

Books & Battles

The Dramatic Life Story of Rav Dovid Oppenheim

RABBI
AUBREY
HERSH

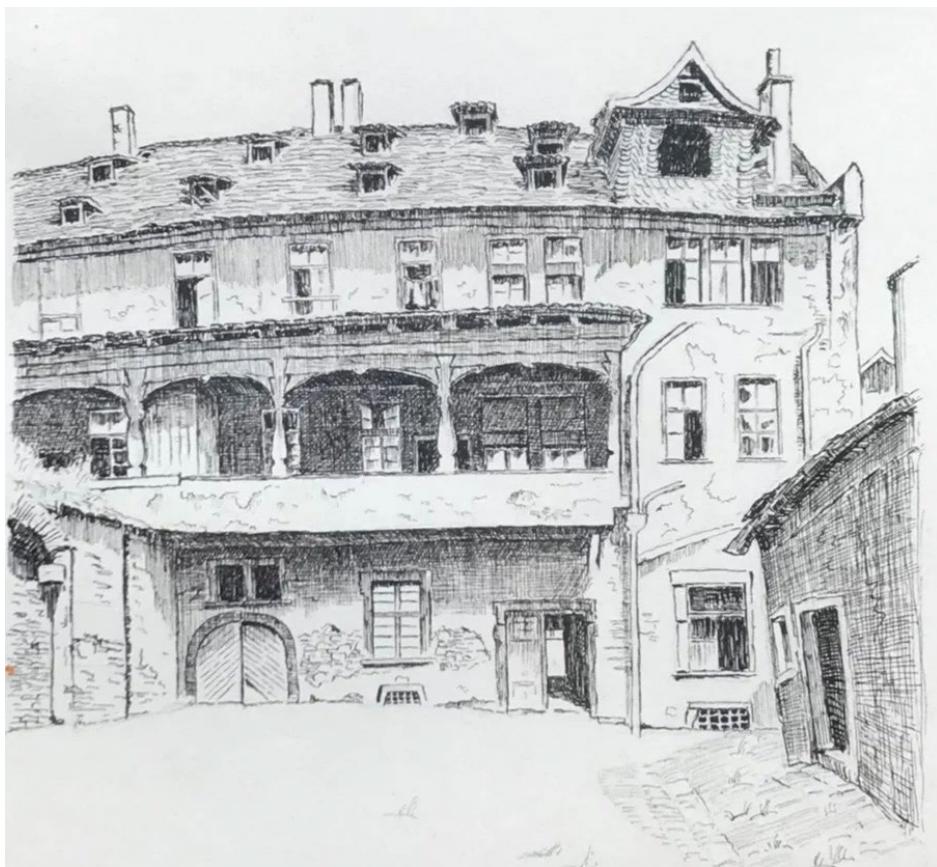
HaRav Dovid Oppenheim: 1664-1736

Central Europe's greatest 17th century Posek and communal leader

On many varied levels, his life is identified with seforim, ranging from his personal library - valued today in the millions - to his own works and responsa as well as letters that he wrote, for which he faced accusations of treason and was charged in the Imperial Court.

EARLY LIFE

He was born in Worms – Germany in 1664. The Oppenheimer family originated from a small town on the Rhine of that name, situated between Mainz and Worms, and the name changed from Oppenheimer in German to Oppenheim in Hebrew and Yiddish.



Zur Kanne is the name of his childhood house in Worms

Simon Wolf was Rabbi Oppenheim's grandfather and a parnas of the community. He had three sons, Moses, Samuel, and Abraham. Samuel rose through the ranks to the service of the emperor in Vienna, which would have an influence on the course of Rav Oppenheim's life. Moses moved to Heidelberg, and Abraham, the youngest of Simon

