific epithets that so richly abounded in similar works.

Abraham Eger made it clear that his reason for omitting all these titles was a desire to follow Eger's instructions to him; he quoted from a letter of Eger dated December (?) 1832:

> I will . . . ask you not to print the salutary formulas which appear at the beginning of each question; I have always thought about these titles [פתיחות] which it is customary to write: if I only had the power, I would abolish them altogether. . . .
>
> For the writer there is the suspicion of flattery, and as for the recipient of the letter, he is either in danger of becoming too conceited - if there is too much of it - or he might hate the writer for not having written enough of these praises.

Eger went on to say that if he felt uneasy while reading these letters of praise he certainly would strenuously object to their publication in an "uncensored" form, seeing that the printed work was likely to endure even after his death, and he did not want to be put to shame[87] "in the

world of Truth." Characteristic of his sensitiveness to others, Eger did use these flattering epithets;[89] yet he also insisted that these be deleted from the published volume. Basically, he assumed that all great men must think and feel as he did; so he merely followed Hillel's dictum: "A thing that is hateful to you, do not do to others."

In a letter to Solomon dated March 1834, Eger approved of the division of the volume into two parts: one, Pesakim, dealing with rulings on concrete questions of the law that were addressed to Eger; the other, Ketavim, containing the purely academic questions on Talmud and related subjects that people had sent to him.

In the light of our observations concerning Eger's attitude to pilpul, these words of Eger have a familiar ring:

> . . . In my replies on purely academic points it is quite possible that things are included which do not obviously come from the views of the rishonim; I included them nonetheless as long as they seemed to be sound . . . and not - heaven forbid! - empty pilpul.

Solomon hints that in this letter his father was at first reluctant to agree to a publication of this volume and it took a great deal of persuasion on the part of the two sons to obtain Eger's consent. Apparently there must have been a change, in the last years of his life, in Eger's attitude to the idea of committing his works to the printing press. He began to realize that he had something of value to contribute to the scholars of his and

later times.

Just a few months before his death,[89] the publisher of his notes on the Orah Hayim, Naftali Bleichrode, sent him a copy of the work for proofreading. Eger returned the copy and wrote:[90]

> I have carefully gone over the copy; in my humble opinion it deserves to be printed, because for an insignificant person as I am, I have made quite a contribution to scholarship [...]. (author's italics.)

Among the many works Eger annotated, which have not yet been published, the following examples are quoted:

Notes on the MHarSHA[91]
(mentioned in Eger I, #11, 151)

Notes on Hakam Zvi[92]
(mentioned in Eger I, #26)

Notes on Panim Meirot[93]
(mentioned in Eger I, #158, Eger II, #139)

Notes on Magen Avraham[94]
(mentioned in Eger I, #17, 174)

Notes on Teshuvot haRaMA[95]
(mentioned in Eger I, #150)

Notes on the SHaH[96]
(mentioned in Eger I, #27 [Yo.De.], Eger I, #130 [Hosh. Mish.])

Notes on Mishneh LaMelah[97]
(mentioned in Eger II, #107)

Notes on Bet Shmuel[98]
(mentioned in Eger I, #107)

Notes on Sidre Taharah[99]
(mentioned in Eger I, #114)

Notes on Yerushalmi
(mentioned in Eger I, #222)

Notes on Shaar HaMelech[100]
(mentioned in Eger II, #117, 119)

Notes on Mekor Hayim[101]
(mentioned in Eger I, #183).

Another commentary to the novellae of Rabenu Nissim[102] was apparently published in Eger's lifetime; such is the impression one gets from a passage in the second volume of his responsa.[103]

Interesting is the attitude of Eger toward the problem of approbations. In common with many leading rabbis of his time Eger was reluctant to approve the many books which were printed by students of the Talmud. With the exception of reprints of recognized classical works,[104] Eger was reluctant to give a formal approbation to any new work. This reluctance had its origin in Eger's basic modesty - he did not consider himself important enough to approve the writings of others. Partly it may have been due to his intellectual honesty; he may have felt that most of these books did not add anything really worth while to a better understanding of the Talmud. Be that as it may, it placed Eger in a real dilemma: on the one hand he was unwilling (or unable) to grant the wishes of various authors who asked him to put the seal of his approval on their works; on the other hand, he was unwilling to hurt these men and possibly cause them a financial loss by not approving their books. He chose an ingenious solution of the problem: in most instances[105] Eger refused the requested approval but yet expressed his willingness to purchase the book about to be published, at the full price.

So great was the esteem in which Eger was held by his contemporaries, that such a letter of point-blank refusal by Eger to give a formal haskama still was printed, often as the only official endorsement, at the beginning of many a newly published book.

A few examples of this method of Eger:

To the author of the HaYam HaTalmud,[106] Eger wrote:

> As to your request . . . to give my approval of . . . the book; my friend, in my opinion my words are completely unnecessary; since the great scholars of our time[107] already endorsed it, what could my humble words add. . . .

Eger then referred to his firm declaration to withhold formal approval of any new books,[108] but continued:

> . . . When the printing will be completed I would beg . . . to be honored by your sending me a copy. . . . I shall . . . send you the full price.

Even where the authors of these volumes included religious decisions by Eger himself, Eger succeeded in avoiding the need for a formal approbation, by hiding behind his modesty. Thus, he refused to endorse the publication of the Kur haBechina by Yossef Shmuel Landau though, as we have seen above,[109] he knew the rabbi to be an outstanding Talmudical scholar. We remarked earlier[110] on another instance in which Eger refused to make an exception, even in the case of a close personal friend, Noah ben Shimon, author of the important Toldot Noah.

It is only when we go back to Eger's early years in the rabbinate that we find him willing to approve a new book. In 1810, while still rabbi of Friedland, he gave

his approbation to the book Rishme Shaala by Yisrael Moshe ben Arye Leb.[111] Occasionally, when Eger was convinced that a new book did contribute materially to our understanding of the classical rabbinic literature, he would take the initiative and urge the publication of such a work.[112]

Eger's Attitude to Hassidism

By the time Eger had become the recognised leader of traditionally-minded Jews in Eastern Europe, the internal struggle between Hassidism and its opponents had already passed its peak. Eastern Europe, especially the Jewish masses of the Ukraine, Poland, and Galicia, had become a stronghold of the movement; the bitter opposition of the Lithuanian rabbis against the movement ceased, since it became apparent that traditional Jewry would have to close its ranks to the inroads of the "Berlin-enlightenment."[113]

We have only very little evidence as to the attitude of Eger to the Hassidic movement. In Posen itself and in the other cities of Prussia, Hassidism made but few gains, so he had little opportunity to get to know the prominent leaders of the movement personally. As a Talmud scholar par excellence, Eger could not help looking askance at a movement which did not put sufficient stress on the study of the Talmud. If we can trust the reliability of one remark about a prominent Hassidic rabbi attributed to Eger, we would find that Eger's attitude to Hassidism was one of

skeptical caution.

During one of his many visits to Warsaw, Eger met the young Yitzchak Meir, who later became the rabbi of Gur, and founder of one of the most popular Hassidic dynasties.[114] Eger was very much impressed by the great erudition of the young man, and is quoted to have said:[115]

> . . . You should know that this young man will in his studies, if only his preoccupation with hassidism will not distract him from his studies, certainly reach the level of the late rabbi Jonathan Eybeschuetz.[116] (author's italics)

It is not improbable that Eger's involvement in the well-known controversy about the printing of the Talmud in Slawita had its origin in the fact that the Slawita printers, the brothers Shmuel Abba and Pinchas Shapiro, were scions of a Hassidic family, whereas their competitor - Menahem Rom from Vilna - was a mitnaged.[117] This is the suggestion of one of Eger's biographers,[118] who surmised that Eger's own stand was influenced by his dislike of hassidism. In order fully to understand the background of this dispute, it is necessary to delineate briefly the events leading up to it.[119]

In the beginning of the nineteenth century there was an acute shortage of copies of the Talmud in Eastern Europe. The burning of thousands of copies in 1758, as an aftermath of the struggle of the rabbinical authorities against the sect of the Frankists,[120] and the simultaneous rise of the famous yeshiva in Volozin with the subsequent demand for Talmud literature,[121] underscored the need for

a plentiful supply of Jewish books of learning.

Thereupon Moshe Shapiro, father of the two partners, Shmuel Abba and Pinchas, decided to devote himself to the sacred task of printing copies of the Talmud. To safeguard their financial investment, they secured an interdict from the leading rabbis of the time that during a period of ten years (1817-1827) no other publisher would be permitted to publish another edition of the Talmud. Eger himself was one of the men who supported this plea of the Slawita printers.

At the end of five years, however, most of the copies were sold and Rom, the enterprising Wilna printer, prepared a new edition of the Talmud; the brothers Shapiro, who felt that the original interdict for ten years protected them, also made preparations for reprinting the Talmud.[122] The dispute was brought before the leading rabbinical authorities, some of whom favored the Slawita printers; others, including Eger, felt that the Wilna publisher had a sounder claim.[123] Out of respect for Eger, most of the rabbis favoring the Slawita publishers withdrew their support.

In their desperation, the brothers Shapiro resorted to unethical means and accused Solomon Eger of having a vested financial interest in the matter[124] and of having persuaded his father to support the claim of the Wilna printer against his better judgment. These attacks on the integrity of Eger and his son Solomon had wide reper-

cussions; leading rabbis, friends, and students of Eger rallied to his support[125] and Eger himself defended his honor with vigor.

In a letter to the Wilna publisher he wrote:[126]

> I am terribly upset about the impertinence of the Slawita publishers . . . and their attacks against my son . . . and me. . . . I have read their claims and found it impossible to justify their claims.
>
> According to the decision of the Torah the right is with the Wilna publishers. . . .
>
> I cannot forgive them this matter because while I am not concerned about myself, the disgrace caused to the Torah cannot be forgiven.

Numerous legends[127] are told about the personal contacts Eger had with leading Hassidic rabbis of his time, but these only strengthen the impression that Eger's attitude to Hassidism was one that permitted him to respect individual great leaders[128] without identifying himself with the movement.

In one area Eger came very close to the beliefs and practices of the Hassidism; he believed in the efficacy of written amulets - kamiot - and is said to have given many himself, especially during the cholera epidemic of 1831.[129] We have two letters in which Eger appealed to the well-known kabbalist Yisrael Yona Landau[130] to send him an amulet for two local patients who were greatly in need of special intercession to the Almighty.[131]

Occasionally Eger would permit his preference for the writings of the great mystic and kabbalist, Yitzchak Luria,[132] to decide a question of law; in his notes on the Shulchan

Aruch, dealing with Tefillin, he strongly urged that the practice of the Ari[133] be followed.

There was one feature of Hassidism that appealed to Eger greatly; the deep devotion and the burning zeal the average Hassid displayed toward the teachings and practices of his religion. While the majority of the Jews in Posen still kept the observances of traditional Judaism during Eger's lifetime, he bitterly complained about the lack of enthusiasm on the part of the rank and file of Posen Jewry.

In a letter to Moses Sofer, dated March 5, 1830, he wrote:[134]

> Surprisingly enough, the majority of the Jewish population here are G-d fearing men . . . but there is no fire in them, nor are they men of action. . . . Thus I have been left to fight the battles of the Lord by myself. . . . (author's italics)

When experiencing the absence of vital interest in the continuation of the Jewish tradition, Eger must have thought of the zeal that the Hassidic masses of nearby Poland and Galicia so amply displayed.

Eger - the Man.

It might be worth while to delineate some of Eger's distinctive features.

His thoughtfulness of others knew no bounds. We have seen[135] how at times, in spite of his busy schedule, he would write lengthy replies to his questioners because he thought they would appreciate an elaborate answer. On one occasion[136] Eger received a letter from a young rabbi

who, in the manner of talmud students, desired to exchange with him comments on some involved talmudic problem.[137] At that time Eger was suffering from a very painful eye ailment[138] and found it impossible to reply at length to the problem. Lest the local scholars misconstrue his reticence as a slight to the young rabbi, Eger felt constrained to search among his writings and send his correspondent one of his earlier treatises on a cognate subject matter.[139]

In another instance his son Solomon had been approached by the Beth Din of Sochatchov[140] to rule on the legality of a woman's Get (bill of divorce). After a thorough study of the case, Solomon Eger ruled that the woman must be considered legally divorced and that she was free to marry again; he made his ruling on condition that his illustrious father would endorse it. Although Eger, because of his physical exhaustion - both the Jewish and Gentile physicians who attended him despaired of his recovery - found himself unable to go into the merits of the case, he hastened to give the desired endorsement. He did not wish to prolong the painful period of uncertainty for the woman until he was fully recovered.[141] In this same letter Eger took the opportunity to express his heartfelt thanks to his physicians for their care and devotion. He wrote:[142]

> When the beloved words of my son reached me they found me dangerously ill and all the physicians of the city, both Jews and non-Jews (I am forever grateful to them for their great devotion and valiant efforts; by day and night

> they worked for me; may the Almighty requite them according to their good deeds . . .) had already given up hope. . . .

Gratitude for kindness received was another typical trait of Eger. We already have discussed his appreciation of and gratitude to his first wife;[143] and as a token of his appreciation for the care and understanding his second wife, Brandel, lavished on him, he bought from the Hevrah Kadishah (burial society) of the Posen community the plot adjoining her grave.[144] Thus his simple tombstone is found not in the special part of the old Jewish cemetery that was set aside for the great rabbis of the community, but rather near that of his second wife.

Nor was he unmindful of the help and encouragement he and his yeshiva received from the communities of Meerkish Friedland and Posen. Writing to his sons - in a letter we already had occasion to quote above[145] - Eger asked:

> . . . it is fitting to mention [in the introduction to the proposed first volume of his responsa] my profound gratitude to the members of . . . the Jewish community of Posen in whose midst I have now lived [1834] for nineteen years. They hearken to my criticism [ ] and support those who study at the yeshiva; likewise to the members of the . . . Meerkish Friedland community in whose midst I had lived . . . twenty-four years [and who] supported the yeshiva.

The warmth and the compassion of which Eger was capable were by no means confined to instances where he displayed them merely in words; whenever the opportunity arose, he tried to help by concrete action.[146] This was especially true in cases where Eger found it possible to help his many students, in whose physical, as well as

spiritual welfare he always showed a fatherly interest. In keeping with the spirit of the times, when there still existed a considerable number of well-to-do laymen who were anxious to have an outstanding talmudical student as a son-in-law, Eger tried to find such men in order to settle securely some of his outstanding students. This readiness of Eger to assist in the arranging of a suitable marriage and the subsequent financial security of his students throws an interesting light on the social functions of a Rosh Yeshiva (head of a talmudical academy) in those days.

We have several instances of Eger's endeavors in this direction. He was instrumental in arranging a match between the daughter of his uncle Wolf Eger and one of his students still at the Friedland yeshiva.[147] Very often Eger would use his many connections and his far-flung correspondence in order to arrange a suitable match for deserving students. When writing to the prominent lay leader of the Frankfurt Jewish community, Aron Moses Fuld, Eger asked him for information concerning a promising young man, apparently with a view to arranging a match.[148]

His main interest in arranging a suitable marriage for his students was to enable the young men to sit undisturbed and devote their time to the study of the Talmud. In the Spring of 1819 Eger wrote to one of his former students[149] saying that some years previously the father of the young man had indicated a desire to marry off his

daughter to an outstanding student of Eger. Now Eger had found such a student who

> . . . is an outstanding, G-d fearing student who . . . pores over his volumes day and night, and given an opportunity to devote himself without distraction to the further study of the Torah, should go very far. . . .

In another instance, Eger congratulated a student on having reached a safe haven where he could now devote himself to further study without distraction, and said he was delighted to have had a share in bringing about this happy turn of events.[150] In his concern for the future of his students Eger merely continued a practice in vogue in many a yeshiva; he was unique, however, in the care he took in making his students feel that they were his colleagues, and he did not insist on the customary master-student relationship.

Owing to his preoccupation with the early talmudical authorities - we discussed Eger's reverence for their views at the beginning of this chapter - he had little time left to peruse the later rabbinical authorities and commentators, the aharonim. Occasionally, in his attempt to clarify a difficult passage of the Talmud, he would develop a theory which, unknown to him, some aharon had already arrived at before him. Then some of his students, who were aware of the earlier passage, would draw his attention to it. Gratefully Eger would acknowledge the students' contribution, as in the following:

> . . . I have heard from the colleagues [פרנסי שלנו] who study at the yeshiva that the MaHaRaM SHIFF[151] explained . . . it in the same manner.[152]

In the paragraph just quoted, Eger's choice of the word "colleague" (haber) was deliberate; throughout his responsa and other writings[153] we never find anyone who studied at his yeshiva referred to as talmid (student). In explaining the reason for this reluctance to refer to those who studied under him as his "students" Eger wrote:[154]

> I said [to myself], who knows as to who learned from whom? Especially now that many [of the students] have become famous scholars themselves . . . [it is not becoming to call them as my pupils].[155]

His Influence

Towards the end of his life Eger was unquestionably recognized as the outstanding leader of traditional Jewry in Germany and beyond;[156] the Jewish masses especially revered him to an extent that seems almost incredible to understand in our day. But this reverential attitude was not confined to Jews alone; even the Prussian authorities respected his views affecting Jewish ritual law. Thus, when some problems arose in the city of Magdeburg regarding the building of a ritualarium (mikvah) the government authorities approached Eger to express his views on the problem.[157]

That Eger had the most cordial relationship with Oberpraesident Flottwell and other high government officials,

we have already noted.[158] Of far greater importance was the fact that during his lifetime the other rabbis of the province of Posen felt secure, even though there was a tendency on the part of the younger generation to drift away from traditional Jewish practices. With the death of Eger, however, a general demoralization of the forces of orthodoxy set in. According to a letter of Solomon Eger[159] the rabbis were afraid to reprove their congregants for fear that they would be told to leave altogether and that their positions would be offered to the less exacting reform rabbis.

It might perhaps be appropriate to mention here the remarkable impact Eger produced on those who came into personal contact with him. One of the finest descriptions of Eger found in the literature of the last century is that by the noted German Jewish writer, Ulrich Frank. In her story of nineteenth century Jewish life[160] she describes a visit by Eger to her native Breslau where Eger was to perform the marriage ceremony of his granddaughter. The whole community was at a high pitch of excitement.

> Thursday evening he had arrived in Breslau; a delegation of the community, which was joined by hundreds of other members, had traveled to meet him at Obersitzko.
>
> . . . In the carriage sat the small, spare man, wrapped in his silken caftan, with his fur cap on his head, silent and simple.
>
> Yet even now I recall that something sovereign, something noble rested over the modest appearance, that indefinable something which surrounds those that are born to rule and spreads the halo of a pure soul around the outer man. This was the

> effect the old man had on all who stood in a breathless silence around the house of . . . in the hundreds.
>
> And when he left the carriage and stood for a moment on the stone steps that led to the entrance, while a mild, infinitely benevolent smile appeared on his lips, then, full of reverence, the men inclined their heads and one of the crowd called out loudly: "Blessed art thou . . . "[161] and the others repeated the words silently, while the women cried out loudly, overcome by their emotions.

The influence that Eger exerted on the Jewish world during his lifetime continued unabated after his death. The thousands of students who had studied under him carried his method of learning - a critical scrutiny of the texts, dependence on the early authors instead of the more voluminous, later authorities - to every place where the Talmud was studied.

Eger's great love for Israel[162] was fully shared by two of his most outstanding students, Zebi Hirsh Kalisher and Eliyahu Gutmacher, both of whom were leading advocates of Jewish settlement in Palestine, and who are rightly regarded in Israel today as the precursors of religious Zionism. These two men, who were so utterly different in their personalities - the former was a keen student of the Talmud, a pre-eminent <u>halachist</u>,[163] interested in philosophy, and a man of action; the latter, a saintly scholar, mainly interested in the study of the <u>kabbala</u> and other mystical writings - nevertheless shared one great ideal. They both wanted to help in the upbuilding of the Land of Israel.

It is therefore safe to assume that Eger, whose

influence on Kalisher is also apparent in other areas,[164] was the driving power who influenced his students towards a more positive attitude to the problem of Palestine.[165] In addition to his greatness in the field of Jewish studies, his shining example as a modest person whose conduct inspired reverence, Eger contributed - through the influence of his students - to the revival of the love for the land of Israel among the Jews of the Diaspora.

