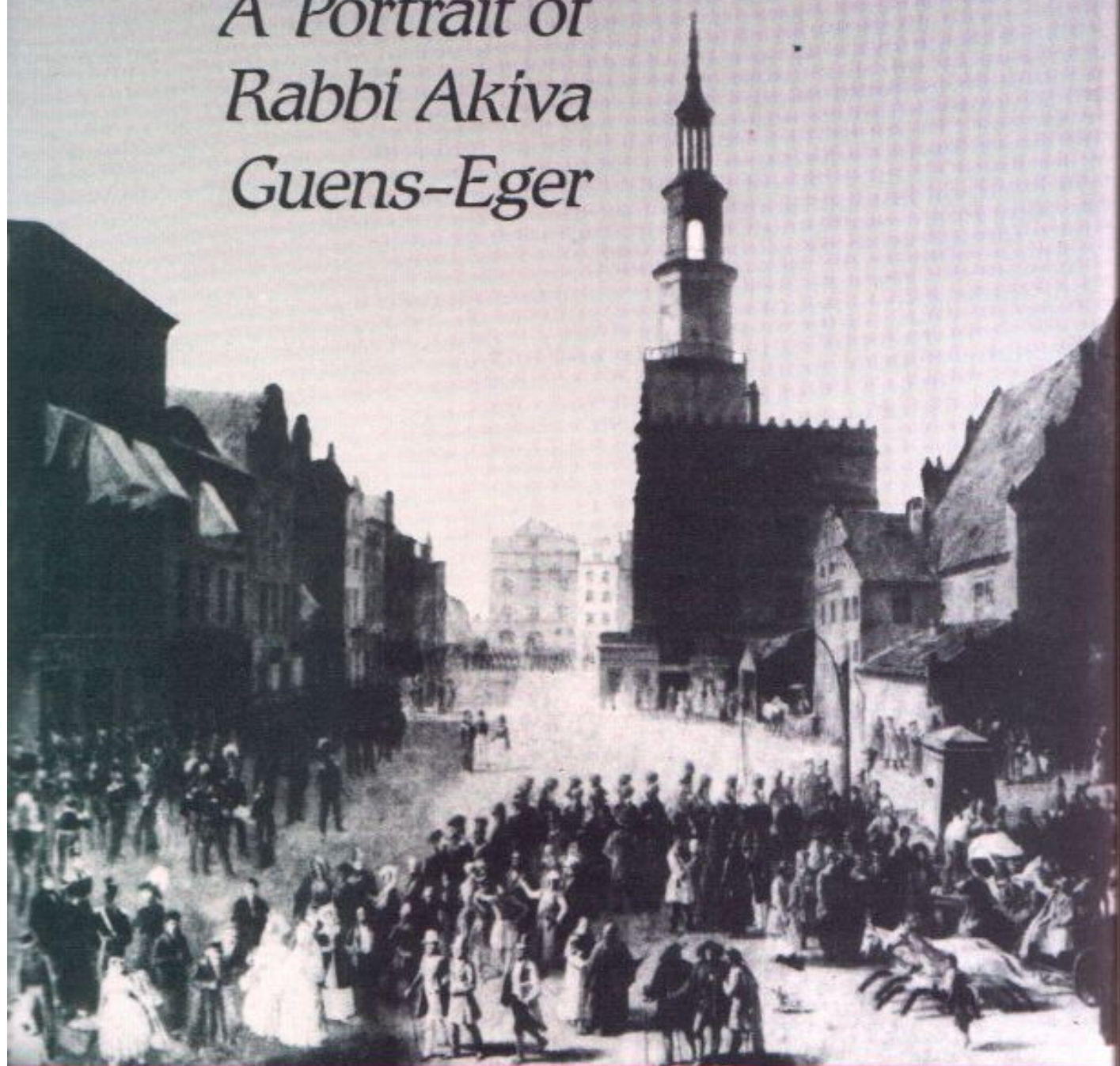


THE GAON of POSEN

*A Portrait of
Rabbi Akiva
Guens-Eger*



Jacob H. Sinason

Another charitable effort of R. Akiva, albeit one that caused him much anguish, was the establishment of the Latz foundation. Since the fire that swept through Posen in 1803, the Jewish community was without a hospital. Furthermore, the Beth Hamedrash could no longer accommodate the growing number of pupils, who flocked to sit at the Gaon's feet. With that in mind, R. Akiva induced a wealthy and pious member of the community, by name of Salomon Benjamin Latz, to set aside a legacy of 6000 Taler for the purpose of building a hospital and a Beth Hamedrash. In his last will and testament, Latz stipulated expressly that on account of R. Akiva's integrity, saintliness and understanding, he left it entirely to the Rav to decide on the details of the building, furnishing and administration, with the proviso, that two thirds of the legacy was to be spent on the hospital. Furthermore, Latz, who was not on the best of terms with the lay-leaders of the community, stipulated that the Posen community was to have no say in the administration of the