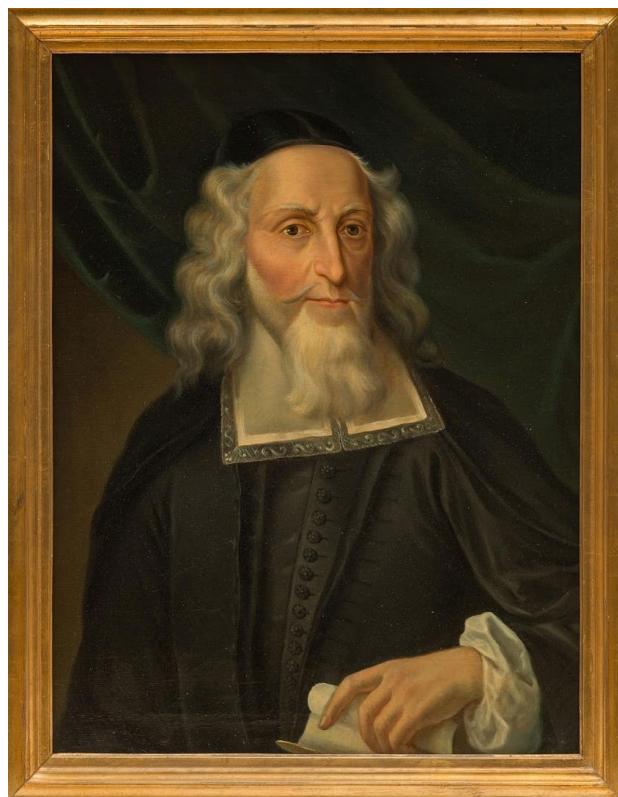
Wolf's three sons, remained locally in Worms, where his son Dovid was born. The Wormser Memorbuch singled him out for his generous donations, naming him as aluf parnas and in 1656 Abraham committed himself as a financial guarantor for the construction of a new synagogue in Worms.

Rav Oppenheim merited greatness in both Torah and wealth during his lifetime. In his teens he was taught in his hometown by Rav Yair Bachrach the Chavos Yair, and subsequently by Rav Gershon Ashkenazi (a talmid of the Bach) who became Chief Rabbi of Metz in France.

Other rebbeim were Rabbi Benyamin Wolf of Landsberg and Rav Yaakov Ashkenazi – the father of the Chacham Zvi. In later years, his abilities and knowledge of Torah would be noted by contemporary gedolim such as Rav Meir Eisenstadt (Panim Me'iros), Rav Yaakov Reischer (Shvus Yaakov) and Rav Yaakov Emden.

As a result of the wealth of his uncle Samuel Oppenheim - who became a court banker and military supplier to the emperor in Vienna and allowed to reside in Vienna after all Jews had been expelled in 1670 - Rav Oppeneheim became a man of means and was very involved in communal charities across Europe.

These financial and court connections contributed to Rav Oppenheim being elected as Chief Rabbi of Prague in 1702 - a post he maintained for over 30 years – given that these positions required no small degree of political and diplomatic manoeuvring.



LIBRARY

Their beneficial economic situation also enabled him to accumulate a very extensive Hebrew library, which would eventually number 4,500–5,000 printed books and 1,000 manuscripts. These included halacha, works of science based upon Arabic texts, sifrei kaballah and numerous early editions of Tanach and Shas. Rav Oppenheim also commissioned seforim to be printed, such as the 18th century Frankfurt edition of Shas printed on parchment and was instrumental in transcribing manuscripts especially those coming from Eretz Yisrael, which were copied from their original Sephardic script into Ashkenazic handwriting, as that format that was far more legible in Europe.

More remarkably, his collection contained hundreds of Yiddish works, the language of Europe's Jewish women and men and varied from siddurim and songs to guidebooks of Jewish living and stories. In many cases his collection is now the sole surviving copy. The library even contained works by Nathan of Gaza, the supporter and publicist of Shabbetai Zvi, (such as Sefer Haberiah and Tikkun Hayom - both currently in the Bodleian library in Oxford), even though Rav Oppenheim was a vehement opponent, as we see from the letters he wrote to the Jews of Jerusalem in 1704, who were being infiltrated by suspiciously Sabbatian practices.

Other rabbonim made extensive use of his many seforim, as indicated in the writings of the Shvus Yaakov, who quotes a responsum which appears in volume six of Teshuvos HaRashba, despite the fact that in the early 1700s, the volume in question had not yet been printed. He clarifies that he found the Rashba: “ *בכתב יד בספרינו* - המפורסמת של מחותני הגאון הגדול מהור"ר דוד library of my brother-in-law Rabbi Dovid Oppenheim.”