From the time that Eger's novellae on the Talmud first appeared, they were studied avidly by Talmudists; wherever he raised a problem and was unable to give a satisfactory answer, scholars have attempted to find the solution. Numerous works[166] were written by rabbinical scholars whose purpose was to show how some of the questions could be answered; some of these books were written in recent years, one of them here in the United States of America.[167] Thus we see how Eger's main interest in life - his study of the Torah, in the broadest sense of the word - constituted, at the same time, his most important contribution to posterity.

The crucial problems that faced him regarding the adjustment of German Jews to a life outside the walls of the ghetto, resolved themselves. The struggle between orthodoxy and reform continued unabated after Eger's death, and in time two separate bodies emerged, whose ideologies were molded by the constant challenge that the existence of the one group represented to the other.

Eger may be said to have anticipated the rise of

neo-orthodoxy in Germany. The ideology of German orthodoxy that developed under the dynamic leadership of Samson Raphael Hirsch[168] was akin to the spirit of Eger.[169] He, too, realized that the new conditions of Jewish life called for new measures, and he sought a modus vivendi between the modern culture and Israel's ancient heritage.

Where he stood above all his contemporaries in Germany, however, was in his dedication to the study of the Talmud and its commentators; no rabbi after Eger succeeded in inspiring the students of a yeshiva in Germany as did Rabbi Akiba Eger. Hundreds studied under him in Friedland, and Eger became the rear-guard of traditional Judaism in Germany, which helped to stem the disintegration that seemed to threaten the very survival of traditional Judaism in Germany.

As a talmudical scholar Eger commanded the respect and admiration of world Jewry to an extent that no other central European scholar has enjoyed since.[170] Even Lithuania, the home of the Gaon of Wilna, humbly acknowledged his eminence.[171] Among students of the Talmud, his works were accorded a place of honor that was customarily reserved for the works of the rishonim; the study of his notes or his responsa is to this day a special intellectual enjoyment for the serious student of the Talmud. The relentless logic, the bold sweep of imagination that is characteristic of Eger's approach to the most complicated problems, fully justify the claim that was made by historians: Rabbi Akiba Eger was indeed Germany's last Gaon![172]

KEY TO ABBREVIATIONS USED IN THE NOTES

EGER I	- Teshuvot Rabbi Akiba Eger (New York, 1918; phot. reprint.)
EGER II	- Teshuvot Rabbi Akiba Eger, Mahdura Tinyana (Vienna, 1859).
EGER III	- Sefer Sheelot uTeshuvot veHidushe Rabbi Akiba Eger, ed. D. Greineman (Jerusalem, 1947).
EGER IV	- Teshuvot veHidushe Rabbi Akiba Eger (New York, 1952; phot. reprint).
EGER V	- Sefer Derush veHidush Rabbi Akiba Eger, Melok Alef uBet (Brooklyn, 1943; phot. reprint).
EGER VI	- Hagahot Rabbi Akiba Eger al Shulhan Aruh (Part I - Berlin, 1862; Part II - Thorn, 1869).
SCHREIBER I	- Schreiber, Solomon. Sefer Igrot Sofrim (Vienna, 1929).
SCHREIBER II	- Schreiber, Solomon. Sefer Hut Hameshulash heHadash (Drohobycz, 1908).
EMANZIPATION I	- Freund, Ismar. Die Emanzipation der Juden in Preussen. Vol. I (Berlin, 1912).
EMANZIPATION II	- Freund, Ismar. Die Emanzipation der Juden in Preussen. Vol. II (Berlin, 1912).

FOOTNOTES TO CHAPTER I (continued)

19. Weitz, Ibid., points out that if the Tosefot K'tuba amounted to 807 adumin, then the bride's dowry must have been 2/3 of the sum, i.e., 538, the equivalent of the Jewish year - 538 (not counting the five thousand).

20. Eger II, #29-32.

21. Ibid., #30: "A thousand thanks to my lord for the arrangements he made to rejoice publicly on the day of my rejoicing; this is indeed a true sign of the strength of his love to me, though I do not know why I deserve it. Thanks I express to you, and to his Honor, the Gaon [Rabbi J. Fraenkel] his father-in-law, and to the Gaon Rabbi Isaiah Pick and the other great rabbis for the blessing that was brought to me through . . . my uncle. I hope to the Lord that he will fulfill the words that these Tzaddikim have spoken; may those who blessed me be blessed. . . ."

22. Eger I, #30.

23. Schreiber I, op. cit., p. 11: "Then, when I dwelt securely in the happy city of Lissa, so full of scholars . . . "

24. In the introduction Wolf Eger mentioned his sister Gittl and her husband Moses Guens; he wrote of them:

Eger reciprocated the interest of his uncle by taking care of his uncle's young daughter; it was he who arranged the match between the orphan and a scholarly young man from Wuerzburg. Cf. Eger III, #19: "Mazaltov blessings on the union between the daughter of the Leipnik Rabbi [his uncle Wolf] and a young scholar from Wuerzburg, which I was instrumental in arranging." Cf. HGER VI, #134.

25. L. Lewin, Geschichte der Juden in Lissa (Pinne, 1904), p. 47. Between 1767-1790 Lissa had 4,000 - 5,000 Jews; Posen - 3,000.

26. Wessely, Hartwig (Naftali Hirz Weisel), M'sechet Avot im Perush Yen L'vanon (Berlin, 1775), p. 2 .

FOOTNOTES TO CHAPTER I (continued)

27. In a letter to the Trieste Jewish community, published by Yizhak Shemuel Reggio, noted Italian Maskil, in Kerem Chemed (Vienna 1833, ed. by Samuel Yechiel Goldenberg), Wessely spiritedly defends his friend Mendelsohn against allegedly unwarranted attacks by the Prague rabbinate.

28. Cf. numerous instances of traditional rabbis appealing to government authorities to prohibit innovations of reform practices; on the other hand, wherever the reform groups, especially in Western Germany, had the ear of the authorities, they tried to force their own ritual on reluctant orthodox groups. H. Graetz, Geschichte der Juden, Vol. II (Leipzig 1870). Cf. especially Eger's letter to Eisenach Jewry in Igrot Sofrim, #45.

29. Reggio, Kerem Chemed, op. cit., p. 6: "In Wilna and in Prague . . . our brethren sit and cry and proclaim a fast, and it is considered a time of tribulation by them; and all this because of the royal decree that they should teach their children the vernacular. . . ."

30. Vienna, 1826.

31. Divre Shalom . . ., op. cit.

32. Simha Assaf, M'korot l'Toldot Hachinuch b'Yisrael (Tel Aviv, 1925), Vol. I, p. 128. Extracts of both sermons are given in that volume.

33. Louis Lewin, "Aus dem juedischen Kulturkampf," in Jahrbuch der juedischen Literatur Gesellschaft (Frankfurt, 1918), Vol. XII, pp. 182 ff., discusses and quotes the Lissa sermon.

34. Yet in the haskamah to Wessely's work (cf. note 26 above) he calls the author: harabani hamuflag (the outstanding rabbinical scholar).

35. Rav Tuv Le Bet Yisrael, printed together with first letter, Divre shalom. . . . (Vienna, 1826). The letter was written in the spring of 1782.

36. Marcus Herz, noted physician and philosopher; later (1788) he published a booklet entitled, Uber die fruehe Beerdigung der Juden, in which he advocates later burial of Jews and in which he ridicules Landau for insisting on the early burial of Jews.

FOOTNOTES TO CHAPTER I (continued)

37. Marcus Eliezer Bloch, self-taught physician and ichthyologist.

38. Wessely, Hav Tuv . . ., op. cit., p. 54.

39. Loc. cit.

40. Cf. note 27, supra.

41. Cf. note 29, supra.

42. Reggio, Kerem Chemed, op. cit., p. 7:

43. Loc. cit., p. 6.

44. Loc. cit.

45. Ibid., p. 7.

46. Ibid., p. 6.

47. Ibid.

48. Chapter V.

49. For a full discussion of Lissa, cf. Lewin, Juden in Lissa, op. cit., pp. 47ff.

50. Eger I, #51 and #157.

51. Moses Guens died 1790; cf. Bernhard Wachstein, Grabschriften des alten Judenfriedhofs in Eisenstadt (Vienna, 1922).

52. Eger I, #157: "I know that . . . father . . . need not ask anyone so young in years . . . as I am."

53. Loc. cit.

54. Eger I, #161, #215-217; Eger III, #17.

FOOTNOTES TO CHAPTER I (continued)

55. Eger I, #217: "Because I rejoice when I talk with you about Torah [ ] my beloved son I will not fail to tell you what I discovered today. . . . "

56. Solomon married the daughter of a prominent Warsaw merchant (ca. 1801) and resided in Warsaw for over thirty years, combining the occupation of a merchant with that of a scholar, as his numerous letters to his father show. We have more than twenty responsa of Solomon in the printed works of Eger. Together with his brother Abraham he edited the first volume of Eger's responsa, during the lifetime of his father. After the uprising against Russia (1830), he lost his fortune and accepted the call of the community in Kalish in 1835; both Prague and Frankfurt had also expressed their willingness to appoint him as a rabbi.

After the death of his father, Solomon Eger succeeded him and he had some interesting plans to settle the poorer members of the Posen community in agricultural settlements (Kolonien) but, at the outbreak of the 1848 rebellion against the Prussian king, these plans had to be abandoned.

57. Eger I, #222.

58. A play of words on the Hebrew "Avrech"; cf. Rashi's comment to Genesis 41:43.

59. At the end of Eger I, #170.

60. Eger I, #171.

61. In one of the most moving letters extant, Eger pours out his heart to two Lissa friends, after the death of his beloved wife, Glickche. This letter in Schreiber II, p. 65-b, is quoted fully in the appendix.

62. Eger maintained the most cordial relationship with his parents-in-law; cf. his real concern for them in the letter just quoted.

63. Cf. p.17, supra.

64. Schreiber I, #61, p. 86: Pleading lack of means to one of his Mechutanim (parents of his son-in-law) Eger wrote that any reputation for affluence at the present time (1837) was completely unfounded; only his happy stay at Lissa could have warranted such a reputation.

FOOTNOTES TO CHAPTER I (continued)

65. Cf. Lewin, Juden in Lissa, op. cit., p. 2ll, based on Lissa documents.

66. Cf. Weitz, Ateret Poz, op. cit., p. 36, footnote #13.

67. For further details on this fire see detailed description in Lewin, Juden in Lissa, op. cit., pp. 69-70.

68. His son Abraham married and lived in Rawits.

69. Was a close friend of Eger; cf. his letter of congratulation on the occasion of the latter's acceptance of the position as rabbi in Meseritsh Friedland, in Schreiber, ed. Sefer Igrot Sofrim (Vienna, 1929), #4. From this letter it appears that Noah taught Abraham at that time: "Best regards to your son Abraham, my beloved student."

It is interesting to note that even to this close personal friend Eger gave no formal Haskamah when years later he published his work, Toldot Noah. Instead he promised to buy a copy of the book.

70. Weitz, Ateret Poz, op. cit., p. 37, asserts that Abraham actually married the daughter of Eger's host during his stay in Rawits. While as a rule Weitz is very careful in his statements concerning family relationships, he does not support this one with any other evidence.

71. Eger III, #13: Eger suggested to a correspondent that while he found it impossible to provide an adequate income for a suggested son-in-law in Friedland, something could be tried in Rawits. He said: "They should try to settle him in Rawits, where thank G-d, I am very well liked by the inhabitants of the city, who will do a great deal for me [ ]."

Another indication of the popular esteem Eger enjoyed in the city can be obtained from one of his letters (Schreiber I) where he contemplated retiring from the rabbinate altogether; he then would want to settle in some small town where he could devote himself to the study of the Torah, but not in Lissa or "Rawits . . . where the people of the city would disturb me too much. . . . "

72. Cf. letter just quoted (Schreiber I, letter #9-b, pp. 11-13); also Schreiber II, p. 65b (see appendix).

FOOTNOTES TO CHAPTER I (continued)

73. Schreiber I, #9-b, loc. cit. In this letter, which because of its outstanding importance will be referred to several times and is also quoted fully in the appendix, Eger describes how he came to accept the position of a rabbi: "My father-in-law . . . almost forced me to accept the burden of the rabbinate when it was offered to me by the people of Friedland."

FOOTNOTES TO CHAPTER II

1. This omnibus bill, consisting of 33 paragraphs, is based on an older General-Reglement from the year 1730; it is striking to note the increasing anti-liberal outlook of the latter of the two documents. The whole background is fully discussed in Emanzipation I.

2. Emanzipation II, p. 50ff.

3. Ibid., p. 53.

4. In the same section the intent of the government to restrict or abolish altogether rabbinical jurisdiction is unmistakable. Thus we read (ibid., p. 53): " . . . the Rabbi and the elders have no proper jurisdiction . . . ; we permit, however, for the time being in internal Jewish affairs that have a bearing on their ritual, such as marriage contracts . . . the rabbi be given a kind of legal recognition. . . ."

5. Wreschner, op. cit., p. 26ff., based on entries of the Friedland Gemeindebuch.

6. Their election had to be confirmed within eight days by the local authorities, according to Section XXIX of the General-Reglement.

7. In the minutes of the Friedland community, only thirty-four signatures are found on the occasion of the election of their rabbi; (Schreiber I, #2, 3, pp. 2-3) perhaps one of the electors was absent. Wreschner suggests that there were only thirty-one deputies - Yehide ha-kahal - who were entitled to vote. We must then assume that the regulations concerning the local administration of the Jewish communities under the General-Reglement of 1750 were not strictly adhered to in Friedland.

8. Yochanan ben Meir Kremnitzer; well-known talmudical scholar, also a former Lissa resident. While in Friedland, Rabbi Yochanan approved several Talmudical works.

9. Schreiber I #3 contains a detailed breakdown of the rabbi's proposed income.

10. Emanzipation II, #58, p. 235.

11. Schreiber I, #3 (end).

FOOTNOTES TO CHAPTER II (continued)

12. Meir Posner, rabbi in several important communities, including the small Danzig suburb of Schottland. He was the author of the important Bet-Meir and other works; was one of the leading rabbis of the time and by many years Eger's senior; he died in 1803.

13. Zvi Hirsh Zamosh was greatly interested in Eger's welfare; Eger calls him Mehutan, indicating a family relationship. Rabbi Zvi was rabbi in Glogau (Silesia) until 1802 and then, until his death (1807), rabbi in Hamburg.

14. Rabbi Kalisher's son, Abraham Moshe, rabbi of Schneidemuehl (Pila) married Sarl, Eger's second daughter. Eger exchanged responsa with him (Eger II, #95, Eger IV, #37, 38); in 1812 Kalisher died and his widow Sarl married in second marriage Moses Sofer, the famous Pressburg rabbi.

15. Yaakov Lissa is the author of Bet Yaakov, Netivot Hamishpot, Chavat Da-at, and many other important Talmudical works. He was a great-grandson of the famous Haham Zebi and was considered one of the outstanding authorities on Jewish law. For a number of years he was Ab-Bet-Din of Lissa (1809-1821); he then went to Kalish for a number of years. In both cities he had large yeshivot with many students eager to listen to his brilliant lectures.

16. Yaakov Lissa had no luck in the choice of his wives: he divorced three of them and the ensuing publicity led to his eventual banishment from the city of Kalish. In vain did his friends, including Eger, try to intervene; he had to leave Kalish in 1825.

    One of his students, Nauman Simonson (Nachman Berlin), in an introduction to the book Edut L'Yisrael, bitterly complained that the authority of the Talmud has declined at such an alarming pace that recently a famous rabbi, a veritable "laurel tree of learning" (a word play on Lissa's German name - Lorbeerbaum) was exiled from his city.

17. Volume III of his responsa actually consists of extracts from different collections of responsa in which Eger's own are mentioned.

18. Eger I, #108. In case of an Agunah, Eger finds a way to permit her to remarry; but unwilling to accept the responsibility he adds: "If another two rabbis will agree with me. . . I am inclined to permit re-marriage [illegible]."

FOOTNOTES TO CHAPTER II (continued)

25. These phrases, like "incapable of understanding" ( ) must not be taken literally. In common with his contemporaries, Eger alludes to Biblical parallels; in this instance Jeremiah 10:14, (every man is brutish in his knowledge), comes to one's mind.

26. Son of his uncle Leib Eger, rabbi in Rotterdam and Halberstadt. Zabel Eger is the author of Ateret Paz v'Rimon Peretz.

27. Eger I, #100.

28. Loc. cit.

29. Eger I, #101.

30. Posner, in support of his view, quoted a source in the Rambam; Eger carefully analyzes the relevant passage and finds that a different interpretation should be looked for and remarks (ibid.): "Unfortunately for me I did not find the passage thus explained. . . . "

31. Eger I, #202. "You accuse me of wrongly interpreting the Rambam and his commentators."

32. Ibid. "Let the decision . . . be mine; what can I do . . . if you have so decided."

33. Eger I, #103.

34. Eger I, #104.

35. The unreliability of the witnesses forms an important part of Eger's line of reasoning.

36. Eger I, #105. Just a few examples: "I am amazed at his honor . . ., your argument is faulty . . . non sequitur . . . with all due respect - this is a mistake. . . . "

37. Eger I, #106. In the name of his father.

38. Cf. letter written after her death, in Schreiber II, p. 65: "She hid from me all financial worries [ ]."

39. Supra, p. 32.

40. Ibid. The fear of the wrong decision ( ).

41. Ibid.

FOOTNOTES TO CHAPTER II (continued)

42. Abraham was largely responsible for the editing of his father's novellae on the Talmud; he collaborated with his brother Solomon when publishing the first volume of the responsa.

43. Cf. letter, note 38.

44. Ibid. Because of its great importance, many extracts from this letter are quoted.

45. Son of communal rabbi David Tevele Chorochov, of Lissa.

46. David Pollak-Landau was first rabbi in Yanov and Zlatove; from 1803 until his death, 1818, rabbi in Dresden; two responsa to him are found in Eger I, #60, #81. Both Mendel Zecharayah Chorochov and David Pollak were active as Dayanim in Lissa.

47. His way of studying the Talmud will be fully analyzed in Chapter VI. Eger refers here to the pride of the Talmudical scholar on solving some textual difficulty.

48. Cf. letter, note 38: "I must also consider how I will arrange things in connection with the [question of] plans of my mother . . . whether she is going to live with me, which is an important factor to be considered in connection with a proposed re-marriage.

49. His father, Moses Guens, died in the winter of 1790 (16th Sh'vat).

50. In this letter (cf. note 38) he writes: "What was the hurry to aggrieve those precious souls [of his in-laws] by the sorrow that completely breaks the body of distinguished father-in-law, the perfect and G-d fearing man . . . knowing the weakened condition of my mother-in-law I fear you may have endangered her very life [by your hasty proposal of a second marriage]."

51. Cf. responsa exchanged in Eger I, #80, #147, #155; Eger IV, #35, 56.

52. Weitz, op. cit., p. 44, quotes extract of marriage contract from Lissa Pinkas.

53. This time his brother Bunim did attend the wedding; cf. extract just quoted.

FOOTNOTES TO CHAPTER II (continued)

54. A postscript to one of his responsa. Eger I, #147.

55. Cf. Responsum in Tiferet Tzvi of Hirsh Zamosh, quoted by Schreiber II, p. 66 (note).

56. Schreiber I, #6.

57. Ibid., p. 7.

58. Schreiber I, #98, pp. 11-13.

59. Though no date is given in this letter we can approximately place it some time after 1803 (the year in which Sarl, Eger's daughter, married Avraham Moshsh Kalisher, who wanted Eger to remain in the province) and before 1810 (when Eger had reconciled himself to the rabbinate and consented to accept the position of Rabbi in Eisenstadt; cf. supra, p. 43).

The change in his financial situation since 1796 is worth noticing: In his first letter, written at the time of his wife's death, he complains about his strained financial circumstances; now he writes: "I make a comfortable living [ ], though I refuse to accept many remunerations. . . . "

60. Ibid., p. 12.

61. Son of his friend Yehuda Leib Kalisher. Cf. supra, p.25.

62. Gittel Eger had every reason to be wary of the financial implications involved; she wanted to temper her son's idealistic leanings with her own bitter experiences.