Kippur and anyone who felt even slightly unwell, was to consult them. This regulation concluded with the following severe words of warning against trespass of regulations: והעובר על זה מתחייב בנפשו הוא ולא בנפשו בלבד כי יכול להיות על נפשו ועל נפשות אחרות ונוסף לזה ביום תקלה על ידו ח"ו לנפשות אחרות וסופו עתיד ליתן דין על נפשו ועל נפשות אחרות ונוסף לזה ביום הקדוש הזה שיוהר בעצמו מהעברה הגדולה הזאת שהיא בכלל שפיכת דמים ביום הקדוש ח"ו (וורעשנר).

Due to the many mourners for the victims of the plague in 1832, the Kaddish was permitted to be recited by all mourners in unison. Later, this joint recitation was permitted only for the Kaddish after the Olainu prayer. This arrangement remained Minhag Posen until about 1900.

The Kemi'oth-amulets which RAE issued during the cholera epidemic were even in demand by gentile innkeepers, who claimed the protection of the Posener Rav's Kemi'oth in their press advertisements, in order to put their clientele at ease. There is some doubt whether these Kemi'oth were of cabalistic content or whether they contained verses from the Torah. RAE layed much stress on the prevention of despondency during the plague and the Kemi'oth may have been given as a means of encouragement. In a letter to his disciple, R. Eliyahu Gutmacher, Rav of Graetz, regarding preventive measures against the plague, RAE writes: שלא לדאוג ולהרחיק כל מיני עצבות (אגרות ס' כ"ט). Also the fact that RAE wrote on at least two occasions to R. Yisroel Yonah, Rav of Kempen, for a Kemi'ah for sick people, suggests, that he himself did not write Kemi'oth.