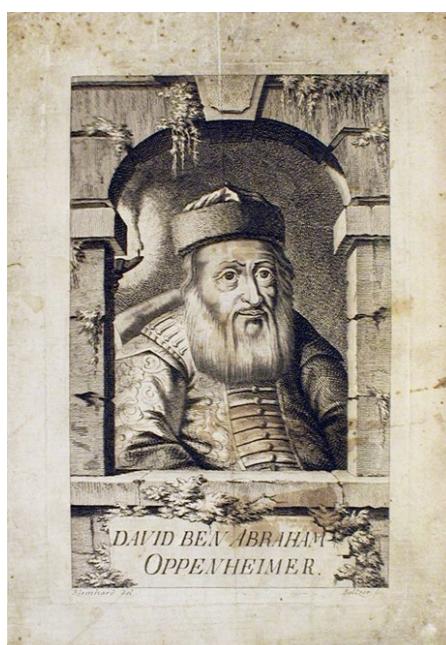
Beyond the acquisition of seforim, Rav Oppenheim was also a prolific author, although many of his works remain in manuscript form.

FIRST POSITION

In 1689, he was chosen as Chief Rabbi of Nikolsburg and eventually Landesrabbiner of surrounding Moravia. This prestigious post had been held by the Maharal and Rabbi Yom Tov Lipmann Heller (Tosfos Yomtov) and would be occupied in later years by Rav Samson Rafael Hirsch.



The job required great fortitude as we detect from an account of his daily routine, described in a teshuva. "From midnight till midday I am engaged in teaching the pupils of my Yeshivah, afterwards, communal matters and such as my office as Landrabbiner brings with it occupies my whole time, so that I hardly have time to breathe.



In addition to all his rabbinic duties, there were urgent and difficult Klal matters which he dealt with over two decades, on behalf of the Jews in Austria and Hungary. The Jews of Vienna had been expelled in 1670, and expulsions continued in other parts of the empire. And when Budapest fell to the Austrians, Jews across the Hapsburg Empire were accused by their Christians neighbours of treason against the Austrian Emperor for allegedly helping the Turks (more pertinent information can be found in a *History for the Curious* podcast on Budapest).

Bands of militia were also at large all over the country, making the life of travellers, and especially of Jews, very unsafe. From the questions addressed to him, we encounter detailed descriptions of the hardships that Jews had to suffer in those days.

Nikolsburg became a city of refuge, and even though Rav Oppenheim arrived there six years after the Jews from Vienna had been permitted to return, many of his congregants remained as refugees from that city (and signed themselves Me'gurshei Veen).

He remained in the city until 1702, although for many years after his departure he was still the address for the dayanim of Nikolsburg, as can be seen in his Teshuvos.

PRAGUE

His letter of appointment to the Prague rabbinate, dated 26 Iyar 1702, was discovered in recent years, enclosed in one of the volumes of gemorah held at the Bodleian. Although he was appointed Av Beis Din of the city, communal matters were also decided by Rav Avraham Brode, who was the Rosh Yeshiva. This delicate balance of power – never an ideal setup - led to a letter being sent to the elders of the city enquiring which of the two was actually in charge. The letter responded by stating that since there was no precedent, there was no simple answer and eventually in 1707 Rav Avraham Brode relocated to Metz.

In 1718, Rav Oppenheim also became the Chief Rabbi of Bohemia and he would remain in Prague until his death in 1736.

Moving from Nikolsburg to Prague required one great sacrifice on his behalf: his library. The church censorship in Bohemia was particularly intrusive and raised strong concerns about the library's contents. Some of the grounds were completely unreasonable such as the accusation that since many of these books came from Turkey (having been sent from Eretz Yisrael), and given that the Ottoman Empire was the arch enemy of the Hapsburgs, it was to be assumed that many of the books

contained heresies against the Christian religion. And only with adequate scrutiny would they be allowed into the city.



Rabbi Oppenheim's rabbinic contract, complete with a Star of David surrounding a Yellow hat - the emblem of the Jewish community of Prague. Prague Jewish Museum