As noted earlier, she was left a widow in 1790 on the death of her husband Moses. Though the son of a prosperous and prominent businessman, Moses Guens did not adequately provide for the needs of his widow and orphaned daughter Sarl.

In 1793, three years after the death of her husband, Gittel had to appeal to the leaders of the Eisenstadt community to allow her future son-in-law to receive the weekly sum of two gold pieces from the endowment of Samuel Guens.

It will be recalled that Samuel Guens, the paternal grandfather of Eger, left a considerable sum of money to the Eisenstadt community as a Keren Kayemet, the interests of which were to be used at the discretion of the community.

FOOTNOTES TO CHAPTER II (continued)

In a codicil from the year 1786, it was agreed that the present beneficiary - a poor teacher - would continue to receive the weekly allowance, but that after his death the late Moses Guens, or his sons or sons-in-law should have precedence over anyone else.

(It seems likely, therefore, that the financial fortunes of the family had already begun to decline and Moses Guens wanted to leave a kind of life insurance for his family, should they ever need it.)

The leaders of the community found her request reasonable and an entry in the Eisenstadt Gemeindebuch records the favorable action of the community.

Both Gittel's petition and the favorable decision of the authorities are quoted in B. Wachstein, Urkunden zur Geschichte der Juden in Eisenstadt (Vienna, 1926), pp. 556-558.

Having experienced the difficulties of indigence at first hand, her adamant rejection of Eger's plans cannot but meet with our sympathy.

63. Eger apparently felt very strongly that only the pious layman, who toils for his daily bread, has a claim to the title " עבד ה' " (a servant of the Lord). Nearly thirty years later, when Eger drew up his Last Will, we still find an echo of these thoughts which seem to have lodged permanently in his sensitive mind; he asks that on his tombstone only these words be written: "Here is buried Rabbi Akiba Eger, a servant of the servants of the Lord, in the communities of Friedland and Posen." (author's italics)

Cf. N. Schriftgiesser, Tzvaat . . ., op. cit., #6.

64. For further details about Eger's philanthropic works, see note 105, this chapter, supra.

65. Cf. Chapter I, note 56, for further details on Solomon Eger.

66. Schreiber I, #61, p. 86.

67. For details about Birnbaum, cf. the introduction to his Maase Choshev, his commentary to Belmonti's Sefer Shaar Hamelech (phot. edition, Pollak, New York, 1969).

68. Bet Menachem (Krotoschin, 1834) Sheelot uTeshuvot MHaM Yafe (Hamburg, 1852).

69. Ibid.

FOOTNOTES TO CHAPTER II (continued)

70. Throughout the responsa of Eger we find interesting references to postal conditions of the time; mail would be brought to him in the morning, and paid for - this was before the current system of affixing prepaid stamps on letters came into vogue. This in itself was already a very serious matter; in the letter of the year 1795, after the death of his first wife, Eger complains that on the average he spent 1-1/2 Rt. daily for his mail!

If the matter were urgent Eger would attempt to answer it immediately so that it would still be sent by the day's delivery.

Cf. Eger II, #95, where Eger writes to his son-in-law Kalisher: "I received your letter . . . last Sunday but I was unable to reply to you on the same day as you requested, because no sooner did the mailman deliver your letter, the local mail left."

A few other instances of Eger's habit to reply immediately (Eger V, letter #8): "About half an hour ago his letter [brother] reached me and since the post-office is about to be closed . . . "

At times Eger would interrupt a non-essential letter in order to answer an urgent halachic inquiry before the mail would leave that day. Eger I, #171: When replying to a theoretical query of his beloved son Solomon: "I had already taken some paper to reply to your question, and had written some 8 or 10 lines, when a few letters arrived which I had to answer, urgently concerning an actual halachic decision [illegible]. Now there is not enough time before the mail leaves to answer your question adequately, so I will just touch on one point."

71. Numerous instances of his habit to keep copies of everything he wrote are found throughout his writings; just a few examples:
Eger III, #20: "Please send me a copy of this answer . . . and I will reimburse you for the expenses you incur. . . . "
Schreiber I, #12 (in postscript): "Please send this letter on to my son Abraham . . . by mail. I have no more strength left to write to him separately because of the many letters; today I completed a lengthy responsum to my friend the head of the Lissa Beth Din [Yaakov Lorberbaum-Lissa] . . . and I copied it into my special Pinkas. All this without interfering with my regular daily dissertations. . . . "

FOOTNOTES TO CHAPTER II (continued)

Eger III, #27: "I am weary to death with all these letters to which I have to reply; and I have nobody to copy my letters." (author's italics)
Eger III, #2: "I will ask [the correspondent] . . . to keep my letter carefully until it can be returned to me, because I have no copy of it." (author's italics)

72. Eger III, #18.

73. Introduction to Eger I, p. 1 .

74. The phrase (his holy letter) is very frequently used by Eger and his correspondents. Being convinced of the saintly character of his correspondents Eger honors them by this epithet.

75. The letter just quoted is from Eger I, #107.

76. Eger I, #95. Though basically agreeing with views of his correspondent (Meir Zilch, rabbi in Lask), Eger elaborates his answer ( ) to show respect.

Eger IV, #31 (to Meir Posner): "I also strongly long to continue our correspondence and therefore I write again. . . [although first letter covered the subject fully]."

77. Schreiber II, p. 64, suggests that Eger devoted the hours between 8 - 10 P.M. for his daily correspondence. Though Schreiber gives no source for this statement, in view of Eger's exactness it is very likely that he did have a certain time set aside for his daily task. On the other hand, we do have numerous instances which suggest that in cases where an immediate answer was requested, Eger would reply in the morning. Cf. note 71 above; especially Eger V, #68 (K'tavim) where he writes: "His holy letter reached me. . . . I have just this minute completed my lesson after the morning prayers and I find it necessary to write to my son-in-law before breakfast."

(He used to study a portion of the Talmud with the commentary of Tossefot every morning with a select group of laymen; cf. his daily routine in Schreiber II above.)

78. Eger I, #126.

79. Eger III, #31. Corresponding to S. Z. Posner, Sefer Shealot uTshuvot Chem-dat SH'lo-mo (Warsaw, 1922) Even Haezer #28.

FOOTNOTES TO CHAPTER II (continued)

80. Ibid., #50.

81. S. Z. Posner, 1765-1839, prominent rabbi and contemporary of Eger. He was the brother-in-law of the Posen Dayan Zvi Hersh Skag (cf. Eger's responsum to him in Eger I, #21); at first he was rabbi in Nasielsk, later rabbi in Praga, the Warsaw suburb. Because of his great piety he was known as R. Shlomo Hasadik. Posner was very close to Solomon Eger, especially during the latter's stay in Warsaw.

82. Eger V, novellae on Ketubot, p. 72b.

83. To his son-in-law Moses Sofer; cf. Moses Sofer, Sefer Sheelot uTshuvot Chatam Sofer (Vienna, 1878) Even Haezer II #91.

84. According to Schreiber II, 19a, in 1806 the important Jewish community in Pressburg considered Eger as one of the candidates for a successor to Meshulam Tussenitz, who died in 1802; the other candidates were Baruch Frankel (his uncle's successor in Leipnik) and Shalom Ullman, rabbi of Frauenkirchen. Eventually Sofer was chosen as Pressburg's rabbi.

85. Heppner-Herzberg, Aus der Vergangenheit und Gegenwart der Juden in den Posener Landen (Koshmin-Bromberg, 1904-08), p. 213.

86. Schreiber II, p. 68a (footnote). After the wedding of Eger's daughter Sarl to Sofer in the fall of 1812, the latter writes a letter to the Jewish community of Trietsch in Moravia, asking them to offer the now vacant rabbinate to his father-in-law. In the course of this letter - which will be fully discussed later, page 46 - Sofer mentions that Eger must now return to Friedland because "he has been called to an important national assembly of his province [OF HIS BOOK] to discuss some matters of vital importance."

87. Schreiber I, #5. The letter is written in the flowery style typical of the ahtare harabanut of the period.

88. Unlike the rather uncooperative attitude of the Friedland community who limited him, under the terms of his official contract, to have no more than four scholarship students in his yeshiva; cf. p. 24, supra.

89. Schreiber I, #12. In this letter Eger gives his reasons for wanting to leave Friedland early in 1815. He writes: "It is true that I do not want to

FOOTNOTES TO CHAPTER II (continued)

leave [Friedland] because of money or honor, for I do not lack either, but unfortunately the reform tendencies begin to be felt here [אלקוח פה אלקוח] and this causes me great anguish. . . . And here they do not educate their children for Torah: I was unable to enroll even a single local student into my yeshiva. (author's italics)

90. Schreiber I, #7. A majority of the community's leaders decided to increase his weekly salary to 16 Rt. In this extract of the Friedland community Pinkas mention is also made of the fact that, recently, the community had decided to appoint a permanent Dayan, to ease Eger's burden.

91. In view of the importance of a dowry in those days and the obvious inability of Eger to save any large sums from his small salary, such community support was an absolute necessity. When Eger's oldest daughter Shendel was married in 1796, the community paid only 155 Rt. for a dowry. (Cf. extract from Pinkas-Friedland in Wreschner, op. cit., p. .)

92. Author of important Petach Habavit, rabbi of several Silesian communities and at the end of his life chief rabbi of Breslau. While rabbi in Glogau (until 1815) Titkin refused to decide a certain question until Eger agreed with his views (cf. Eger I, #94). His son and successor, Solomon Titkin, was involved in a violent struggle with Geiger, whom the liberal wing of the community appointed as assistant rabbi.

93. In the introduction of Abraham Titkin, Petach Habavit (Dyhrenfurt, 1820).

94. Ibid.

95. Ibid.

96. [illegible] Ibid.

97. Better known by the name of his main work: Chatam Sofer ("Chatam" - "CHidushe Torat Moshe").

98. Cf. responsa Chatam Sofer, Yoreh Dea #139, dated 1810, where Sofer signs his letter, "a friend more loving than a brother."

Ibid., #140. When receiving Eger's reply to the question Sofer sent to him, he writes: "The letter . . . reached me yesterday on Shabbat and it was a delight for me, a veritable day of enjoyment."

FOOTNOTES TO CHAPTER II (continued)

99. Schreiber II, p. 53b (footnote). In a letter to his brother Samuel, Eger complains of not having heard from Sofer: "I cannot reply to your letter for I find it impossible to concentrate . . . because of my great anguish at not having had a letter from my son-in-law the Gaon, nor my daughter . . . for more than three months. . . . I cannot endure my agony, I have become ill . . . and it is difficult for me to grasp a pen. Would that my anguish be an atonement from my iniquities and may the Lord grant me to hear good news from my son-in-law Moses, and my daughter." This letter is from the year 1822; earlier, when Eger was about to accept the call to Posen, he wrote to Sofer (Schreiber I, #10) begging him to include him in his (Sofer's prayers: ". . . I will ask again, let my son-in-law do it for the sake of his righteous wife, and let him have mercy on me and remember me in his prayers. . . . "

100. Eliezer ben Aryeh Leib Hokeach, one of the foremost halachic authorities of the time. After Trietsch, he was rabbi in Pilsen and Regensburg, returning to Trietsch at the end of his life; he is the author of Shemen Hokeach and other works.

101. Schreiber II, p. 68a (note). How anxious Sofer was to secure the position for his father-in-law in Trietsch, and thus be in closer personal contact with him, we can learn from an examination of the dates concerned.

The wedding of Eger and Sarl took place in Eisenstadt, Thursday, 23rd of Cheshvan 1812; the letter to Trietsch was written in Pressburg, Wednesday, 29th of Cheshvan. (cf. extract from marriage contract (ketuba) in Schreiber II, p. 23a (footnote).)

In the letter Sofer writes how after having spent eight happy days with his father-in-law, he is NOW consumed by a desire to have Eger near him, if possible.

From this it follows that immediately on returning from the traditional Sheva Berochot, perhaps on the very afternoon of his return, Sofer penned this letter to the Trietsch communal leader. So great was the mutual respect and love between the two scholars.

102. His mother passed away on the 11th of Iyar 1811.

FOOTNOTES TO CHAPTER II (continued)

103. In the introduction of Eleazar Rokeach, Shemen Rokeach, Vol. III (Krakau, 1902), 3rd ed., it is written that Sofer's attempt to have Eger receive the call to Trietsch did not succeed [ ].

104. In 1815, after the Congress of Vienna, Posen reverted to Prussia and was thereafter under Prussian, later German, rule until the end of World War I.

105. Wreschner, op. cit., appendix, quotes statutes of a society for distribution of wood among the needy, that Eger organized.

Before leaving for Posen he expresses his hope (in a letter to his brother Samuel, Schreiber I, #11) that in his new position he will be able to introduce needed measures for the good of the people.

Schreiber, in his Chut Hammeshulash, quotes numerous instances of Eger's incredible activities on behalf of the poor during his stay in Friedland.

In a later chapter, pp. 123 ff., his meritorious efforts in combatting the cholera epidemic in Posen and surrounding towns will be discussed.

106. Schreiber I, #10.

107. Aharon Yehoshua Eliyahu; approved Plessner's Edut L'Yisrael (1825).

108. In keeping with his deeply religious nature, Eger was a great believer in the efficacy of prayer; he never refused to pray for anyone, as a few examples taken at random will show:

Eger I, #213 (to the son-in-law of Solomon Eger, Yehoshua Heshel Rokeach): " . . . I will, please G-d, fulfil his wish to mention the name of his grandfather in (my) prayer. . . . May the Lord listen to our prayers and heal him. . . . "

In a haskama (approbation) to the new edition of the book Kaftor vaPherach, which the noted scholar Hirsch Edelman published (1839), Eger wrote: "I have fulfilled the request to pray for the sick, the great man, his uncle. . . . May he have a quick and speedy recovery."

On the other hand, Eger was very anxious that before he made an important decision, others should pray for him:

FOOTNOTES TO CHAPTER II (continued)

Eger I, #148: Before setting out on his journey to Warsaw to attend the wedding of his son, he asks his correspondents: " . . . And you pray for me that the Lord should bring me back safely. . . . "

During one of his many periods of sickness he wrote to Yossef, rabbi in Brig (Eger III, #11): "My friend, I beg of you to remember me in your prayers. . . . I do need indeed the prayer of the righteous."

On another occasion Eger was so ill that his physicians gave up any hope of saving his life; when he did recover he ascribed his recovery to the intervention of his fellow citizens, as he writes in Eger I, #126: ". . . until the Lord turned to the prayer of the many and did not despise their entreaties - because they all - old and young alike, in the city and in the whole province, prayed to the Lord to keep me alive. . . ."

Cf. also Eger III, #15 (wants that the wedding company should bless him); Eger III, #20 (after illness, expresses hope that G-d will keep him well; asks his correspondent to reply with an "Amen" to his prayer).

109. Schreiber I, #11.

FOOTNOTES TO CHAPTER III

1. For a full discussion see Heinrich Graetz, Geschichte der Juden, vol. 11 (Leipzig, 1870); Ludwig Geiger, Geschichte der Juden in Berlin, vols. 1 and 2 (Berlin, 1871); Ismar Freund, Emanzipation I.

2. Cf. full treatment of subject in Graetz, Geiger, et al.

3. This interference of the Prussian Government in the affairs of the Jewish community was of far-reaching importance: it started Zunz on his monumental "Ueber die G-ttesdienstliche Vortraege der Juden."

4. J. Heinemann, Sammlung der die Juden in den Preussichen Staaten Betreffenden Gesetze (2nd ed., with appendix) (Breslau, 1839), I, C, #2, p. 317; given Berlin, 1829, May 25.

5. Orthodox Jews were not the only ones who appealed to the government to secure their aims, the continuation of the status quo. There are numerous instances of Reform leaders forcing orthodox Jews to modify the religious practices of their fathers. Cf. Schreiber I, #45, Eger's letter to Jewish leaders in Eisenach, etc. Cf. also trend in our Chapter IV. S. H. Hirsch, in his "Gesammelte Schriften" brings numerous instances of such attempts of government-supported religious coercion.

6. Heinemann, op. cit., III, C #1, pp. 188ff. dated July 17, 1836.

7. Emanzipation II, p. 12, #6.

8. Emanzipation I, p. 14 quotes the king as saying: "Die Juden muessen aussterben."

9. Emanzipation II, #23, pp. 20-21.

10. Emanzipation II, XXXI, p. 52.

11. Ibid., p.

12. Section IV of the General Judan-Reglement for South and New East Prussia. For full text of this order, cf. M. Lippman, Leben und Wirken des David Caro (Glogau, 1860), p. 15.

13. Emanzipation II, p. 61.

14. In the year 1792, Emanzipation II, p. 77.

FOOTNOTES TO CHAPTER III (continued)

15. Cf. p. 45, supra.

16. Emanzipation II, p. 89.

17. ". . . Um den Gemeinsinn zu brechen und die . . . kirchliche Gewalt zu brechen, welches die Hauptabsicht der Refome ist."

18. Emanzipation I, pp. 58-59. The attempt of the government to revise the constitution of the Jewish communities seemed then - as it indeed later proved to be - a possible threat to religious life. To quote Freund: "Man fuerchtete wohl von der Aufhebung der bisherigen Gemeindeverfassung eine Beeintraechtigung des religioesen Lebens, wenn nicht gar einen Eingriff in die Freiheit der religionsuebung."

19. Ibid., chapter VIII, pp. 109-125. He entered the services of the Prussian government in 1795 as the head of the Provincial Department for East Prussia. For about a dozen years he was violently opposed to Jews, repeatedly urging curtailment of their rights.

After 1807 his attitude gradually changed, perhaps under the influence of the liberal von Stein, the father of Prussian reform and reorganization.

20. Emanzipation II, p. 247.

21. Ibid., p. 246.

22. Karl Wilhelm, Baron von Humbolt (1767-1835), statesman and philologist, brother of famous naturalist, Friedrich H. Alexander.

In 1808 he was appointed Councilor of State to the Prussian government and later Minister of Education.

As head of the Department for Public Instruction he sent his long and careful opinion on Schroetter's plan on July 17, 1809.

23. Emanzipation II, p. 270: Ihre Lage ist daher eine . . . so merkwuerdige Erscheinung, dass bereits von gewiss nicht schlechten Koefen gezweifelt worden ist, ob sie sich ueberhaupt auf bloss menschlicher Weise erklaeren lasse.

24. Ibid., p. 276.

FOOTNOTES TO CHAPTER III (continued)

25. Ibid.

26. Ibid., p. 285.

27. Ibid., p. 286. ". . . die Schul - und Erziehungsinstitute zu wahren Missions-Anstalten fuer sie zu machen."

28. What alarming proportions these mass conversions reached in Berlin we can gather from a letter of David Friedlaender to Chancellor Hardenberg, dated January 18, 1811 (Emanzipation II, pp. 421-422). In this letter Friedlaender informs the Chancellor that in the last eight years no fewer than 50 families left their ancestral religion. In an abjectly humble manner, Friedlaender - whose own allegiance to the Jewish religion was of a rather questionable nature (in spite of his very long and ardent struggle for Jewish emancipation) - apologizes for bringing these facts before the authorities. "If this be evil (and for Jewry it is a great evil - ein grosses Uebel - from the point of view of morality as well as from a financial consideration) then it was my duty to report it without fear, even at the risk of seeming too insistent."

From the figures in the letter we can see that in 1806 the total number of Jewish families in Berlin was only 405; thus the conversions represent more than 10 per cent. of Berlin Jewry.

29. Emanzipation II, pp. 469-499. The Minister of Finance candidly declared that the aim of the government must be to grant complete rights of citizenship (including appointment to public offices) only to those Jews who would convert to Christianity (p. 483). Even if these conversions were not sincere, they ought to be encouraged by all means (pp. 484-5).

30. Ibid., p. 482. Zu ersterem scheint mir das Recht nicht begruendet zu sein!

31. Eger I, #41. Addressed to Jacob Littauer, oldest son-in-law of Abraham Eger, rabbi in Wongrawitz.

32. Ibid.

33. Ibid. Eger writes: [illegible]

34. M. G. Kletke, Organisation des Judenwesens im Grossherzogtum Posen (Berlin, 1843, p. . Section: CULTUS, #11.)

FOOTNOTES TO CHAPTER III (continued)

35. Ibid., #13, p. 145.

36. Ibid., #14, p. 158; dated January 27, 1935, Posen.

37. Ibid., #16, dated February 28, 1835.

38. . . . Die Entlassung aus christlichem Verband niemals erteilen. . . .