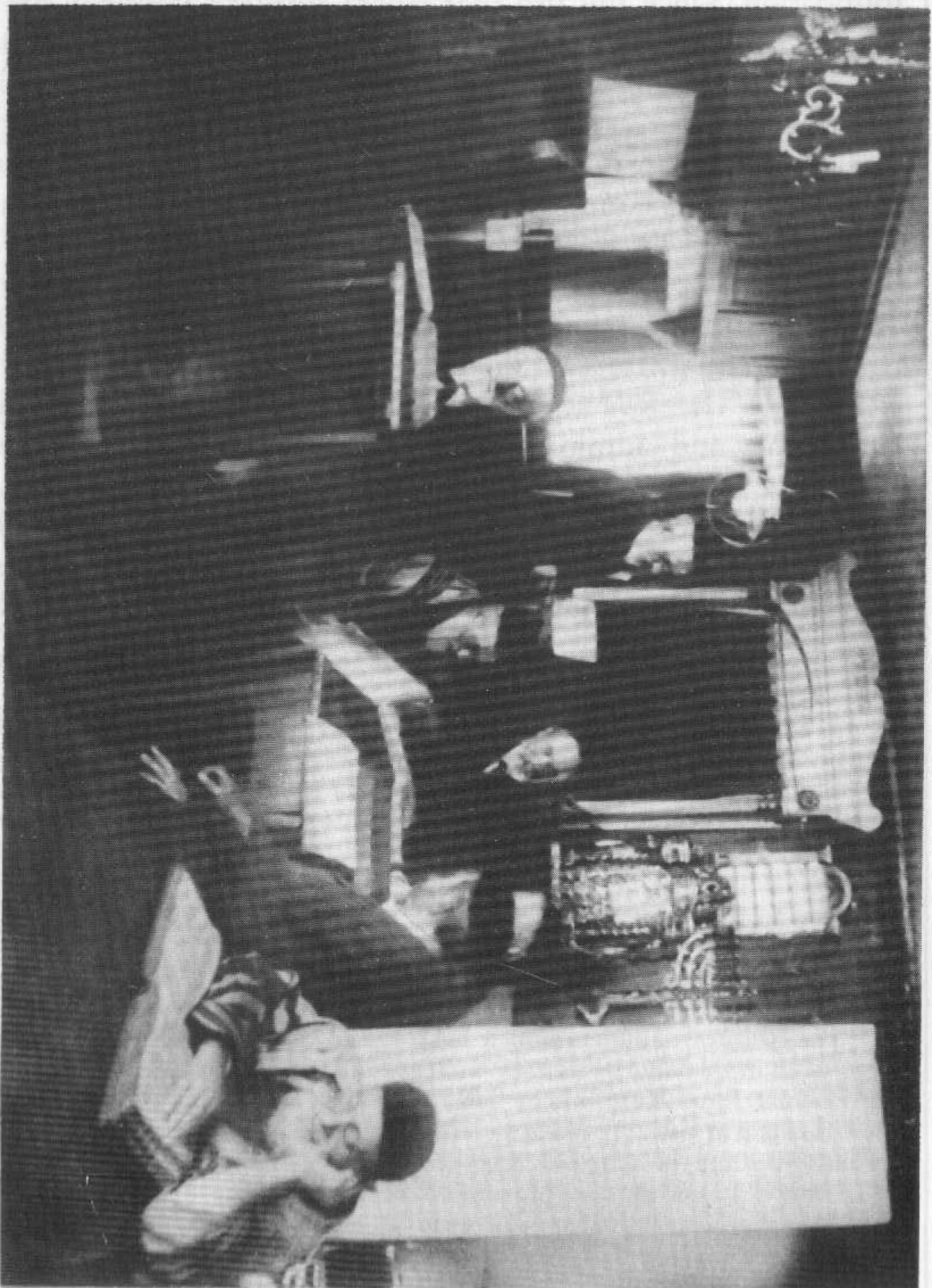
institution and no precedence for the admission of its own members into the hospital.

When Latz died in 1829, R. Akiva received the promised legacy and in addition another 550 Taler from the children of the deceased. The building was erected in the Teichgasse and furnished according to the instructions of R. Akiva. The hospital, which was called Beth Shlomo, in memory of the generous donor, soon began to serve the sick of the entire province.

In 1835, the management of the Posen community, encouraged by a government law which entitled every Jewish community to supervise charitable institutions in its region, filed a claim for the control of the Latz hospital. When R. Akiva insisted on continuing to administer the hospital according to Salomon Latz's last will and testament, which meant rejection of communal supervision, they accused R. Akiva before the authorities of mismanagement and demanded also the right of precedence for the admission of the sick of Posen before other patients, contrary to Latz's explicit conditions. As a result of these complaints, the hospital was subjected to a thorough inspection by government representatives. They had to report, that they had found the institution in exemplary order and the nursing care to the complete satisfaction of the patients. Nevertheless, a mere eight days later, R. Akiva received a letter from the same authorities demanding the unconditional right of admission for the Posen community and, after the demise of R. Akiva, the right of administration. In reply, R. Akiva wrote in the strongest terms that, while he acknowledged the state as the ultimate, lawful authority over every institution, he rejected any special claim of the Posen communal leaders in relation to the hospital. He would not allow them to relieve

RAV REJECTED ANY RIGHT OF THE COMMUNITY LEADERS RELATING TO THE HOSPITAL

The modest RAE was undaunted when it came to matters of principle. This is evident from his stand in the affair of the hospital and from the



R. Akiva Eger's Beth Hamedrash בית מדרש. It has been suggested that among the characters photographed are Dayanim Krause and Silberberg

themselves of their responsibility for the sick of the community by placing the burden on the Latz hospital. The authorities replied by threatening stringent measures against R. Akiva, but he refused to be intimidated.