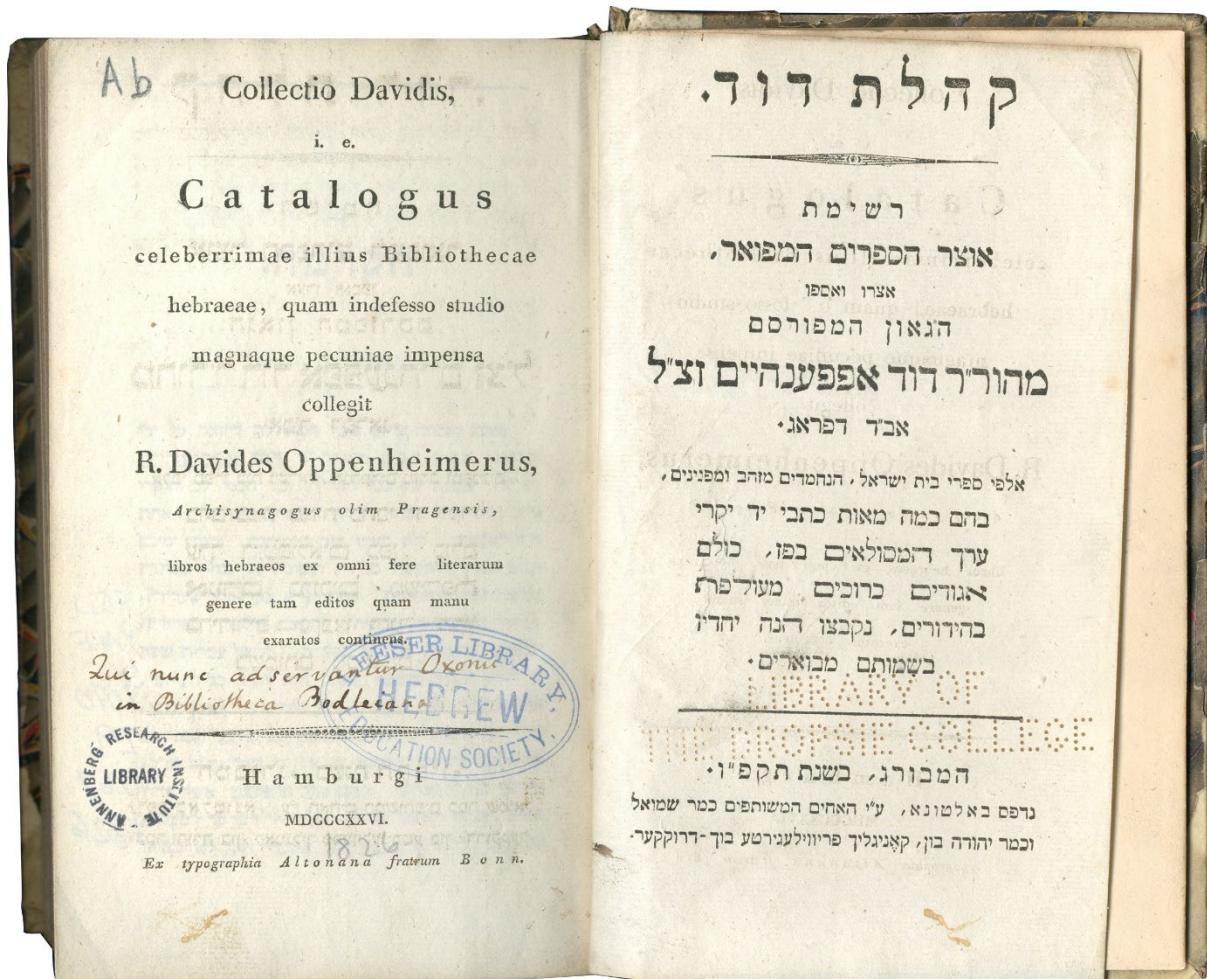
Given that the Jesuit scrutiny was particularly harsh, Rav Oppenheim knew that some of his books would be confiscated and never returned and others would be mutilated by having pages torn out or even burnt, so he the books moved to the house of his father in law in Hannover. And would never again use his collection properly during his lifetime.

The aftermath is an equally unusual tale. After he died, his daughter fell on hard times and tried to sell the collection. An Oppenheim relative acquired some of it in

return for relieving some of her debt, however despite repeated inventories and new catalogues in Hebrew, German and Latin, the volumes languished in 28 sealed crates. It was put up for sale in 1764 and again in 1826, by which time it consisted of 780 manuscripts and 4220 books, and was estimated to be worth £22,000 but didn't find any buyers. Ultimately the Bodleian Library acquired it in 1829, for the trifling sum of 9000 thaler, a sum which any single volume would fetch nowadays.

The Library Purchase Catalogue records the acquisition dated November 8, 1829, for £2,201.1.4. This included: Original cost £2,080.0.0; Brokerage £2.1.6; Insurance £23.8.6; Commission and packing £53.3.4; Freight and dues £31.0.0; and Carriage from London £11.8.0. It was delivered in the summer of 1829.

Although the library ended up in non-Jewish hands and Oxford in the early 19th century was a city with no Jews, it did escape the destruction that was the fate of many European libraries during the Nazi era. In Oxford, it formed a significant division of their Hebrew and Jewish collection.