39. For details see S. Bernfield, Der Tah-nu-hot (Warsaw, 1897).

40. Author of responsa MaHaRaM Mintz, ca. 1477.

41. MaHaRaL Prag, famous mystic (1530-1609), twice rabbi in his native Posen.

42. Mordechai ben Avraham Jaffe (1530-1612), author of series of works under the name of Levush.

43. General Juden Reglement fuer Sued-und Neu Ost-Preussen.

44. For full text, cf. Lipmann, Leben und Wirken . . ., op. cit.

45. Cf. Wreschner, op. cit., p. 54.

46. He was the author of the well-known responsa and novellae Bet Shmuel Haacharon.

47. In November, 1806, the French occupied the city; in July of the following year the city came to the newly established Duchy of Warsaw; for details cf. I. Perles, Geschichte der Juden in Posen (Breslau, 1865), pp. 116ff.

48. Ibid., 1740 - bloodlibel accusation; 1764 - devastating fire, etc.

49. November 17, 1808.

50. Lesegesellschaft; most of the following account concerning the internal struggle in the Posen Jewish community prior to the election of Eger as rabbi is taken from: Philip Bloch, Die ersten Culturbestrebungen der juedischen Gemeinde in Posen unter preussischer Herrschaft, in the Jubelschrift zum 70ten Geburtstag des Prof. H. Graetz (Breslau, 1887). Bloch based his research on a study of the royal state archives in Posen.

51. This school was opened in 1816, recognized by the state in 1824; cf. Lipmann, op. cit., p. 23ff.

FOOTNOTES TO CHAPTER III (continued)

52. Schreiber I, #9.

53. Schreiber II, p. 67b.

54. Schreiber I, #10, dated May 11th.

55. Further extracts of this letter were quoted on p. 48, supra.

56. None of the biographers of Eger have seen the significance of the letter quoted below. If, in spite of the storm of protest that Eger's proposed coming to Posen caused, he was still willing to proceed, then we must radically revise the current estimate of Eger as a man of peace. He definitely could be a fighter, when the need arose. This aspect of his character will be fully discussed in the next chapter.

57. Schreiber I, #12. Eger writes: "I was then [after first receiving the call to Posen] willing to proceed . . ."

Cf. below.

58. In his response to him, Eger I, #71, #72, Eger addresses him as "[illegible]"; the traditional title for the dayanim was [illegible]. Cf. Schreiber I, footnote to #9 (p. 8).

59. Of him nothing further is known to me; Vielen is the Jewish name for Filehne.

60. In Schreiber I, through an obvious printing error, we read Srak. Rabbi Hirsch is identical with the correspondent of Eger in Eger I, #21. We can see the great esteem Eger had for him, from the real concern Eger felt towards his distinguished correspondent: Eger beseeched him not to fast and endager his health.

61. Perhaps identical with R. Aharon of Shlank-Schoenlanke, to whom Eger writes in the same year; cf. Eger III, #2.

62. Schreiber I, #12.

63. Eger had no son-in-law who resided in Filehne; but his son Abraham did, and Naftali Hirsh Bleichrode, beloved student of Eger who lived in the town until 1820. He was later Av bet Din in Kurnik. Bleichrode edited Eger's novellae on the Shulchan Aruch (Yore Deah and

FOOTNOTES TO CHAPTER III (continued)

Orach Chayim) and also wrote a short biography of Eger.

Because of his great love for him, Eger often refers to Bleichrode as his son-in-law. Cf. Eger II, #125, 127 (just as he does here).

64. The "Haverim"; cf. p. 65, supra.

65. Bloch, op. cit., p. 200.

66. Ibid. It is to be feared that . . . dass er durch harte Fluchaesserungen auf der einen, durch aussse Seligkeitsversprechungen auf der anderen Seite allen Sinn fuer Aufklaerung und Bildung einschlaefern wird; waehrend die durch ihn vergroesserte Schar der talmudisch Studier-Bachurim dazu beitragen werde, der Jugend das Gehirn wirblend zu machen und der wahren Ausbildung ihrer Seelenkraefte entgegen zu wirken. (that he will stifle all interest for enlightenment and education by promising sweet salvation on the one hand and threaten with dire imprecations on the other; while the group of talmud-studying bachurim, considerably increased [by Eger's magnetism] will do their part to confuse the youth in their views and counteract the true development of their spiritual forces.

Wreschner, op. cit., p. 62: Eger is a . . . verbissener Fanatiker der ausser Stande ist eine reine Religion und echte Moralitaet zu lehren, bloss Bigotterie und Vorurteile beguenstigt. (Eger is a wild fanatic incapable of teaching a true religion and real morality, merely favoring bigotry and prejudices.)

67. Bloch, op. cit., 201: Eger . . . in Ruecksicht seiner Ansichten ueber den Cultus und Unterricht zu mancherlei Besorgnissen Veranlassung gaebe.

68. Ibid., p. 202ff.

69. Ibid., p. 204.

70. Though as a rule only married men were given these honorary titles, if a young student showed great progress and made outstanding progress in his talmudical studies, he was also awarded the title "Haver" (Fellow) or "Moreny" (our Master).

71. In the official book of records of the Posen community, the Statuten-buch - Sefer Hazichronot.

FOOTNOTES TO CHAPTER III (continued)

72. Cf. Bloch, op. cit., p. 209.

In the "shtar rabbanut" of the Posen community, as given in Schreiber I, #9, we find the following situation:

The original document of March 13, 1814, is reproduced; in the typical style of the time Eger's unanimous election is recorded and some of the conditions of his office are enumerated (salary, additional income, special honors, etc.). It is interesting to note that already in this document (#4) the rabbi is limited to 6 free places (Pletten).

This letter is signed by 133 men.

In order to satisfy the government's enquiry concerning the legality of the election (cf. p. 71, supra) there follows this remarkable postscript:

> We also, leaders of the community, affix our signature to this document; we delayed until now [ ] in order that this line [ ] confirm that all the above signatures are authentic [ ].
>
> Given, Friday, Elul 3, 1815.
>
> Signed by 9 leaders of the congregation, and in the next column by another 19.

It will be seen that the total number of signatures: 133+9+19 equals the 161 that Bloch mentions. The two accounts, the one based on the city archives, the other on the "shtar rabbanut," supplement each other perfectly.

73. September 12, 1815.

FOOTNOTES TO CHAPTER IV

1. Large areas of the recently acquired territories of Sued & Neu-Ost Preussen were in 1812 part of the Duchy of Warsaw, and were therefore not included under this edict.

2. Cf. p. 4 , supra.

3. Headed by the senior Dayan, Baruch ben Meir Oxers of Prague.

4. Eliezer Liberman, Noga Tzedek, Dessau, 1818.

5. Liberman, as agent of the patrons of the Hamburg Temple, published the responsa of Rabbi Shem Tob Samum of Leghorn in defense of the proposed changes in the manner of worship (use of the organ, prayers in the vernacular, and others).

6. This prohibition is found in the introduction of the special book the Hamburg rabbinate published to combat the movement: Ele Dibre Haberit (Altona, 1819).

7. In the new prayerbook of the Tempelgemeinde all references to the temple worship, return to Zion, etc., were eliminated.

8. Moses Sofer, op. cit., Vol. VI, #84.

9. Ibid.

10. Ibid., #85.

11. Ibid.

12. The rabbi of Fuerth, Shlomo Zalmen Hacohen, author of the responsa Birde Kehuna; the Breslau rabbi Abraham Tiktin; the rabbi of Mainz, Hirz Sheier.

13. Moses Sofer; Moses Mintz of Alt-Ofen did not write a letter but did take a very active part in combatting reform tendencies in Hungary. Cf. p. ff., infra.

14. The rabbis of Modena, Padua, Livorno, Trieste, etc. The last named, Avraham Eliezer Halevi was the leading spirit of Italian orthodoxy and worked in close cooperation with Sofer.

15. The rabbis of Hawits and Lissa.

16. Leading rabbis of Moravia (Nikolsburg, Trietsch), Bohemia (Prague), Holland, and France also wrote in support of the Hamburg Beth Din's decision.

FOOTNOTES TO CHAPTER IV (continued)

17. #10 in the collection

18. Birhot Hashahar, Ashre, etc.

19. [illegible]

20. [illegible]

21. [illegible]

22. Berit Emet, Berit Elokim, Berit Hakehunah. The author gave this title to his book in order to indicate his desire to answer the Hamburg rabbinate's Ele Divre Haberit.

23. In the book itself, the author is given as ; but Caro's authorship is established beyond doubt. Vide infra, p. 82.

24. P. 6 , supra.

25. Israel Jacobson (1768-1828), financial agent of the Kingdom of Westphalia, president of the Consistorial organization established by Jerome Bonaparte. Jacobson later took a very active part in the efforts of Prussian Jewry to secure their emancipation.

26. Quoted by Lipman, op. cit., p. 22; cf. also J. M. Jost, Allgemeine Geschichte des juedischen Volkes, Vol. II, pp. 342-344.

27. #8 in the collected Hamburg rabbinate letters: Ele Divre Haberit.

28. Cf. Talmud Babli, tractate Brachot, p. 28b.

29. David Caro, Berit Emet (Dessau, 1820), p. 58.

30. Ibid., p. 59.

31. Adon Olam, well-known hymn - one of the few metrical liturgical poems, attributed to Solomon ibn Gabirol. (Others ascribe it to Saadya Gaon.)

32. One of the most important prayers, written by the men of the Great Synagogue.

33. His attack on Eger seems to parallel the feelings expressed in the broadsides against the proposed election of Eger, which were discussed on p. 6 ff., supra.

34. October 12, 1837.

FOOTNOTES TO CHAPTER IV (continued)

35. Number 93, under the date November 4, 1837.

36. Schreiber I, #22, dated March 11, 1930.

37. February 21. The letter is quoted in Schreiber II, p. 26b (note).

38. Mordecai Benet, 1753-1829, student of renowned Rabbi Shmelke Horowitz of Nikolsburg, became Av Beth Din of the city in 1774, at the age of 21. As the Chief Rabbi of Nikolsburg he was the officially recognized Landesrabbiner of Moravia.

39. Moses Sofer, op. cit., VI, #86.

40. Vide supra, note 37.

41. It is not possible to determine whether Eger was merely visiting his son Abraham, who lived in Ravits or - what seems more likely - whether he went there in order to consult with the local rabbi (Aharon Yehoshua ben Dov Beer); the latter's letter against the Hamburg Temple (#11 of the collection Ele Dibre Haberit) followed right after the epistle of Eger.

42. In true style Eger refers to the book Mogah TZEDEK (Light of Righteousness) as "Sefer AVEN" (Book of Iniquity).

43. Abraham Titkin; cf. note 27 of this chapter.

44. Yaakov Lorberbaum.

45. Supra, p. 7 .

46. The Italian rabbis had special reasons to be active, because Livorno Jews were tricked by Lieberman into giving a "heter" (permission) for the playing of the organ. Cf. Moses Sofer, op. cit., VI, #87.

47. The efforts of the Alt-Ofen Rabbi Mintz were directed mainly against the Arad pro-Reform Rabbi Choriner, whose part in the struggle will be discussed below. As we have just seen, the Trieste rabbinate was engaged in salvaging the reputation for strict orthodoxy of the Italian rabbinate, which was deeply compromised on account of its support - albeit involuntary - of the Reform practices in Germany.

A very interesting pattern thus emerges: while Sofer and Eger were carrying the brunt of the fight against

FOOTNOTES TO CHAPTER IV (continued)

the Reform movement in Germany, Mintz of Alt-Ofen and Halevi of Trieste were securing the flanks, so to speak, by cutting off the support of any (in their opinion) misguided sympathizers, in their respective countries.

48. Graetz, in discussing the Hamburg Tempelstreit (XI, p. 419) wrote that only the rabbi of nearby Altona had condemned the innovators. "The old rabbis," wrote Graetz, "had appeared to be so indifferent and sleepy that they had to be asked twice." (Die alten Rabbiner hatten sich dabei so lassig . . . gezeigt, dass sie zweimal . . . aufgefordert werden mussten [p. 420].) The evidence we now possess, however, (Responsa Moses Sofer, VI, #84-96; Schreiber I [Part II] #54-59; Schreiber II, pp. 24a-26b, et al.) much of it published after the death of Graetz, reveals the great efforts the leaders of traditional Judaism were making.

It should be mentioned in passing that Graetz also is guilty of a slight mistake which was allowed to pass through all editions unchecked: In writing about the one protest that was forthcoming immediately, he stated (XI, p. 420): "Only one [of the leading orthodox rabbis] AKIBA EGER II, rabbi of the neighboring Jewish community in Altona, had condemned them." This is a very obvious mistake; Graetz confuses here our Akiba Eger of Posen with the then Altona rabbi, Akiba Breslau; the latter had indeed issued a prohibition against praying in the new prayer book of the Hamburg Tempelgemeinde. (See Hamburg, rabbinate, op. cit., introduction; also D. Caro, op. cit., p. 44: ". . . The great and illustrious rabbi, AKIBA . . . BRESLAU, rabbi and master of Altona, prohibited to pray from the prayerbook of the reformers [ ].")

49. Schreiber I (Part II, correspondence of Moses Sofer), #54. In this letter, dated March 3, 1819, the Hamburg rabbinate appeals to Sofer to keep up his good work in combatting the reform movement. They are almost panicky for not having had word from any of the Italian rabbis to whom they had written, requesting an open support for their fight against the Reform congregation in Hamburg, except for the Trieste Rabbi Avraham Halevi. They wrote: "Indeed we are amazed; more than two months ago we wrote to the rabbis of Livorno, Venice, Mantua, Padua and Modena and we have not yet received their reply. . . ." And now comes their request to Sofer to kindly write a letter of thanks to Trieste:

FOOTNOTES TO CHAPTER IV (continued)

"Please . . . give our thanks to the . . . Gaon of Trieste . . . for his efforts. . . . Because of the [prohibitive] postal expenditure we did not write to him directly [ ]." (author's italics)

In a postscript to the letter the Hamburg rabbinate indicated that they had just received a reply from Modena, Mantua, and Padua. But they were greatly alarmed about the silence of the Livorno rabbis; there was that lingering doubt lest these rabbis, who had given their consent to the playing of the organ in a synagogue (most of them only permitted this practice on weekdays, but one allowed the organ to be played even on Shabbat, provided the player was a gentile) would not be willing to change their minds.

"These Livorno rabbis might have acted bona fide," hopefully suggested the Hamburg guardians of orthodoxy to Sofer, "and we explained to them that since here in Germany the playing of the organ had been prohibited by leading rabbis, they would not want to go against this prohibition."

Both Sofer and M. Benet of Nikolsburg had found that the position of the Livorno rabbis, as seen in Lieberman's Nogah Tzedek, was untenable on halachic grounds. Their letters would be printed in the forthcoming publication of the Hamburg rabbinate. "Would perhaps Sofer be kind enough," they asked, "and write to the one Livorno rabbi and call upon him to recant publicly his decision concerning the playing of the organ on Shabbat?" (The Livorno rabbinate eventually acceded to the requests of the Hamburg rabbis, so ably seconded by Sofer and the Trieste rabbi; their repudiation is found in #17 of the Ele Divre Haberit.)

As before, the Hamburg Beth Din asks Sofer to convey their thanks to the Gaon (M. Benet) of Nikolsburg, for his letter. They added: ". . . we did not write to him because of the [great] expense involved in our correspondence; but when our publication will be printed, we will send him a copy." (author's italics)

50. He also studied with Rabbi Yermiyahu of Santov; cf. Schreiber I (Part II), #55.

51. For a defense of Choriner see his autobiographical letter in Kerem Chemed, ed. by Samuel Yehuda Goldenberg (Vienna, 1833).

52. This letter is printed in full in the responsa of Sofer, VI, #93.

FOOTNOTES TO CHAPTER IV (continued)

53. Sofer, his uncompromising opponent, always refers to him as ACHeR (an allusion to the talmudical scholar and heretic Elisha ben Avuya): Aron Choriner, Rabbiner.

54. Responsa Sofer, VI, #94.

55. Ibid., #96.

56. [illegible], Sofer's customary salutatory formula, when referring to Eger.

57. Sofer, VI, #87; Livorno rabbi writing to Sofer, mentions that Meir Weyl of Berlin had communicated with Eger on this problem.

58. Heinemann, op. cit., pp. 191 ff.

59. For a similar threat in Austria, cf. Trieste rabbi Halevi's correspondence with Sofer in Schreiber I (Part II), #58-59.

60. Heinemann, op. cit., p. 191ff.

61. Ibid., p. 192.

62. Schreiber I, #45.

63. See pp. 79-80, supra.

64. [illegible]
An allusion to Jacob's blessing, Genesis, 49:6 vide [illegible] ad loc.

65. A play of words on [illegible] (the usual designation of a rabbi) and [illegible].

66. In a previous chapter we tried to analyze the true attitude of the Prussian Government to the Jewish religion, and we have found that, on the whole, there was little love between the Berlin authorities and the Jewish religion.

67. As a typical example, we quote the case of Rabbi M. Kurnik in the responsa of Sofer, VI, #35.

This rabbi, who specialized in the study of the calendar (Ibbur) - he was the author of the four volume Meir Ene Ivrim - used to supply the printers of Hebrew pocket calenders with information concerning the molad and other similar matters.

FOOTNOTES TO CHAPTER IV (continued)

In 1821, after the death of Breslau rabbi Avraham Titkin, a Breslau printer had not heeded the existing copyright arrangements and simply used the date of another year, similar to the coming Jewish year 5522 (1821-22) making many mistakes in the process.

Kurnik had first written to Eger, asking his help against the unscrupulous printer, saying that if Eger did not feel strong enough to proceed against the printer - by proclaiming a ban against any unauthorized calendars in the synagogue of each town - then let Eger make every effort to bring the question to a successful conclusion by appealing directly to the "Kultusminister." And now follows a passage that betrays an almost blind faith in the benevolence of the Prussian ministry of Kultus and Education: " . . . because they [the Kultusminister] also express themselves very strongly against any change in the Jewish religion [ ]."

Apparently neither Eger nor Sofer shared the faith of this rabbi in this question, for they simply advised him to issue his own "lusch" (calendar) and to let the truth speak for itself.

68. See Chapter I, note 36 , for further details about him.

69. Schreiber I, #16. We can judge the importance Eger attaches to a speedy reply in this: the letter is dated Sunday, Adar 26, and Eger expects to receive their reply by the following Thursday.

70. Heinemann, op. cit., pp. 415-416.

71. Eger V, p. 178 - letter to Isik Levy in Bunat in which the problem of a shochet is raised; the latter is an "onen" (a person who is mourning the loss of a close relative, but the dead has not been buried) because "according to the royal edict nobody can be buried before the third day after his death [ ]."

72. In Germany these laws against an early interment were enforced until our own days.

According to Rabbi Dr. Joseph Breuer of Frankfurt, the Jewish community had a tacit understanding with the Jewish physicians of the city, who would leave the date entry on a death certificate blank, to enable the Chevrah Kadisha to proceed with an earlier burial, by ante-dating the day of death.

FOOTNOTES TO CHAPTER IV (continued)

So great was the power of bureaucracy in Germany, Rabbi Breuer reminisced, that the Nazis, who could not have objected to the burying alive of a Jew, yet insisted on the most careful observance of the law against early interment.

73. The Edict is quoted in Emanzipation II, pp. 455-459.

74. Heinemann, op. cit., section III: Religiose Handlungen und Zeremonien. (Religious Acts and Ceremonies)

75. Die Ausfertigung eines Scheiderbriefes [ist] nicht notwendig.

76. The date of the edict.

77. Heinemann, op. cit., pp. 245ff.

78. Ibid., pp. 248ff.

79. Hirschel Lewin was the last Oberlandesrabbiner.

80. Heinemann, op. cit., p. 249.

81. Eger II, #83.

82. [illegible] . This would be considered as a Get al Tenai (conditional bill of divorce) and would therefore be invalid.

83. The whole problem Eger faced with regards to the "Benjamin Latz Fund" has been described by Wreschner in his study of Eger; he had access to official documents of the city of Posen, and this writer has drawn heavily on these documents.