Shortly after that R. Akiva submitted to the authorities the statutes of the hospital, as he had promised to do, which showed among other things R. Akiva's understanding for the needs of the patients and testified to the fact that he had no personal motive for his stand in the hospital dispute. - The statutes contained a clause to the effect that public disregard for orthodox Jewish practice or conviction for a criminal

dispute with the Slavita printers (see below). Similarly, in the dispute between the candidates of the rabbinate of Schrimm, where he decided in favour of the one, and when the other hesitated to accept his verdict, he wrote to him: פן בחרב אצא לקראתך (Wreschner, oral tradition). Also in the matter of the authenticity of Piyutim, RAE wrote a very strong defence of the Payeton Kalir against Ibn Ezra, ending with the words: וד' הטוב יסלח להרב אבן עזרא על גודל: שגגתו בזה, (מכתבי רע"א ג') (ראשונים) and wrote to him: ...שבכל דבריו לא מצאתי גם אחד בהם אשר יהי ראוי להשיב עליו ולשעשע בו...

In the spirit of מקרבת, שמאל דוחה וימין מקרבת, RAE concluded:

אלה דברי מוכיח לחכם מאהבה מסותרת, כי יחס לבבו וכאש בוערת, על תתו רבותינו הקדמונים כתף סוררת, ולמען היות לו למוכרת להבין שדעתם רחבה ודעתינו נבערת, או אז יכנע לבבו לשום פסקי ראשונים לראשו עטרת תפארת, לתכלית הנרצה הלזה הנה באו כל דברי זאת אגרת, והי' אם יקח אמרי ויצננם בלבו לעד ולמשמרת, אז אחתום עצמי אוהבו ומכבדו.

עקיבא גינז מא"ש (תשובות א' ג"ה)

RAE's right-hand man in the Latz dispute as well as in other official matters was Israel Weyl, the son of his friend and relative R. Meyer Weyl of Lissa and Berlin, who was well-versed in legal matters. How seriously RAE took his responsibility regarding the Latz bequest for the hospital and Beth Hamedresh can be seen from the statement he made in 1832, before building had begun. (see Appendix).

THE AUTHORITIES REPLIED BY THREATENING STRINGENT MEASURES

In their letter, the officials had the impertinence to cross out the title of address 'Hochwuerden', 'Reverend Sir', adding a note that Jewish rabbis, unlike Christian ministers, could not lay claim to this title!

DISREGARD FOR ORTHODOX JEWISH PRACTICE OR CONVICTION FOR CRIMINAL OFFENCE

RAE, who was personally responsible for drawing up these statutes, considered either of these offences as disqualifying a Jew from holding office. In a responsum to R. Yacov, Av Beth Din of Vangrovitz, he writes:

present, and invited them to join him at a game of cards for a considerable stake. When his turn came, he called out 'hearts are trumps' and took the money in the kitty. When he beckoned the young woman to accept the money, every one present realized the purpose of the unexpected visit of the distinguished guest and contributed handsomely to the charitable cause.

When Salomon Latz, the benefactor of the Latz hospital and Beth Hamedrash, became seriously ill, the doctors prescribed for him certain items of food, that did not agree with the requirements of the kashruth diet. When R. Akiva visited Latz in hospital, the patient asked him whether he was now permitted to eat certain items of food that were not kosher. R. Akiva replied that he was not able to give his consent. As soon as he left the patient, R. Akiva went into the kitchen and ordered the food to be served precisely as the doctors had prescribed. He explained that he had not wanted Latz to know the seriousness of his present condition, that made non-kosher food permissible for him.

R. Akiva Eger's sharp mind enabled him to solve disputes quickly and conclusively. When a certain wealthy member of the community died, the Chevra Kadisha burial society did not agree to inter him until his heirs had paid a thousand Reichstaler, because the man was known to have enriched himself by transgressing Jewish law, having lent money on interest. The family felt outraged and took the matter before the authorities. As a result, R. Akiva was summoned by the Oberpraesident to explain, why such a large sum of money was demanded for a mere four cubits of land. R. Akiva explained that all land in the Jewish cemetery was merely on loan to the deceased, because the Jews believed that in time to come, the interred would rise again and the plot of land would be vacated and restored to the community. However, this would not be so in the case of this man, because the Rabbis say, that someone who has lent money on interest would not be among those who would rise to life in the end of days. His plot will therefore not be vacated and returned to the community. Such a person