This circumstance ultimately proved fortunate though, as the seforim escaped the religious burning of Hebrew books in Prague in 1714 and the outbreak of fire in 1754 which destroyed most of the Jewish quarter. Equally it was spared the fate of many European Jewish libraries during the holocaust.

ARREST

The most bizarre incident in his life, and his greatest struggle, would impact not only his writings but intrude upon the lives of the Jews of Bohemia for the next 50 years.

The wide-ranging tale starts in Eretz Yisrael, where over a period of decades, Rav Oppenheim had created financial and rabbinic close connections with the Jewish community of Yerushalayim,. With the death of their Rabbi in 1699, he was offered the position of Chief Rabbi of Jerusalem and a formal document was sent in 1701, signed by thirty-two of the city's leading rabbis and leaders. His reply is dated July 23, 1702, by which time, he had accepted the rabbinic post in Prague. He declined the offer, but was nevertheless was made Nasi of the Jews of Jerusalem, and he endeavoured to support the community there.

In common with many rabbis, he was approached from time to time to write approbations (haskamos) to a sefer. Given the flowery style he would use to respond to letters and teshuvos generally, it is unsurprising that he was addressed and responded as Nasi of Yerushalayim, although it was absolutely clear to anyone with an understanding of Jewry in the 1700s, that it carried no real authority or meaning, and was purely an honorific religious rather than political title.

However, when read out of context and translated into German, it could take on subversive associations, because the Hapsburg emperor held the title *King of Jerusalem*. Although which non-Jew was ever going to read a Hebrew approbation to a sefer?

The next link in the chain was a Jew by the name of Jacob Toff, who had lent money to the struggling Ashkenazi Jewish kehilla of Jerusalem and was provided with the names of various guarantors, including Rav Oppenheim. Toff travelled to Europe to collect on the loan, arriving in Prague in 1714. Rav Oppenheim offered to pay three quarters of the debt, but was not prepared to reimburse any of Toff's claimed travel expenses. This was unacceptable to Toff, who had been hoping to capitalise on his loan and make money from it. He was determined to retaliate.

At this point, the third link of this improbable chain appears: Georgio Diodato. Diodato opened the first coffee house in Prague in 1715. At his shop, students of the

university, merchants, traders *and Jews* could congregate and relax, but they would also be able to peruse a collection of literature, which included a book called *Foundations of Christianity: What Christians Do and Don't Believe*, written by a Jesuit professor in Prague. It was printed in Yiddish and German and its author - Franciscus Haselbauer – was a committed Christian missionary, as was Diodato himself.

Diodato and Toff crossed paths in Prague and joined together with the intention of pursuing Rav Oppenheim (initially with very different motivations). In preparing their legal case, they discovered these approbations (haskomos) however an outbreak of a plague in the city caused Rav Oppeneheim to flee for safety to the Imperial capital Vienna. Toff pursued him there, and would meet a “doctor of holy scriptures” called Louis Pisani - a former Rabbi who had converted to Catholicism in 1703 in Venice - which in a further bizarre twist to the story, led to Toff becoming convinced of the superiority of Christianity and deciding to be baptized. This took place on April 13, 1717.

Diadato and Toff - now co-religionists [!] - took up their suit against Rav Oppenheim with vigour, based on two separate applications: a financial claim and Rav Oppenheim’s illegal use of a royal designation, *Prince of the Land of Israel*.

The first court case was resolved in favour of Rav Oppenheim in July 1718, but his litigants initiated a series of appeals and ultimately they were able to prevail upon the emperor Charles VI, to dispatch a commission to investigate the alleged crimes.

Firstly, whether Rabbi Oppenheim was believed by the Jews to be King of Jerusalem, by virtue of his own letters and those addressed to him - copies of which were shown to the investigators. Secondly, whether the funds that were sent from Bohemia to the Jews of Jerusalem (and which were deposited with Rav Oppenheim in his capacity as a Gabbai Tzedokoh) constituted exporting of monies out of Christendom to the Turkish Empire, and were thus a betrayal of the loyalty that the Chief Rabbi owed to his own sovereign. And finally, whether Rav Oppenheim’s title was actual heresy, given that the use of this name implied that “the true Messiah has not yet come”, which was an attack against the basics of Christian beliefs.

The commission ruled in January 1723 that although the financial compensation sought by Toff had no basis, the more serious charges were in fact valid and the emperor issued two edicts. Rav Oppenheim’s title constituted a direct affront to Christianity. Not only would he be forbidden to make further use of it, but all Hebrew books that bore this title, needed to be recalled and censored for both this and other potential violations. He would also be prevented from giving any haskomos for the next decade.