84. P. 64 , supra.

85. Schreiber I, #65. In this Stiftungsurkunde Eger mentions that he had first rented two rooms.

86. They were from among the many learned, strictly religious men, as can be seen from their designation by Eger as [illegible] (worthy scholars). Altogether five men participated.

87. Schreiber I, loc. cit.

88. Details of this new legislation will be discussed in the next chapter.

FOOTNOTES TO CHAPTER IV (continued)

89. Schreiber I, #22. Eger apparently contemplated accepting the position of Chief Rabbi of Moravia after the death of Benet in 1829. There seem to have been complications also in this decision, because apparently the rabbi of Brody was also a candidate. Cf. also letter of the Lemberg rabbi to Sofer on this question, Schreiber I (II) #50. Eventually Nahum Trebitsch became the new rabbi of Nikolsburg.

90. Wreschner, op. cit., p. 98. "Ich verzeihe es [die Anzeige, etc.] ihr [i.e., der Gemeinde] gerne, muss jedoch dabei innigst bedauern, eine solche Schwaeche wahrgenommen zu haben."

91. Ibid., p. 99. " . . . eine Koenigliche Regierung . . . dass sie mich nicht beschraenken duerfe."

92. One of the clauses in the Stiftungs-verfassung reads: " . . . any public transgression of a religious commandment on the part of an employee will cause his immediate dismissal." Ibid., loc. cit.

93. Schriftgiesser, op. cit., #1. "[ ] dass man [ ] nicht [ ] is 4 Wochen ohne Rav uMorehzu sein [ ]."

94. Schreiber I, #54.

95. Ibid.

96. Solomon Eger was not appointed until the fall of 1839, when the traditionally-minded elements of Posen again assumed the leadership in the Posen community.

Cf. the "ahter rabbanut" to him, Schreiber I, #59.

97. Schriftgiesser, op. cit., #2: "[ ] soll solches in den Zeitungen gestat werden mit dem Bemerken, dass ich meine Talmidim und Chaverim bitte das erste Jahr [ ] . . . zu lernen [ ]."

98. Schreiber I, #54. Sofer was distressed why he had not been notified of the death of Eger. Solomon explained that no slight was intended. He thought that Sofer would not learn of the event because:

FOOTNOTES TO CHAPTER IV (continued)

"I thought it would not be reported in the newspapers of Austria, since I saw that the Posen community, because of their present leaders . . . were reluctant [illegible] to insert a notice in the Berlin newspapers, while the local Posen newspapers do not have such a wide circulation. I said to myself: if Berlin will not have this item, whence should Vienna have it."

Solomon himself was reluctant to be the bearer of sad tidings; but now that Sofer had found out the truth from other sources, he hastened to inform him of the true situation there.

FOOTNOTES TO CHAPTER V

1. Cf. struggle of progressive elements against Eger's appointment, pp. 67ff. supra.

2. Moritz Lazarus (b. Filehne 1824, d. Meran 1903), philosopher and one of the founders of the Lehranstalt fuer Die Wissenschaft des Judentums; his essays "Treu und Frei" (Loyal yet Free) were very popular in Germany.

3. M. Lazarus, Treu und Frei (Leipzig, 1887).

4. Ibid., p. 294.

5. Compared to some of the contemporary pre-World War II chadarim in eastern Europe, this school curriculum sounds quite modern.

6. Unbelievably large number; but apparently not unusual. Cf. Eger II, #3, where Eger suggests to the rabbi of Labischin - a townlet of about the same size as Filehne - that a person who caused the death of two people should, as a means of atonement, pay ten poor Melamdim to learn daily some Mishna for the soul of the dead.

7. Cf. reference to "pletten" in Eger's contract in Posen (p.73, supra) and in Friedland (Schreiber I, #3): "The rabbi should also have the right to maintain four bachurim and if necessary these will be provided with pletten every shabbat."

8. Eger II, #3. "To teach him [a poor, local boy who is to be maintained by the penitent sinner; cf. note 6, supra] Torah and Gemara until he is 15 years old when he should send him to a Yeshiva."

9. Schreiber I, #18. In this letter written to Pleasner, Eger clearly states his position toward the question of secular versus Jewish education. He wants children to be taught Talmud and other Jewish subjects most of the day, but adds: "It is necessary to combine Torah with secular knowledge [ ] to learn with them for an hour or two every day writing and arithmetic, as we are accustomed to teach our children with the help of G-d, since because of the kindness of our lord the King . . . and his officials they carefully watch over this [ ] and they ordered us to do so."

Apparently this governmental insistence on a minimum of daily secular instruction meets with Eger's wholehearted approval; he refers to it as . We have already seen in the case of the get question (pp. 93, supra) that he does not hesitate to express

FOOTNOTES TO CHAPTER V (continued)

his strongest opposition to anything that smacks of unwarranted interference.

10. Bloch, op. cit., p. 211.

11. Ibid., p. 212.

12. Cf. detailed account in Chapter III, pp. 65 ff, supra.

13. Ibid., p. 73 , item #4.

14. In 1816; this school was later (1824) put under the supervision of the Ministry of Education.

15. Nothing further is known about him by this writer; he was perhaps a relative of N. Lipsman, Caro's biographer and friend, who must have been one of the intimate members of the radical "progressive" group in Posen.

16. W. J. Eichhorn, author of the official German and Judeo-German (Yiddish) Sammlung der die neue Organisation der Juden . . . betreffenden Gesetze, (Posen 1834). (Instructionen in deutscher und zugleich hebraescher Schrift.) This booklet was issued as a result of the original "Verordnung" of June 1, 1833, where it was stated (cf. M.H. Kletke, op. cit., p. 22) that: "this regulation with further instructions must be published in both languages, i.e., German and Jewish."

In his introduction Eichhorn severely criticized the Jewish authorities for their insufficient attention to the problem of the education of poor children (p. 8).

He also stressed the need for the establishment of a school for girls, whose religious instruction was then sadly neglected.

17. Posen City Archives, P.C. 317, quoted by Bloch, op. cit., p. 208.

18. Ibid., p. 209.

19. Cf. reluctance of opposition leaders to publicize their "real reasons" against Eger's election, p.70 supra; and Caro's hesitation to acknowledge his authorship of the Berit Emit, p.80 supra.

20. Posen Archives, XVIII, 38, as quoted by Wreschner, op. cit., p. 81, note 100.

FOOTNOTES TO CHAPTER V (continued)

21. Ibid., p. 82.

22. October 23, 1817; #4 of the circular reads: ". . . that all Jewish schools be supervised in accordance with the law of October 23, 1817. . . . "

23. The following quotations are all from the same circular.

24. " . . . Sie dem verwahrlosesten Zustand zu entreissen."

25. They were exempt from attending Christian religious instruction.

26. A. M. Fuld (1791-1847), Talmudic scholar, author of Bet Aharon (Frankfurt, 1890). Fuld was a very great respecter of outstanding scholars, as this brief quotation from his letter to Eger, quoted in the introduction to his Sefer Bet Aron, p. V, shows: " . . . How honored is this day . . . when I was found worthy in . . . your eyes to stand before you and serve you; this was from the very beginning my main interest in life to be a servant to the great men . . . and especially to the zaddik and leader of this generation, such as your Honor . . . "

27. Loc. cit.

28. Fuld realized that if the government spoke in terms of actually prohibiting the study of the Talmud this must be the result of the intervention of the fanatic opponents of the Talmud from within the Jewish camp.

29. Ibid.
Cf. supra, p.70 ff.

30. Assaf, op. cit., IV, 200, #161.

31. Ibid.

32. Ibid.

33. Ibid. " . . . and even if they take a teacher from our own people, who knows what his mode of life will be like, whether the fear of the Lord will come before his general knowledge . . . "

34. Schreiber I, #13 and 14, are addressed to him. In these letters Eger asks for "kamcot" for persons to whom he is too modest (or perhaps reluctant) to issue them himself. Cf. p.155 infra.

FOOTNOTES TO CHAPTER V (continued)

35. Solomon Plessner, Ein Wort zu seiner Zeit, . . . die Autoritaet der juedischen Traditionslehre (sec. ed., Breslau, 1850).

36. Ibid., p. 12.

37. By Abraham Mendola, member of a prominent Sefardic family.

38. Yen L'vanon, cf. p.8 ff., supra.

39. Schreiber I, #18.

40. In a footnote to his Hebrew version, Edut LeYisrael (p. 3) Plessner quoted Wessely's definition of secular knowledge as the "handmaid of the Torah," ( ). But from his additional remark we can see that Plessner himself was fully aware of the dangers of a one-sided emphasis on secular studies. He writes: "But unfortunately . . . in our time, before a boy knows how to read one word of Greek or Latin, he already begins to . . . despise the faith of his fathers, he desecrates the Shabbat of the Lord . . . "

41. Schreiber I, #18, loc. cit.

42. Schreiber I, #19.

43. Ibid.

44. Schreiber I, #19. Loc. cit.

45. Schreiber I, #19, loc. cit.

46. Incidentally, Plessner never got around to doing this assignment; it was later (1865) published by David Deutsch, who quotes the letter of Eger in his postscript (Nachtrag, p. 433).

FOOTNOTES TO CHAPTER V (continued)

47. Shlomo Salmon Landsberg was a native of Posen and lived most of his life in Lubrance. He is the author of the important Tsar Pne Shlomo; his son Eliyah Landsberg later became a son-in-law of Abraham Eger.

48. Cf. p. 65 supra.

49. That Moses studied at the time (1818) in Eger's Yeshiva at Posen we can establish by means of some careful interpreting of a letter that Eger sent to Shlomo Zalman Landsberg (Schreiber I, #20).

In this letter, dated February 15, 1825, Eger congratulates the youngest(?) son Avraham on his becoming a Bar Mitzva; after encouraging the young man to take his studies seriously, Eger tells him: "Perhaps the Almighty will grant and you, too, will study at my Yeshiva with intensive concentration [ ] like your older brothers." (author's italics)

We know that Eliyahu studied under Eger (the custom of choosing the most promising young bachurim for sons-in-law is of old standing in the yeshivot of Europe) and Moses is therefore the other one of the "older brothers" mentioned in Eger's letter.

That Eger speaks with the highest approval of Moses Landsberg and his brother, in spite of (or perhaps because) the fact that he maintained an interest in secular studies according to the instructions of Landsberg père, is in itself significant. It shows that Eger not only allowed a few hours for secular studies among younger students, but even among the bachurim of his own yeshiva.

50. Quoted by Assaf, op. cit., IV, #160, p. 199ff.

51. , still practiced in many Eastern European communities until the outbreak of World War II.

52. Supra, p.110 .

53. See supra, p.107.

54. Plessner, op. cit., p. 14.

55. Um . . . eine voellige Aufhebung des Talmuds anzuhalten.

56. Schreiber I, #19.

FOOTNOTES TO CHAPTER V (continued)

57. Ibid.

58. Ibid. Cf. also similar fears expressed by the latter of the Lissa Beth Din, p. 108, supra.

59. Posener Staatsarchive C XVIII, 56, quoted by Wreschner, op. cit., p. 82, note 101.

60. Der Talmudunterricht . . . wird zur Genehmigung vorgeschlagen.

61. Schreiber I, #22.

62. We have already tentatively identified David Caro as the prime mover of the aggressive anti-traditional group in Posen (p. 65, supra).

63. Leviticus 26:17. Rashi explains the word as "from among you," i.e., members of your own people will persecute you.

64. Heinemann, op. cit., I, #51, pp. 433-434; dated September 22, 1827.

65. Heinemann, op. cit., I, #53 (June 12, 1828).

66. "Eine geduldete Sekte." Such a remark does not betray any excess of sympathy with the Jewish population; though in all fairness it must be added that in another document (#54, dated June 30, 1830) the authorities take pains to show that no anti-Semitic policy is responsible for the decision; just as Christian parents, who for some reasons educate their children in private schools, must still - through taxation - contribute to the upkeep of the public school, so do Jewish parents still have to shoulder this additional burden.

67. Ibid., Section III, #20, p. 228. This decision, dated September 4, 1835, reads as follows: "Since Jewish schools are to be considered as private schools, the government, while supervising such schools, has no right to enforce their continuation and thereby ensure the salary of the teachers. The latter must deal directly with the elders of the Jewish community who engaged them."

An earlier document, attempting to regulate the working conditions of Jewish teachers (tenure, etc.) is quoted in the appendix, p. XII.

68. Cf. p. 58 supra, for Prussian misgivings about extending emancipation to new provinces.

FOOTNOTES TO CHAPTER V (continued)

69. The dilemma of the Prussian authorities with regard to extending the edict of emancipation to the reconquered or newly acquired territories is fully discussed in Emanzipation I, Chapter 18, pp. 241-246.

Basically, this was the problem: Should one automatically apply the law of 1812 to all Prussian provinces, in which case the position of some Jewish communities, such as Posen, would be considerably improved, while others, who had lived under French rule up to the Congress of Vienna and enjoyed a greater amount of freedom still, would find their rights curtailed. In 1817 it was decided not to change the status quo found by the occupying Prussian troops, at least for the time being.

70. Cf. Perles, I, Geschichte der Juden in Posen (Breslau, 1865).

71. Ibid. In moeglichst kuerzester Zeit.

72. Flottwell was violently anti-Catholic and anti-Polish; he realized that he had an excellent chance in "Germanizing" at least one element of the population - the Jews. Cf. Eger's praise of him, p. 121, infra.

73. P. 64 supra.

74. Sollten sich dennoch die Rabbiner der selben angemasst haben, Erbsordnungen nach dem Ritualgesetz vorzunehmen . . . so ist es . . . nur . . . der Unvollkommenheit . . . der . . . Aufsicht zuzuschreiben, wenn solche Anmassungen nicht von Amtswegen gerueget worden sind.

75. Cf. how careful Eger was to have the Last Will of Latz publicly notarized, supra, p. 95 . Eger had his own testament likewise notarized. Cf. Tzvaat Hag'onim, Eger's Will, item 10: "I am notarizing this will publicly [illegible] so that it should not be changed.

76. He must have used his Jewish name "Akiva Gins" - perhaps absentmindedly also on this official document. Usually we find him in official documents as Jakob Moses Eiger. Cf. letter of King to Eger, footnote 95, infra, etc. In the official census in Breslau, however, we find the combination "Kiewe Moses" (p. 4 supra).

77. . . . Der durch sein Antrage zu diesem Berichte Veranlassung gegeben hat . . .

FOOTNOTES TO CHAPTER V (continued)

78. P. 60 ff., supra; Eger I, #41.

79. We know from the letter to his son, and their subsequent remarks, how strenuously Eger resisted the idea of having his responsa published.

80. Eger I, #41.

81. Vorlaufige Verordnungen wegen des Judenwesen im Grossherzogtum Posen, June 1, 1833. Published 1834 by W. J. Eichhorn (Posen 1834).

82. Only naturalized Jews enjoyed, with modifications, the privileges of the emancipation. The others were still severely restricted, including such bothersome legislation as the prohibition of marriage until the groom passed his 24th year.

83. Wreschner, who quotes from the Hebrew MSS in his possession, must therefore be corrected. He writes, op. cit., p. 101, that the sermons were never published. They were published: (1) Rede . . . bei der Representanten Wahl der Isr. Gemeinde in Posen, and (2) Opfer des Dankes, Predigt . . . gehalten am Tage der Einfuehrung der Representanten am 2ten April, 1934. Both booklets, bound together with "Der Jude" by S. Riesser, Altona, 1835, are in the library of the Jewish Theological Seminary in New York.

84. "Rede . . . ", p. 4.

85. [illegible] (Proverbs)

86. As an illustration of his devotion to the old practices of Israel, reference is made to the extremely interesting responsum (Chasam Sofer, vol. Yore Dea, #236) among the responsa of Sofer.

To understand the background, this historical information is necessary. In 1831, Ibrahim Pasha invaded Syria and Palestine from Egypt. He promised free worship for the Jews, including apparently the use of the Temple area in Jerusalem. Thereupon Eger very excitedly discusses with Sofer the possibility of approaching the Ottoman authorities in an attempt to secure permission for the Jewish community to bring the paschal sacrifice.

87. Schreiber II, p. 45A.

FOOTNOTES TO CHAPTER V (continued)

88. "Rede . . . " p. 9.

89. This prayer was said in the presence of representatives of the government. The use of the vernacular, and the composition of a special prayer specifically for the occasion, is worth noting.

90. Item 4 of the Verordnung, quoted in full in appendix.

91. Opfer des Dankes.

92. Wreschner, op. cit., p. 101ff.; Schreiber II, p. 72a.

93. Opfer des Dankes, p. 4.

94. For the details see Schreiber I, #30.

95. The letter was actually addressed to Oberpraesident Flotwell: "Ich habe aus Ihrem . . . Bericht ueber die Sterblichkeit in Posen wohlgefaellig vernommen, wie guenstig sich das Verhaeltnis der in der Stadt Posen an Cholera erkrankten und verstorbenen Juden in Folge der von der dortigen Judenschaft UNTER DER TAETIGEN UND UMSICHTIGEN LEITUNG IHRES OBERRABBINERS JAKOB MOSES EGER ergriffenen Massregeln . . . und beauftrage Sie, dem genannten Oberrabiner mein Wohlwollen . . . auszudruecken. (author's italics)

Eger was proud of this royal recognition of his effective measures and quotes it in his appeal to the Jewish communities of London, Hamburg, etc. Cf. Schreiber I, #64.

96. Cf. Schreiber I, #29, 30.

97. Ibid., #29.

98. Eger VI, 48, 2ff. Hilchot Mila.

99. Among the arguments Eger uses: Though the person is rumored to be a violator of the Shabbat, he is not regarded in the eyes of the Jewish Law as such until he has done a in front of ten trustworthy people. Eger now argues that it is not our responsibility to verify the facts, thereby leaving a legal loophole open for the employment of this person as a mohel.

100. Eger I, #28.

FOOTNOTES TO CHAPTER V (continued)

101. It therefore had no eruv which would enable people to carry it in the streets. In spite of the principle of [illegible] it is not right, according to the Jewish sources, to carry minor children who are unable to walk.

102. Well-known Talmudic stratagem to leave people, who are bent to commit a transgression in any case, in ignorance of the fact that their action constitutes a violation of the law, rather than risk having them flout the law openly.

103. [illegible]

104. Eger I, #96. His correspondent held that a certain person was unfit to give testimony ([illegible]) because he had transgressed against the biblical injunction against shaving with a razor (Cf. Leviticus XXI, v. 4). Eger decided that since most people ignored that prohibition, there was no basis for not accepting the testimony.

105. The problem here was whether the issue of blood was directly from the womb, in which case the woman's marital life was prohibited according to Jewish law, or whether it was caused by a vein that did not come directly from the womb (Eger I, #61) "goldene Ader".

106.

107. Yitzchak ben Sheshet Barfat (1326-1408), Spanish Talmudist; chief rabbi of Algiers, noted for his numerous, very important responsa.

108. Eger I, #108, 109.

109. Question was raised by Eger's brother Bunim who, at that time, was rabbi in Rogasen; he later became rabbi of Mattersdorf in Hungary. Eger IV, #50.

110. [illegible]

111. Eger III, #39. The Jewish community of Magdeburg intended to build a Mikvah in accordance with the Jewish law, and wanted to know if the water from the river Elbe could be used. Eger replied that under his guidance the community of Posen built a Mikvah, utilizing the water of the river Wertha.

112. The social, religious and moral status of women of that period, as reflected in Eger's writings, will be discussed fully in a special excursus.

FOOTNOTES TO CHAPTER VI

1. A legal formula indicating a rule of conduct prescribed by the Oral Law, or the traditional practice of the Jewish people; in many instances Eger's legal decisions have been accepted as authoritative by traditional Jews the world over.

2. Rishonim (the first): term designating the rabbinical authorities who lived before the completion of the Shulchan Aruch.

3. Aharonim (the later ones): designation given, in rabbinical literature to the latest rabbinical scholars; generally speaking the term is used of scholars who lived after the compilation of Joseph Caro's sixteenth century Shulchan Aruch.

4. Pilpul, a dialectic method used for the study of the Talmud. During many centuries it was practiced indiscriminately and fell into disrepute.

5. Above, Chapter II.

6. Ibid.

7. Adret, Solomon ben Abraham (1235-1310), Talmudist, rabbi of Barcelona and prominent leader of Spanish Jewry. Author of commentaries and novellae on Talmudic treatises and of numerous responsa.

7A. Eger II, #103.

8. Shimon Feibelman, son of Eger's second father-in-law, Yehoshua Halevi Feibelman. Shimon was a student of Eger and was rabbi in Forden, later in Rogasen; he was the author of Shaar Shimon, novellae on several tractates of the Talmud. Eger was very fond of his brother-in-law, as we can see by his attempt to secure the position of the rabbinate of Kaempen for him. See Schreiber I, #11: " . . . though it would have been right and my duty to recommend to you [the leaders of the Kaempen community] my brother-in-law . . . Rabbi Shimon . . . of Forden, but I think even this is superfluous, since . . . both the excellency of his character and his preeminence in scholarship are well known."

9. Eger I, #129.

10. Eger II, #23.

FOOTNOTES TO CHAPTER VI (continued)

11. In Talmudic law the stringent observance of the seven days of mourning is only prescribed if the news of the event reached the relatives within 30 days of the actual death; if the intelligence was obtained at a later day, the laws of shivah need NOT be observed.

12. David ben Samuel Halevi, 1586-1667; Lemberg rabbi, author of basic Turo Zahav and the ŠHaCH (Shabbetai ben Meir HaCohen, 1621-1662, author of equally important commentary Sifte Cohen) and other authorities.

13. Eger V, note to Taanit, 13b.

14. Ibid., note to Taanit, 18a.

15. Eger II, #111.

16. Eger I, #169.

17. Eger II, #99: "Apparently this is a very real difficulty and it is our duty to endeavour to find a solution. . . . "

18. Eger V, Ketavim, the very last of the letters.

19. Cf. Eger II, #108, where Eger discussed a difficult passage of Tosaafot and wrote: "I did not see that any commentator mentioned this difficulty." Also, cf. Eger II, #131: "It is indeed surprising that none of his commentators [Rambam] noted this difficulty."

20. P. 27 supra.

21. Isserles, Moses ben Israel (1525-1572), leading scholar of Polish Jewry; wrote notes on Caro's Shulchan Aruch (Mappah) and Bet Yosef (Darche Moshah). His decisions, defending the authenticity of European (ashkenazic) customs against Caro are accepted by the former.

22. Eger I, #99

23. P. 29, supra.

24. Heller, Yom-Tob Lipmann ben Nathan Halevi (1579-1654). Talmudist and poet. Heller is best known for his Mishnah commentary, Tosafot Yom-Tob.

25. Eger I, #180.

FOOTNOTES TO CHAPTER VI (continued)

26. Eger's style betrays many influences of Yiddish, the lingua franca among the talmudists of his day. The phrase quoted is a direct translation from Yiddish, where it would read: die kashe hebt zich nit on.

27. Edels, Samuel Eliezer (1555-1631): Talmudist. His principal work is a comprehensive commentary on the entire Talmud; this work was printed in almost every edition of the Talmud.

28. Eger I, #216.

29. Zion Lenefesh CHaya.

30. Eger II, #122.

31. Eger was very much concerned about any new halachic decision; when he learnt of a novel decision concerning the heating of water in the ritualarium on a Jewish Holiday (Eger I, #17) he immediately wrote to the rabbi who permitted this new practice, protesting this decision on halachic grounds.

32. P.129 , supra.

33. Eger II, #23.

34. Schreiber I, #23.

35. Ibid., #24.

36. Mosheh Teitelbaum, one of the first hasidic leaders in Hungary, was rabbi in Satorja-Ujhely and the author of Yismah Mosheh.

37. Heller, Zebi, Hungarian talmudist, author of Tib Gittin.

38. This Rabbi Schwerin enlisted the support of the fathers of the modern Wissenschaft des Judentums: Z. Fraenkel, Geiger, Jost, etc.; while almost all orthodox rabbis of Hungary and Germany sided with Sofer and the other opponents of Schwerin. Cf. also note in Schreiber I, #23.

39. Gedalyah Lipschitz was a noted talmudist; he was rabbi in Oberaitzko and Chodziesin, where he died in 1804. He was the author of several talmudic works, including Kenesset Yisrael, Hegel Yesharsh, etc.. To him are addressed the following responsa: Eger I, #38, Eger II, #15, #40.

FOOTNOTES TO CHAPTER VI (continued)

40. Yisrael Lipschitz is the recipient of the following responsa of Eger: Eger I, #14, 15, 108.

41. Schreiber I, #31.

42. Ibid. Eger wrote: ". . . indeed I am going to oppose it [i.e., the appointment of young Lipschitz as rabbi] and I will do all I can to prevent it from happening."

43. Schreiber I, #32.

44. Ibid., #33.

45. Ibid., #34.

46. Eger appealed to the leaders of the community to listen to him. "Though I know how unimportant I really am," Eger wrote, "you should listen to me since I have no other interest, but to serve the cause of Heaven. . . " Schreiber I, #36.

47. Ibid.

48. Ibid., #37.

49. Ibid., #38.

50. See note 166, infra.

51. See note 46, supra.

52. Noted talmudist, author of Mishkan Shiloh, Kur Ha-bechinah, etc.

53. Yisroel Landau was the author of Meon Haberochot. Eger's great respect for Landau will be discussed below, p. .

54. Two detailed letters of Eger, one to Rabbi Meir Weyl of Berlin, the other to the Bet Din of Kaempen, are quoted in full in Schreiber II, p. 69a (footnote).

55. In the letter to the Kaempen Bet Din, ibid.

56. In the letter to Weyl (see note 54, supra) Eger writes: "I have really nothing to do with the appointment of a rabbi in Kaempen or elsewhere, but [in the Kaempen dispute] I just could not withhold the personal knowledge I had about young Landau's qualifications.

FOOTNOTES TO CHAPTER VI (continued)

57. Morigen; Eger I, #148.

58. Eger I, #148.

59. Eger I, #189.

60. Eger I, #175.

61. In his writings Eger always referred to his students as his chaverim (friends).

62. Eger VI, p. 83a.

63. Another, humanitarian reason for an elaborate answer on the part of Eger was discussed above, p. 2 ff.

64. Eger II, #12.

65. A further instance of the friction that existed between the German elements in the Jewish community of Posen and the non-naturalized Polish Jews can be found in the booklet dealing with the emancipation of Jews in the Posen province, edited by W.J. Eichhorn, entitled Sammlung der die neue Organisation des Judenwesens im Grossherzogtum Posen betreffenden Gesetze (Collection of the new laws concerning the organization of Jewry in the Grand Duchy of Posen). In the introduction to this book Eichhorn wrote (p. 8ff): "It would be very desirable if our highly placed coreligionists, instead of looking down scornfully on the non-naturalized Israelites, were to attempt to raise the latter to their . . . own level."

66. Eger does not sound too convincing here; it almost seems as if he is actually apologizing for his long answer.

67. With great regularity we find Eger adding a note to a responsum that he had just answered, in which he wrote: "At the present I am greatly worried by a difficult problem in this and this passage," or words to that effect. Cf. Eger I, #75 (end), etc.

68. Eger I, #212.

69. Occasionally we find that Eger is very thrilled on discovering that some idea of his was already anticipated by an earlier scholar - unknown to him. Cf. Eger II, #130, where he learned that his view had already been quoted in the Shittah Mekubbezet of the Jerusalem rabbi Beralel Ashkenazi.

FOOTNOTES TO CHAPTER VI (continued)

70. Eger I, #215-217.

71. Ibid., #217.

72. Cf. p. 17 supra. Eger's great love for his children.

73. It is always rather difficult to ascertain whether a correspondent happenes to be a student of Eger or not, due to Eger's reluctance to designate in writing a student as such; cf. note 61, supra.

But here the correspondent mentioned that he heard a problem from Eger, apparently while a student at the yeshiva.

74. Eger II, #116.

75. Ibid., #111; Shmuel Munk-Schiff was rabbi in Wollstein.

76. Eger I, #181.

77. Eger III, #20.

78. One of the early collection of responsa.

79. The notes of the Wilna Gaon, however, are written in such a cryptic style - they were never intended for publication - that one has to be quite a talmudical scholar in order to understand them.

80. The Drush VeChidush Rabbi Akiba Eger was one of the first Hebrew books reproduced in the United States by photolithography in 1943; since that date countless Hebrew works of all kinds have been reprinted by that method.

81. Eger I, #218.

82. Kasher found the copy with Eger's notes in Berlin. Abraham Eger's son-in-law, N. Bleichrode, published Eger VII in Berlin, 1862, and his descendants apparently lived in that city too.

83. Eger's son Binyamin Wolf (Berlin, Johannesburg) was responsible for its publication. He also arranged for the publication of the Tossefot Rabbi Akiba Eger; moreover, he also arranged for a new printing of the Shulchan Aruch, with the notes of his father. Eger V -

FOOTNOTES TO CHAPTER VI (continued)

84. The edition prepared by Kleichrode also contained Eger's notes in the important work of his friend Rabbi Jacob Lissa-Lorbeerbaum, Chavat Daat.

85. Cf. note 170, infra, for further details about this book.

86. Eger knew he could depend on his son Solomon. In Eger III, #22 the proud father wrote to a questioner: "Thank G-d, I have . . . a learned son . . . the Gaon Solomon . . . and whoever has a question [on any printed work of mine] let him ask my son . . . and he will answer the right way. . . .

87. For being found unworthy of all the epithets.

88. Towards the end of his life Eger apparently decided not to write any other title but "rabbi" in his correspondence. In a letter to the son of his friend Abraham Titkin, Solomon Titkin, successor to his father to the rabbinate of Breslau from the year 1835, Eger wrote: "My friend, recently I have decided . . . not to use any other title but 'rabbi' in my letters. . . . By doing so I also save time and have to write less, which is extremely important to me, on account of the weakness of my hands. . . ." This letter, a copy of an original MS, is quoted in Weitz, op. cit., p. 62.

89. October 12, 1837.

90. In introduction to Orach Chayim, edited by N. H. Kleichrode, Berlin, 1862.

91. See brief note on Edels, #27, supra.

92. Ashkenazi, Zebi Hirsh ben Jacobs (1660-1718). Noted talmudist and widely traveled rabbi; his collection of responsa are very highly thought of for halachic practice.

93. Eisenstadt rabbi; cf. p. 1, supra.

94. Abraham Abele ben Hayyim ha-Levi (Ambraham Gombiner) (1635-1683). Talmudist. His principal work, Magen Avraham, a commentary on the portion Orah Hayyim of Caro's Shulhan Aruh, is considered of the highest authority.

95. Responsa of Moses Isserles; see note 21, supra.

FOOTNOTES TO CHAPTER VI (continued)

96. Cf. note 12, supra.

97. Famous commentary on the Rambam by Yehuda Rosanes.

98. Authoritative commentary on the portion Eben ha-Ezer of the Shulhan Aruh by Samuel ben Shraga Faivish of Videslow.

99. Important 18th century work by Elhanan ben Shmuel Zanvil.

100. The book Shaar Ha-Melec, a comprehensive commentary on the Rambam, was written by the sefardic scholar Moshch Hunis Belmonte, a scion of a famous Spanish-Jewish family. The work was first published in 1771 in Saloniki and its fame soon spread to ashkenazic talmudists. In Eger V, p. hh, in a note to the tractate Bezah, Eger mentioned with gratitude that a scholar loaned him this (apparently) rare book. In another, obviously later passage (Eger III, #1) he wrote that he had the good fortune to acquire the book. In our passage (Eger II, #117) he reported to have found a question that he had raised earlier in this work, and then he quoted from his own notes.

101. The work [illegible] deals with the laws of Passover; its author was Rabbi Jacob Lorbeerbaum-Lissa, Eger's close friend.

102. Nissim b. Reuben Gerondi (RaN), (lived in Barcelona 1310-1380), the foremost halachist of his time. He wrote the standard commentary on the works of Alfasi and on the tractates [illegible] and [illegible]. He also wrote responsa and novellae.

103. In answer to an interesting problem that his son Solomon raised (Eger II, #120), Eger mentioned his own notes on the novellae of the RaN to the tractate of Baba Meziah. In a parenthetical note Abraham Eger wrote: "This [comment on the novellae of the RaN] has already been published in the name of my father and teacher, the author."

104. Thus Eger approved: the Yad Hazakah of the Rambam (Dyhrenfurt 1810); the novellae of the RaN [tractate Baba Meziah] (Dyhrenfurt 1821); Alfasi (Frassburg 1836); Kaftor vaFerach (Berlin 1852). The author of the last mentioned was the Provencal Hatori Parchi

FOOTNOTES TO CHAPTER VI (continued)

(1282-1357), who wrote one of the earliest descriptions of Palestine. The approbation is addressed to Hirsch Edelmann who spent some ten years in England examining manuscripts in the Bodelian library. It was dated 1837.

105. A full list of Eger's approbations is given in Wreschner, op. cit. The only difficulty in that list is the fact that both real endorsements and point-blank refusals are given indiscriminately.

106. Moses J. Heschel.

107. Among the authorities mentioned are: Moses Sofer, Mordekhai Bennet, Jacob Lissa, etc. It is interesting to note that most of these scholars shared Eger's reluctance to endorse formally this new work.

108. Ibid. Even more strongly worded is his refusal to a former student of his, Mordekhai Mikhael Yaffe (for further details about Yaffe, cf. p.38 above). In the latter's work, Sefer Bet Menahem (Krotoschin 1834) there is a letter from Eger in which Eger wrote, in part:

109. Pp.139ff, supra.

110. Chapter I, note #70 , supra.

111. This Arye Leib was the son of the Lissa Dayan Rabbi Moses; he was one of the many talmudical scholars of Lissa who had the name "Leib" (lion) on account of whom Lissa was known as the "lion's den." Cf. Weitz, op. cit., p. 33.

112. A fine example of this encouraging attitude toward the publication of a new work is found in a letter Eger wrote to his son-in-law Moses Sofer (Schreiber I, #17). In it Eger acknowledged the receipt of the manuscript of a super commentary on the Rambam's Mishneh Torah by the noted talmudist Wolf Boskowitz. Eger was very enthusiastic about the great merits of the work and urged its publication very strongly, as a veritable public service. He wrote:

The volume was eventually published by the author's son, Joseph Boskowitz, under the name Seder Mishnah.

FOOTNOTES TO CHAPTER VI (continued)

While declining to give a formal approbation to rabbi Yehuda Leib Karlburg's work, as requested by the latter's relative (Schreiber I, #49) Eger suggested that a small pamphlet of Rabbi Kalburg, containing some material that might be of the greatest importance in combating the trend away from religion, should be published.

This interest of Eger in material likely to strengthen traditional Judaism brings to mind an earlier attempt to secure a book for women who are not well versed in Jewish learning. Cf. p. 111 supra.

113. While originating in Germany the movement of "enlightenment" (Haskalah in modern Hebrew) became and remained a burning issue in Eastern Europe. It hoped to attain full civil rights for the Jews through modernization. The rabbis of Eastern Europe who saw the disintegration of Jewish life in Western Europe under the impact of emancipation, violently opposed the Haskalah movement.

114. Yshak Meir, author of the very popular Hidushe RIM (Reb Yizhak Meir), combined great talmudical erudition with the magnetic personality of a born leader of men. His followers in Poland were counted in tens of thousands.

115. [illegible] Vol. I, Pietrekow, 1928. This book contains sayings of and about Rabbi Yizhak Meir.

While one must exercise the greatest care before accepting all statements at their face value, this particular quotation seems to be authentic, if only because - by implication - it shows the skepticism of Eger towards hassidism.

116. Rabbi Jonathan Eybeschuetz (1690-1764). Talmudist and Cabbalist. He was the head of the famous yeshive in Prague, later he was rabbi in Metz, and since 1750 he was the rabbi of the three communities in Altona, Wandsbeck and Hamburg. Eybeschuetz was the author of numerous important halachic works and also wrote numerous homiletical tracts.

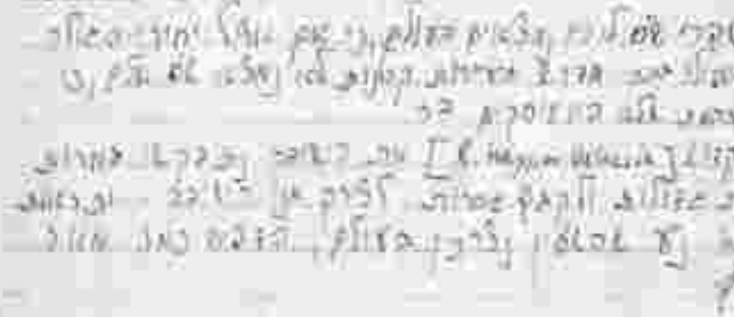
117. Traditional designation of opponent of hassidism.

118. Weitz, op. cit., p. 65.

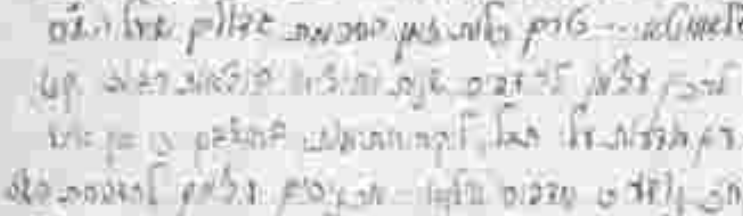
FOOTNOTES TO CHAPTER VI (continued)

120. Founded by the apostate Jacob Frank (1726-1791). The members of the Frankist sect believed that their leader was the reincarnation of all the prophets and messiahs preceding him. In his native Podolia, Frank enjoyed the support of the local bishop in Kamenitz-Podolsk in his fight against traditional Jewish leaders. Eventually Frank and most of his followers embraced Catholicism.

121. Cf. Assaf, op. cit., IV, #149, p. 178ff. Describing the dearth of books in Lithuania before the establishment of the famous yeshiva in Volozhin, the rabbi of Krinik wrote:



122. In the Sefer Meir Ene Hagolah (Pietrekow 1928), vol. I, p. 51, #123, Rabbi Yizhak Meir of Gur, founder of the well-known hassidic dynasty, wrote to Eger in an attempt to influence him in favor of the Slawita printers. After apologizing for daring to address Eger directly in this matter, the Rabbi of Gur wrote:



123. Since the interdict was intended to protect the investment involved in the printing of the Talmud, as soon as all the copies were sold another publisher was permitted to publish a new edition. At that time most of the copies were already sold and Rom offered to buy all remaining copies.

Moses Sofer, op. cit., VI, #57, expressed himself similarly; since only 37 copies of the original Slawita edition are left, let the Vilna publisher buy the copies at full market price and then he may proceed to issue a new edition.

124. Because Eger's own notes on the Talmud - Gilyon Hashas - were printed in the Vilna edition.

FOOTNOTES TO CHAPTER VI (continued)

125. Schreiber I, #43, pp. 44-46.

Here Yosef Shmuel Landau, the rabbi of Kaempen, about whom we have already spoken (pp. 139 supra) hurried to the defense of Eger. In a letter dated February 13, 1836, he wrote: "I want to inform your Honor that last week I wrote to my friend . . . in Vilna in the matter of the Slawita printers, who have greatly offended [illegible] against your Honor and against your son, in order that they retract publicly their words and apologize publicly. . . . If they refuse to I am ready, with my friends the other rabbis of Poland, to call an assembly of the leading rabbis to show the Slawita printers what consequences their impertinence will have. . . . "

126. This letter was put in the 1836 edition of the Vilna Talmud, at the beginning of the tractate Berakhot. It is dated January 5, 1836.

127. Aharon Markus, Hahasidut (Tel Aviv, 1953), p. 186; also M. Weitz, op. cit., pp. 63-65, quotes numerous instances.

128. Markus, op. cit., p. 64, quotes a letter of the famous hassidic leader Rabbi Ber, known among his many Liubawitz admirers as the Mittlerer Rebbe. (He was in between the founder of the movement Shneur Zalman of Ladi, and his illustrious grandson Rabbi Mendel of Liubawitz, author of the collection of responsa Zemah Zedek) in which he describes the cordial welcome he received at the house of Eger.

129. In a very interesting, long letter, written to the rabbi of the Jewish community of Ansbach, dated in the fall of 1831 (Schreiber I, loc. cit., #30, pp. 35-37) Eger wrote about the measures he took to combat the cholera epidemic that had swept over his city. At the end of the letter, after describing many common sense measures that were taken at his advice, not omitting references to prayers especially said during the epidemic, Eger mentioned some peculiar practices that he had come across in an ancient book, and whose efficacy in combatting the epidemic he did not doubt.