Handwritten Chumash with Rashi & Targum Onkelos in the Oxford Oppenheim collection - dated 1340

Furthermore, any financial collections on behalf of the Jews of Eretz Yisrael became illegal, on the grounds that they enriched the coffers of the Ottomans. Any such intended donations would be confiscated, with one third of the funds going to the person who informed on the transactions.

For Jewish seforim in Bohemia, the outcome was even more radical. The Jesuits were given sweeping powers over the printing and content of Jewish books which lasted through the remainder of the 1700s. This prevented any Shas being printed and resulted in large-scale confiscation of seforim. What had started as a trial over money, ended as a battle for power and religious jurisdiction especially over Jewish books, brought about through the efforts of an apostate Jew.

FINAL YEARS

Rabbi David Oppenheim died on the 7th of Tishrei (12th September) 1736 at the age of 72. In his will he ordered that two-fifths of his estate be distributed to tzedaka. He was buried in Prague's old beis hakvoros near two other rabbonim of note.



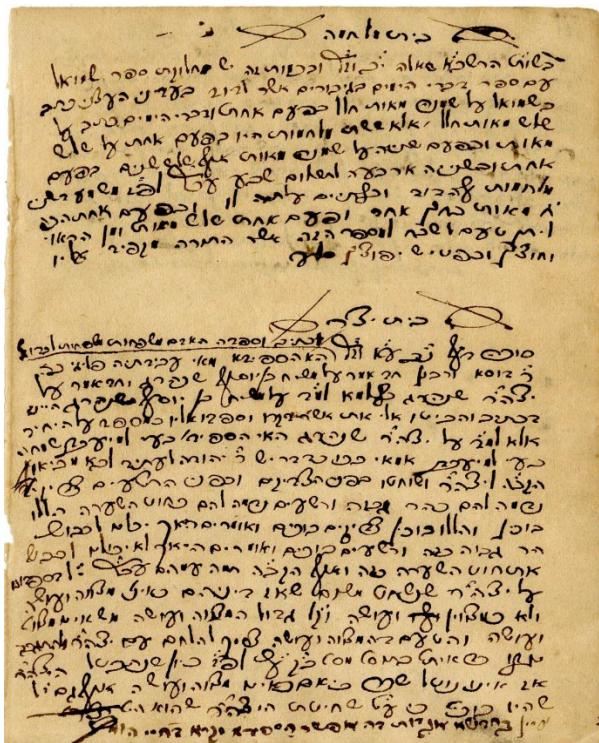
TESHUVOS

Questions were addressed to him from across Europe, including kehilos with very different backgrounds such as the Venice rabbinate, who wrote to him on both procedural and financial matters.

Unlike many printed responsa, we do not read the question as it was asked, because Rav Oppenheim rewrote them in a very beautiful and poetic style, replete with allusions to Biblical or Talmudic sayings which he ran into one another (and which cannot be easily translated). Two examples are **ופשט להם את הרגל, ומראה את טליתו** and **שMAIN לשלם אף חצי נזק בגין צורחות צור כנספו. שמעתי בקול הולך על ארבעה** and **שMAIN לו קרן, ואין לו לשלים אף חצי נזק בגין צורחות צור כנספו. כנפות הארץ**

In a lengthy teshuva printed in the Chavos Yair, he was asked about a shul that had been abandoned and in order to renovate it they had dug foundations two meters in depth. In the course of these works they uncovered a number of bones, yet the area had never been known to be a beis hakvoros. The question deals both with the possibility of Tumah and the question of being prohibited from having any benefit from a cemetery even if it is now empty of any graves.

He paskens that with certain conditions they may use the space as a shul - as it once had been. He does rule however that particular areas within be prohibited to kohanim.



Manuscript written by Rav Dovid Oppenheim

One of his teshuvos concerns an issue which was a great concern to traders of the day: *Yayin Stam* (wine which has been touched or used by a non-Jew).

A merchant travelled with a shipment of kosher wine and having been informed that a band of robbers were in the neighbourhood, stopped for a short while in the village of Sitzendorf in Austria. While he was eating, the non-Jewish driver went off alone with the wine. He returns and the question arises whether the wine still kosher, or do we assume that the non-Jew had tampered with it? Rav Oppenheim decides that the wine is still kosher.