[illegible]

130. Vide supra, note #53.

131. Schreiber I, op. cit., #13 and 14, pp. 17-19.

132. Yizhak ben Shelomo Luria (1534-1572), foremost cabbalist and mystic of the 16th century, exerted a most powerful influence on the beliefs and moras of Jews during the following centuries.

FOOTNOTES TO CHAPTER VI (continued)

133. Eger VI, Hilkhot Tefilin, page 6b, section 27-11:

Ibid., p. 14-a; section 125, paragraph 1:

In both instances he therefore accepts the practice of the Ari unquestioningly.

134. Schreiber I, #22, p. 30:

135. Vide supra, Chapter II, p. 40 .

136. Eger I, #151.

137. Ambitious talmudic scholars used to address learned briefs to outstanding authorities. By such correspondence they would gain prestige in the eyes of their fellow students.

138. In another responsum (Eger I, #94) Eger also mentioned this painful disease, which seriously interfered with his correspondence.

139. Eger I, #151 (

140. Ibid., #126.

141. Ibid., end of responsum "[the woman should not have to wait] . . . until the Lord would restore my health. . . ."

142. Eger I, #126. The whole of this responsum, dealing with a complicated case of a conditional bill of divorce, Get Al Tenai (vide supra, Chapter IV, note 82). At the end of the responsum, Eger wrote the lines quoted, and it is typical of his consideration of others that he hastened to send this reply, confirming Solomon's decision, that the woman in question is allowed to remarry, before he had completely recovered from his dangerous attack. He wrote:

143. See Chapter II, pp. 32-37 , supra.

144. Schreiber II, p. 76a, note.

145. Cf. Chapter II, p. 40 , supra.

FOOTNOTES TO CHAPTER VI (continued)

146. We have already referred to Eger's strong devotion to the care and visitation of the sick; vide supra p. 94

147. He prefaced a letter to his correspondent (Eger III, #19) with these words:

At that time his uncle was still living; in the winter of 1803 Eger attended the wedding of a younger daughter of his late uncle, as we already had occasion to mention.

148. Fuld, op. cit. p. v (introduction) wrote that he would be happy to help in any way possible; the young man, a certain Kalman Rotschield from Hamburg, came from an excellent orthodox family and his parents were reputed to be worth more than 100,000 Rheinisch Gulden.

For further information about Fuld, see Chapter V, note 26 , supra.

149. Hirsh Temerschn of Plotsk; the letter is quoted in Weitz, op. cit., p. 61.

150. Eger III, #4; in this letter Eger said:

151. Meir ben Yaacov Schiff (1605-1644) renowned talmudist, rabbi in Fulda and Prague; author of popular commentary on the Talmud.

152. Eger I, #223.

153. Eger V (Derush veChidush) p. 152b, notes to tractate Ketubot, 13a. "I heard from one of the Haberim who study here at the yeshiva."
Eger III, #16: "Immediately after the morning lecture, when the Haberim had just left."
Eger IV, #50: "One of the fraternity [ ] added a further reason."

154. Introduction to Eger I.

155. Eger must have been alluding to the well-known passage in the tractate Taanit (7a) that "while one learns a great deal from one's teachers, more from one's friends - from one's pupils one learns most of all."

FOOTNOTES TO CHAPTER VI (continued)

156. Among others, his opinion was sought by the community of Berlin (Eger I, #110) in the legal aspect of a paternity suit; by the community leaders of Warsaw (Eger I, #116) in an attempt to solve the problem of an agunah; the Beth Din of Kovno (Eger II, #44); and even the rabbi of distant Venice (Meir Gabbai, Eger I, #130) appealed to Eger for help in a difficult problem.

157. The Hebrew translation of Eger's lucid exposition for the requirements of a ritualarium, originally written in German, is in Eger III, #39.

158. See pp. 121, 123 , supra.

159. Schreiber I, #54, pp. 68-71, dated December 17, 1837.

160. Ulrich Frank, Naomi Ehrenfest, in Jahrbuch fuer juedische Geschichte und Literatur (Berlin 1905), vol. VIII, p. 220.

161. "Blessed art Thou, O Lord our G-d, King of the universe, who hast imparted of Thy wisdom to them that revere Thee." This is the traditional blessing recited on seeing a Sage distinguished for his knowledge of the Torah.

162. Eger's love for the land of Israel and his avid interest in all things connected with the return of the Jewish people to the Holy Land is best illustrated by a responsum he sent to his son-in-law, Sofer (Responsa Hatam Sofer, Yoreh Deah, #236).

In 1831 Ibrahim Pasha, whose father Mehmet Ali rebelled against the Sultan, invaded Palestine and Syria from Egypt. He promised the Jewish population of Palestine complete religious freedom, including, apparently, the use of the area near the Omar Mosque (the site of the Beth Hamikdash, Israel's ancient Temple) for worship. Eger was greatly excited by the prospect of restoring - on a limited basis - the ancient sacrificial cult and he raised some halachic points with Sofer. (Cf. Chapter V, note 66, supra.)

163. Zebi Kalischer was the author of the important halachic work, Mornaim Lamishnat; his cousin, Abraham Moshe Kalischer, rabbi of Schneidemuehl, was the first husband of Sarl Eger (p. 34 , supra.)

FOOTNOTES TO CHAPTER VI (continued)

164. We already had occasion to mention that many of the intimate friends and students of Eger shared their master's intense dislike for the rabbinate (supra, p. 33); Kalisher was, in this respect too, a true student of Eger. At first he steadfastly refused the rabbinate of the city of Thorn, where he lived since his marriage. Eventually he agreed to become the rabbi of the town, provided he would not have to accept any remuneration.

165. Kalisher published the book Derishat Zion in which he boldly proclaimed that the way to the ultimate salvation of the Jewish people could only be reached if Jewish masses were to settle in the land of Israel.

These rabbis were prominent in the pre-Herzlian movement, Hoveve Zion.

166. Yissachar Ber, son of Eger's lifelong friend, Noah (supra, Chapter I, note # 64) wrote Hazot Kasheh ( ), in an attempt to answer all difficulties Eger raised.

The well-known Mishnah commentator, Israel Lipshitz, repeatedly endeavours to find a solution for problems Eger raised, in spite of the drawn out conflict between these two scholars (supra pp. 154-155).

167. Hagahot HaGRI (New York 1949) by Jacob Kantorowitz.

168. Samson Raphael Hirsch (1808-1888) was one of the prominent orthodox rabbis in Germany who synthetized traditional Jewish values with European culture. He seceded from the Jewish community in Frankfurt-a-Main, where he was rabbi since 1851, and established his own community, Austrittsgemeinde.

By means of his writings and especially of his own school system, Hirsch succeeded in gaining many adherents to his version of orthodoxy, Torah in Derech Eretz. Traditional Jewry in America and Israel has taken greater interest in his works since they have become available in English and Hebrew translation.

169. As we have shown, Eger wanted the Jewish youth to possess a minimum amount of secular learning and he considered the vigilant attitude of the Prussian Ministry of Education, to see that the laws concerning secular education were strictly enforced, as an act of kindness (supra, Chapter V, note 9).

FOOTNOTES TO CHAPTER VI (continued)

170. In the introduction to the commentary Kapot Temarim, with notes by Eger (cf. supra, the printed works of Eger, p. 146) two rabbis, Shmuel Kanvill Kleofisch and Yizhak Hacohen Feigenbaum, both stress the great value of Eger's notes.

An annotated copy of the work, with the notes of Eger in the margin of the book, was put at the disposal of the printer, and both rabbis confirmed that the style of the notes carry the hallmark of Eger. Moreover, the publisher is willing to show any critical reader the original handwriting of Eger.

171. In the summer of 1836, after attending the wedding of his son in Vishkova, near Vilna, Eger received a letter from the leaders of the "Lithuanian Jerusalem" (as Vilna was affectionately known in those days) to accept the rabbinate of Vilna. The letter is written with all the urgency that the men of Vilna, spiritual heirs of that other great scholar-saint, the Gaon of Vilna, could muster. By that time, however, Eger was too old and weak to contemplate a change of position.

172. Dr. Wreschner's biography of Eger is subtitled: Deutschland's letzter Gaon; in the January number of the 1931 edition of the Hungarian-Jewish monthly Mult es Jovo (Past and Future) Dr. Aladar Furst published a short biographical sketch under the same title.

APPENDIX

EXCURSUS

EGER'S RESPONSA AS A SOURCE FOR THE MORAL, SOCIAL, AND ECONOMIC CONDITIONS OF HIS TIME

Moral Conditions

Among the practical questions addressed to Eger were many that reflected on the moral conditions of his time. Through them there is painted for us a clear picture of the mores and morals of Germany's Jews in the first three decades of the nineteenth century.

Before attempting to draw any conclusions about these conditions, however, it should be borne in mind that the situations mirrored in the responsa were by no means the norm. Questions of the kind we examined were sent to a rabbi only if there had been an infringement of the law. It must not be assumed, however, that because several of these responsa indicate marital infidelity, all married women had their paramours, or that all or even most single girls had premarital affairs. Nevertheless, if the incidence of responsa dealing with the loose morals of the young is heavy, we are justified in surmising that the moral fiber of that area (or community) was not too sound.

In the writings of Eger examined, in which practical questions of the nature under discussion occur (the four volumes of responsa, correspondence in the Igrot Sofrim [Schreiber I], responsa at the end of the volume of novellae Derush veHiddush [Eger V]), no fewer than fifteen

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cases involving pregnancy of single girls, and related problems, are recorded.[1] In some of these cases Eger referred to the young woman in question as zonah זונה, a harlot, implying that she was a person who was promiscuously loud, probably a prostitute.[2] In the majority of the cases, however, Eger referred to her simply as "an unmarried woman who became pregnant[3] אשה מעוברת, or as "an unmarried woman who became pregnant as the result of an illicit affair[4] אשה מעוברת מזנות.

Bearing in mind that up to the beginning of that century Jewish girls were known for their modest conduct; realizing also that not all pre-marital relationships resulted in pregnancy (and that even where it did, an attempt was made by all parties concerned to hush the matter up so as to protect the good name of the girl) and thereby raised problems that had to be brought to the attention of a rabbi (in search of a solution to such problems as: the eligibility of an unwed mother to marry a Cohen;[5] the establishing of paternity in cases where the father was unable to or unwilling to marry the unwed mother), one is forced to conclude that a rapid decline of decency and a breakdown of established morality must have overtaken the Jewish youth of that time.

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[1] By comparison, there are only fifteen questions dealing with such cases as kasher or tersepha (meat that is ritually permissible or not).

[2] Eger II, #46, 54.

[3] Eger II, #38.

[4] Eger I, #91, et al.

[5] A Cohen was not allowed to wed a harlot.

This assumption is borne out by Eger himself in a letter to his friend Yaakov Lorbeerbaum, rabbi of Lissa. In that letter (Schreiber I, #62) Eger asked the advice of his friend in a difficult problem: For some years past he had refused to allow any nursing mother (widowed or divorced) to remarry until her child reached the age of two. He based his decision on the talmudic prohibition against marrying the nursing mother [illegible] of another man's child.[6] An orphan girl from a prominent Posen family was engaged to be married, but before the wedding took place she was found to be pregnant. As soon as her child was born she entrusted its care to a nurse and made preparationsto hold her wedding at the earliest opportunity, her fiance agreeing to proceed with the marriage despite what had happened.

This girl was entitled to some money from the estate of a departed relative, and unless the marriage were performed in the very near future, she would lose that inheritance which, as an orphan, she could ill afford. This, then, was Eger's dilemma: up to that time he had steadfastly refused to sanction a marriage under similar circumstances before the child was two years old, because, as he said:[7]

> . . . unfortunately [having an illegitimate child] is no longer considered a shameful affair in this province and the only whip I have over them is that they [the illegitimate mothers] would have to wait in remorse and shame for two years before being permitted to

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[6]This talmudic prohibition was designed to protect the interest of the nursing child, for whose continued welfare reasonable doubt was entertained.

[7]Schreiber I, ibid.

> marry. Because of this they do not indulge [in promiscuity] . . . if this last barrier were broken and marriage be made easy for them, immorality would greatly increase.

Illegitimate children, or rather unwed mothers, are but part of the picture that emerges from a study of the responsa. There are also ten instances where married women were suspected of or admitted to having been unfaithful to their husbands. In the second chapter of this dissertation (pp. 24-29) we mentioned one such case, where Eger successfully protected the child born of such a suspect mother from the stigma of bastardy. In at least one case,[8] a married woman openly admitted her marital infidelity and demanded a divorce from her reluctant husband. Significantly, this case occurred in Berlin where the breakdown in morals was, presumably, more rapid than in the smaller provincial centers.

Several cases[9] involving mock marriages - where a man in a jocular mood would put a ring on the hand of a girl, pronouncing the wedding vows in the presence of witnesses - also indicate with what levity the subject of marriage was treated by the youth of the time.

Some of these responsa indicate that Jewish women were free with their favors even to Gentiles; in a previous chapter[10] we had occasion to quote instances where Gentile

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[8] Eger V, letter #15 (p. 181).

[9] Eger I, #96, 97. Eger II, #55.

[10] Chapter III, pp. 54 ff

girls had affairs with Jewish men. There is at least one example[11] of a woman who kept company with Gentile friends, who was suspected by her husband of having strayed from the path of virtue.

In another case, the possibility of ultimate defection from Judaism cannot be ruled out:[12] a young girl secretly left the house of her parents with a Gentile boy friend and remained in a convent[13] for a week before turning to her parental home.

Only by remembering that the early part of the nineteenth century was a period of great upheaval can we understand this wholesale surrender of traditional Jewish standards of modesty. The emergence of the Jews from their ghettos[14] and their sudden meeting - without adequate guidance or preparation - with new conditions, led to the abandonment of the old standards by the youth, without replacement by new ones. Within the confines of the Jewish quarters people lived under the constant and close surveillance of their neighbors and friends. This and the vital authority of the autonomous, all powerful Beth Din ensured conformity with Jewish standards. When suspicion was cast on someone, an announcement would be made in the

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[11] Eger III, #19.

[12] Eger II, #52.

[13] This is my interpretation of the otherwise cryptic...

[14] Cf. reference to the devastating ghetto fire in Posen (1803) after which date Jews first began to live in hitherto exclusively Gentile sections of the city, Chapter III, p. 45 .

synagogue, urging all persons who possessed any knowledge of alleged misconduct to come forward and testify. Thus, in the famous case of Zlotowe[15] at least one witness testified because, as he put it:[16]

> I heard the proclamation in the synagogue that any person who had knowledge of any immoral practice of the . . . woman's should step forward and testify.

Sometimes the Beth Din would take preventive action, as in the case of a man who was suspected of having had an illicit relationship with his stepdaughter.[17] Here the daughter was forcibly removed from her home, by order of the Beth Din.[18]

But once Jews resided outside the walls of their ghetto this kind of supervision was no longer feasible and its absence may well have been a contributory factor in the weakening of the moral climate observed.

As was pointed out earlier, not all the evidence from the responsa indicates a low moral standard of the young girls of the period. We also have the case[19] of an engaged girl who is determined to break off her engagement because her fiance is rumored to have had an affair with another girl.

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[15] Chapter II, supra, pp.[illegible]
[16] Eger I, #99.
[17] Ibid., #121.
[18] [illegible]
[19] Eger II, #77.

Social Conditions

On a different plane, but also indicative of the changed attitude towards traditional Jewish practices, was the apparent reluctance of married women to follow the practice of immersing in the ritualarium after their monthly menses. In the first volume of the responsa there are two cases that deal with the problems of the ritualarium: #17 and #114. In both cases the women were suspected either of not having gone to a cold Mikvah or to have openly refused to visit one that was not heated.[20] We read[21] of Eger's approval of the use of a heating device in the Mikvah. It was, no doubt, the insistence of the more emancipated women, who refused to frequent the cold Mikvah their mothers had put up with in the past, that forced Eger and the other rabbis to sanction this innovation which, as Eger pointed out, was in vogue throughout Poland.

Interesting glimpses of social conditions are also obtained from our study. The payment, or rather the non-payment of the traditional dowry looms as an important issue. We read of a case where the bride brought to her groom the impressive sum of 1500 Rt. (Eger II, #84). The figure of 1000 also occurs (Eger II, #70). Eger himself received the sum of 538 Gulden Adomim (one adom corresponded

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[20]The day of her monthly visit occurred on a Jewish holiday, when there was some discussion whether or not it was permissible to heat the water.

[21]Chapter V, p. 44 supra.

to 3 RTs) on the occasion of his first marriage;[22] in addition, a further 500 gold pieces (zehuvim) were promised to him as his share in his father-in-law's eventual inheritance[23] נכסים שבגו . This custom of a promise of a financial settlement to a married daughter after the death of her father (according to Jewish Law, a daughter is not entitled to a share of the inheritance per se, if there are surviving sons) is also attested to in the responsa (Eger II, #66).

In order to form an idea of the comparative value of the sums involved, it might be of interest to mention a letter written by Eger, attempting to arrange a match for one of his daughters (Eger III, #43). In it, he assured his correspondent that his daughter had a dowry of about 800 Rt., which sum, however, he deemed insufficient for the support of the young couple.[24] In the fall of 1812, when Eger's widowed daughter Sarl married Moses Sofer in Eisenstadt, she had a dowry of 1200 gold pieces.[25]

That a failure to pay the stipulated dowry sometimes led to difficulties is not surprising; in at least one

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[22] Cf. note 17 , Chapter I, supra.

[23] According to an entry in the Lissa Pinkas, quoted by Weitz, op. cit., p. 42ff.

[24] Eger anticipated that his future son-in-law would devote all his time to the study of the Talmud, for at least the beginning of his married life.

[25] 1 RT - 6 gold pieces; extract of marriage document - Schreiber II, p. 23a (note).

instance (Eger II, #65) the disillusioned husband contemplated divorce as a result of such non-payment. On the other hand, we have the example of a young man who, realizing the financial straits of his future father-in-law, loaned him the dowry as an investment (Eger IV, #47).

Instead of the dowry, or at times in addition to it, the brides would bring valuable gold and silver vessels into their marriage. These precious objects, although given to the husband, remained the inalienable property of the wife, according to a ruling of Rabbi Abraham Mosheh Kalischer, Eger's son-in-law. In the winter of the year 1808 a case came up before him in Schneidemuehl (Pila) as to whether a totally impoverished husband was entitled to sell the silverware his wife had brought with her in lieu of the traditional dowry. After a careful analysis of the opinions of early and late authorities, Kalischer decided in the negative; he submitted his decision for the approval of his father-in-law and Eger wholeheartedly concurred with the opinion of his son-in-law (Eger II, #95).

A groom would also make gifts of rings and other jewelry to his fiancee, and there is at least one responsum with an almost modern echo, where it is reported that

> . . . in the manner of Jewish daughters [they like] to show off their glory [saying] this or that present I received from my fiance.

It is an interesting commentary on the conditions of the time that the local rabbi, under whose guidance a marriage document was drafted, laid claim to a certain

percentage of the stipulated dowry. Eger's contracts with both the Friedland and Posen communities contained clauses to that effect. (Cf. Schreiber I, #3, clause #5; #9, clause #5.)

Economic Conditions

Some of the responsa indicate that women owned real estate (Eger II, #91) and carried on a business of their own (Eger I, #126), at times in successful competition with their husband's family (ibid.). There are only a few responsa that throw light on the economic aspect of the Jewish population. The majority of the Jews were engaged in business. This we know from the impassioned appeal Eger sent in the year 1832 to the leading Jewish communities of Western Europe (Hamburg, London, Rotterdam, etc.) after the cholera epidemic that engulfed Central and Eastern Europe in that year had brought commercial transactions between Prussia and its hinterland, Poland, to a standstill (Schreiber I, #64). Eger wrote:

> . . . for 9 months now all commerce between us and them (Poland) . . . has stopped . . . and thereby the staff of our sustenance is broken, because on it [commerce] we lived.

In another letter of the same period (Schreiber I, #30), Eger described vividly the impoverishment that had overtaken the Jewish merchants, craftsmen, and peddlers as a result of the spreading epidemic.

These are some of the trades mentioned in the responsa:

wool and animal hair traders (Eger I, #52), banker (Eger IV, #3), dried fruits (Eger I, #134), wine merchants (Eger I, #140), milk merchants (Eger II, #35) and bookbinders (Eger II, #75). Sometimes there is evidence of partnership with Gentiles, as in the case of the famous printing establishment at Dyhrenfurt.[26] The owners had undertaken a new edition of the well-known Roedelheim Holiday Prayer book (Mahazor) and had invested borrowed capital, including that of Gentiles, as a historically interesting letter of Eger reveals.

The case of a Jewish farmer, engaged in the lucrative business of raising pigs (against the spirit and the letter of the Jewish Law) in conjunction with a Gentile partner (Eger II, #32), is also mentioned.

A fascinating picture of Jewish participation in the incipient industrial development of the 1820's is obtained from a question addressed to Eger about a textile factory in Kalisz.[27] The Jewish factory owner found it difficult to maintain a six-day week schedule with his predominantly Gentile workers; the latter would not permanently work on Sunday, and the question of operating the factory on the Jewish Sabbath, with the safeguards of religious requirements, was raised.

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[26]The original owners of the press, the Brothers May, were close friends of Eger. Cf. Chapter II, p. 37 supra.

[27]Hemdat Sholom Orah Hayyim #9.

THE STATUS OF THE JEWISH TEACHER

Government Intervenes to Regulate Abuses

Circular of school-ministry to all district school authorities concerning the employment of Jewish school teachers.

Berlin, April 29, 1827
School Ministry

v. Allenstein

The original of this document was drawn up by the Stettin authorities and sent to the schools-authorities of their district.

(a)

To prevent the frequent dismissal of teachers and the arbitrary procedure practiced in connection with their employment, the following instructions are given:

1. No teacher be employed by a Jewish community who did not receive our official confirmation and permission.

2. The Jewish community must send their application to the magistrates of the city enclosing:
   (a) evidence of teacher's citizenship;
   (b) a life-history, written in German by the teacher;
   (c) documents and diplomas about teacher's education and especially preparation for teaching;
   (d) attestations as to his character by local authorities and the Jewish community;
   (e) document of appointment
   (f) salary and other income.

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4. Once accepted by us [the school authorities] the community must make a written contract with the candidate and submit it for our approval.

5. This candidate can at first only be employed temporarily for one or two years. He can only be employed permanently if both the Jewish and local authorities are convinced of his abilities; we reserve the right to confirm his immediate permanent employment or demand an additional examination, at the end of the above period.

6. The community has no right to dismiss the teacher arbitrarily either before or after the termination of his contract, but must give us notice of their intention to dismiss the teacher so that we may examine and decide the issue.

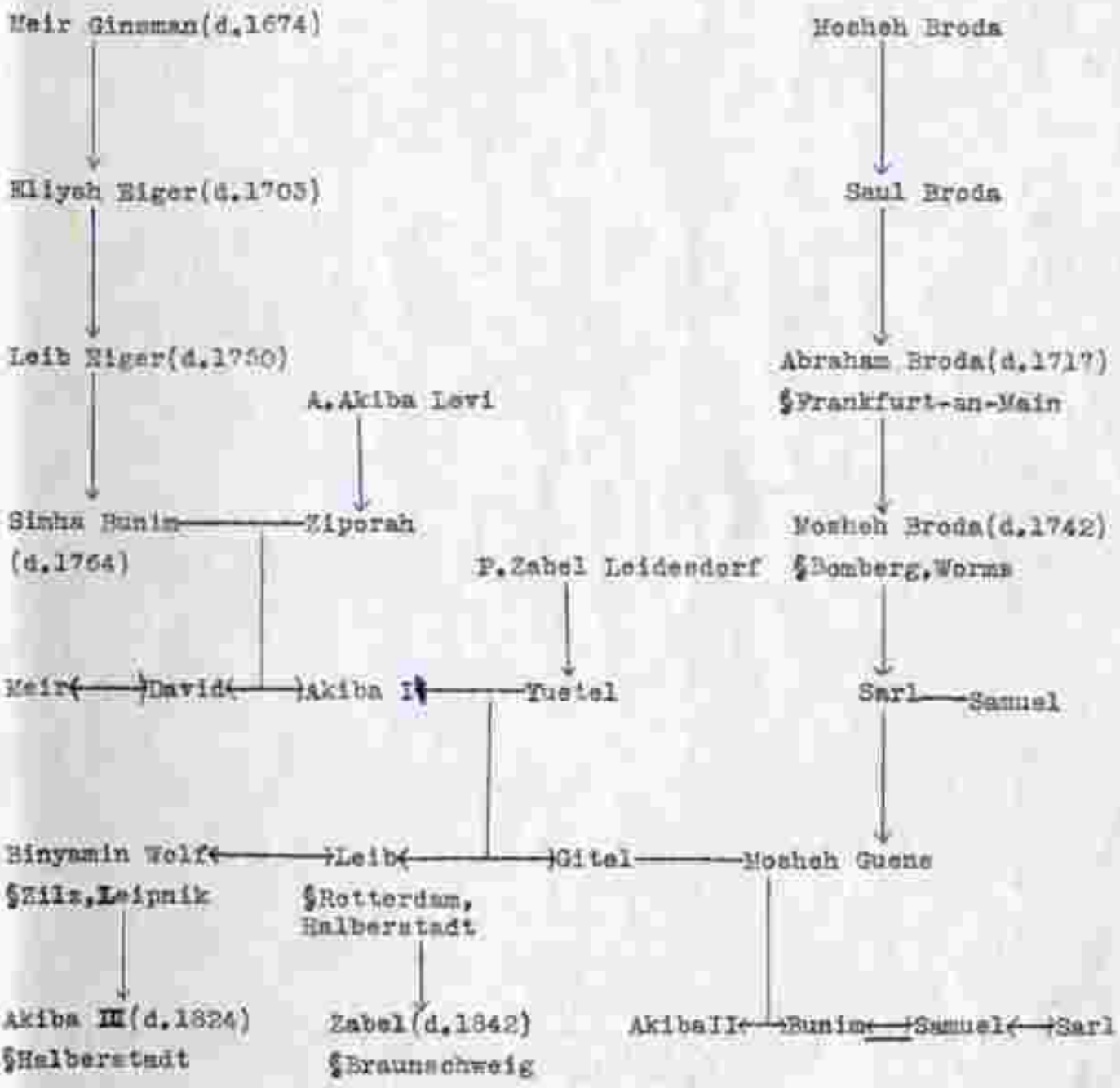
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8. Teachers can only be dismissed at Easter (Passover) and Michaelmas [September 29 - Jewish New Year] after they have received notice in writing at least three months before the appointed time, stating reasons for dismissal, unless the now vacated positions can be filled earlier.

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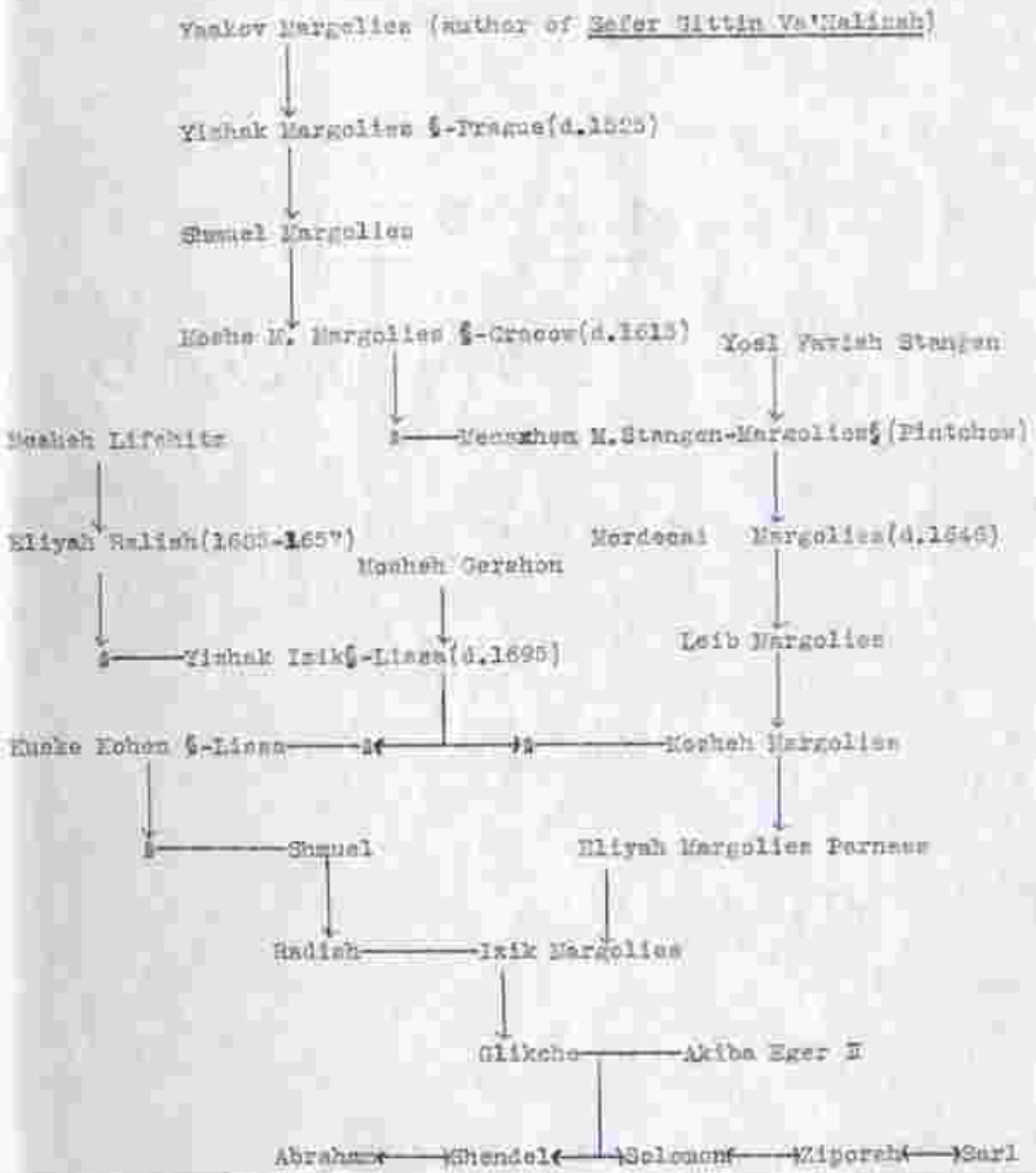
12. The above instructions apply also to the teachers, who will only give Jewish religious instruction [auch auf die ausschliesslich fuer den juedischen Religionsunterricht zu bestellenden Lehrer].

Genealogy of Akiba Eger II.



§:denotes'rabbi in'.
d.:denotes'died'.

Genealogy of Isik Margolies(based on Weiss,Ateret Tor)



§:denotes 'daughter';:denotes'rabbi in';d.:denotes'died'.

כתב הקנין של מנקס עיר ליטאו.

היום יום ד' ניסן תקל"ו לפ"ק קיתה לפנ"מ[1] התחובה של [illegible][2] רבי עקיבא בן מורנו הרב רבי משה נר"ו[3] מאיזנ-משאש והכלם הבחולה בלילקני שתי'[4] בה הגביד מורנו הרב ר' איצק הרגם בר"מ[5] ז"ל[6], התחן עשה יפ"ב[7] על מנסמה כתובה מסך שמנה מאות ושבעה אלונים מעעני מושקלים וגם עשה ק"ס על שטר בטחון להשיג שטר חליצה בחנם מאחיו הקטנים ואשר יולדו לאביו גרו[8] והגביד מ' איצק הרגם ושמע מ' וארייש שתי' עשו קס"ג באונ"ב[9] ליתן לבתם גלילקני הנ"ל[10] לתלמידן ולצ"ע[11] בית תורף מיוחר בביתו עם שטובין קאסיר וביד לה ולזרעה וז"ל[12] אחריה דוקא באופן שלא תסוב חלק הנחלה הנ"ל להבעל בשום ענין רק אחריה ואחר ז"ל תסוב לפ' איצק ז"ל[13]. כפ עשה מ' איצק ק"ס ליתן להדוב כזונות על שלחנו בחנם משך ארבעה ל"ז שנים דצוותה אי"ה[14] ולהשלים להחנך הנ"ל מה שהחייב בתנאים ראשונים[15] ליתן לו מתנות וספרים כסך מאה וחמשים אדומים שפעני',וגם עשה ק"ס על שטחת"ז[16] לבתו הנ"ל ז"ל[17] מסת אלף זהובים עולגיש כנהוג. ונעשה בשגרנו בית"ס מהצדדים הנ"ל בחבנו ונחתמנו לעדות ולראיה

יום ד' הנ"ל

הק'[18] שלמה במוהר"ר זצ"ל[19] שטש דבד"צ[20] וגאסן סליסא

וגאי[21] הק' בארי בהמצ"ן[22] וצ"ל סליסא

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1. לסדר סדר. 2. שאם ימות יתנו בלי דופי יתנו האחים חליצה בחנם. 3. בחורים סדלקי חודה נתן לתם אך תואר מחבר ואחרי תנשואין תואר "סורנו הרב". 4. שחתיה. 5. נרו ושרר וישבע. 6. ז"ל ר' צליח ברנם. 7. זכרונו לברכה. 8. זקיל סדר גמור. 9. באופן הברור. 10 הנזכר למעלה. 11. ולצמיתות עולם. 12 וזרע זרעה. 13. ויורשיה אחריה. 14 אם ירצה ח"ו. 15. מתנאים שנכתבו בעת קשר השידוך. 16. שטר חצי חלק זכר. 17 ויתנאי חליצה. 18. הקטן. 19. זכר צדיק לברכה 20. דבי"ת ר' בורש. 21. ונאמנו. 22. בן חרב מ' איצק ונאמן

BIBLIOGRAPHY

Bloch, Philip. "Die ersten Cultur Bestrebungen der juedischen Gemeinde in der Provinz Posen unter preussischer Herrschaft," Jubelschrift zum 70 ten Geburtstag des Professor H. Graetz. Breslau, 1887.

Brann, M. "Geschichte des Landrabbinats in Schlesien," Jubelschrift zum 70ten Geburtstag des Professor H. Graetz. Breslau, 1887.

Ehrentheil, M. Juedische Charakterbilder (Rabbi Akiba Eger). Pest, 1867.

Eichhorn, W. J. Sammlung der die neue Organisation der Juden im Grossherzogtum Posen betreffenden Gesetze. Posen, 1834.

Eiger, Jacob Moses (Akiba).
1. "Rede . . . zur Beachtung bei der repraesentantenwahl der Israelitischen Gemeinde zu Posen."
2. Opfer des Dankes - Predigt . . . gehalten am Tage der Einfuehrung der Repraesentanten am 2 ten April, 1834. Bound together with Der Jude by Gabriel Riesser, Altona, 1835. (In the Library of the Jewish Theological Seminary of America.)

Frank, Ulrich. "Naemi Ehrenfest," Jahrbuch fuer juedische Geschichte und Literatuer. Vol. VIII. Berlin, 1905.

Freund, Isaar. Die Emanzipation der Juden in Preussen. Berlin, 1912.

_____. "Staat, Kirche und Judentum in Preussen," Jahrbuch fuer juedische Geschichte und Literatur. Vol. XIV. Berlin, 1911.

Friedlander, David. Verbesserung der Israeliten im Koenigreich Ehlen. Berlin, 1819.

Geiger, Abraham. Der Hamburger Tempelstreit, eine Zeitfrage. Breslau, 1842.

Geiger, Ludwig. Geschichte der Juden in Berlin, Vols. I, II. Berlin, 1872.

Graetz, Heinrich. Geschichte der Juden, Vol. II, Leipzig, 1870.

Heinemann, J. Sammlung der die Juden in den Preussischen Staaten betreffenden Gesetze (nebst Nachtrag). Berlin, 1835. Second edition, Breslau, 1839.

Heppner - Herzberg. Aus Vergangenheit und Gegenwart der Juden in Posener Landen. "Posen," "Bromberg." Koshmin-Bromberg, 1904-1908.

Herz, Marcus. Ueber die fruehe Beerdigung der Juden. 2nd ed. Berlin, 1788.

Hoexter, Julius. Quellenbuch zur juedischen Geschichte und Literatur, Frankfurt-a-Main, 1930.

Jost, J. M. Allgemeine Geschichte des juedischen Volkes. 2nd ed., Leipzig, 1850.

_____. Geschichte des Judentums und seiner Sekten. Vol. XIII, Leipzig, 1859.

Kaempf, S. J. Biographie des Herrn Akiba Eger. Lissa, 1838.

Kletke, M.G. Organisation des Juden-Wesens im Grossherzogtum Posen. Berlin, 1843.

Lazarus, Moritz. Treu und Frei. Leipzig, 1887.

Lewin, Louis. "Aus den Juedischen Kulturkampf," Jahrbuch Ges. XII.

_____. Geschichte der Juden in Lissa. Pinne, 1904.

Lewyson, S. Vollstaendige Biographie des Rabbi Akiba Eger. Posen, 1884.

Lippman, N. Leben und Wirken des David Caro. Glogau, 1860.

Perles, S. Geschichte der Juden in Posen. Breslau, 1865.

Plessner, Solomon. Nachgelassene Schriften von. Edited by Elias Plessner. Breslau, 1897.

_____. Wort zu Seiner Zeit: Autoritaet der juedischen Traditionslehre. Second Edition, Breslau, 1850.

Steinschneider, Moritz. "Gesammelte Schriften," Ginz, pp. 26-29. Berlin, 1925.

Wachstein, Bernhard. Urkunden zur Geschichte der Juden in Eisenstadt. Wien, 1926.

_____. Die Inschriften des alten Juden Friedhofs in Eisenstadt. Wien, 1917.

_____. Grabschriften des alten Juden Friedhofs in Eisenstadt. Wien, 1922.

Wreschner, Leopold. Rabbi Akiba Eger. Frankfurt-a-Main, 1906.

HEBREW BIBLIOGRAPHY (PART II)

PRINTED IN.	AUTHOR .	
Breslau, 1836.	Landau, J.S.	
Pietrekov, 1912.		
Berlin, 1851.	Estori Farchi, edited by Edelmann, Hirsch.	
Vienna, 1833.	Edited by Goldenberg, Samuel J. Reggio's article on Two Letters by Wessely, Hartwig	
Pietrekov, 1928.		
	Birnbaum, Hayyim Shemuel.	
	Bolmonti, Mosheh Nunis, by	
Tel Aviv, 1926. Jerusalem, 1953.	Assaf, Simha	
New York, 1947. (Shulsinger ed.)		
Fuerth, 1781.	Eger, Akiba (Senior)	
Kalisz, 1938.	Weitz, Mordechai.	
Dyhrenfurt, 1820.	Titkin, Abraham.	
Cracow, 1891.	------, --------.	
Warsaw, 1875.	Schriftgiesser, N.	
Jerusalem, 1938.	Gottesdiener, A.	
Warsaw, 1811.		
Dyhrenfurt, 1819.		
Jerusalem, 1947.	Eger, Akiba. (edited by Greinemann, D.)	
New York, 1952. (Daas Publication; reprint)	----, -----	
Warsaw, 1922.	Posner, Shelomo, Z.	
Vienna, 1878	Sofer (Schreiber), Moses.	

HEBREW BIBLIOGRAPHY (PART III)

Printed in.	AUTHOR • - המחבר	הספר
Hamburg, 1852.	Jaffe, Mordechai, M.	מו"ח מהר"ם יפה, ספר
Cracow, 1902. (third edition)	אליעזר בן אריה ליב	—— שמן רוקח, חלק ג
Josefow, 1867.	Zamosc, Zebi, Hirsh.	—— תפארת צבי, ספר על ח' אבן העזר
Warsaw, 1882.	Walden, Aharon.	שם הגדולים חדש, ספר
Jerusalem, 1950.	Maimon (Fischman)Y.L.	שרי המאה, חלק א
Warsaw, 1830.	נח בן שמעון כליפא	תולדות נח, ספר
New York, 1948. (Daas Publication; reprint)	Eger, Akiba.	תשובות רבי עקיבא איגר (כולל חלק א מספר תפסיקים וחלק א מן ספר הפתקים)
Vienna, 1869.	Eger, Akiba (edited by Karo, Isaac)	תשובות רבי עקיבא איגר מהדורא תנינא