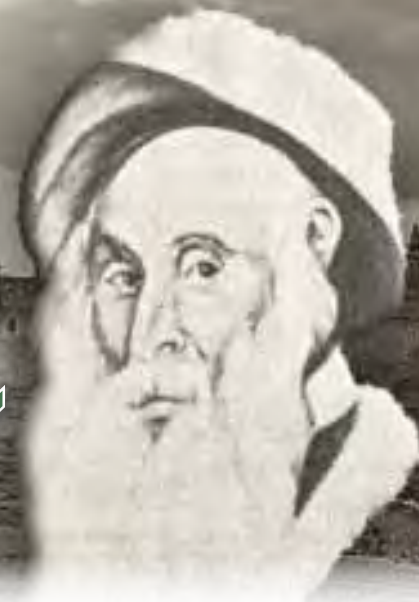


Hacham Yaakov Shaul Elyashar

(17 Sivan 5577 – 27 Tamuz 5666 | June 1, 1817 – July 20, 1906)



YEHUDA AZOULAY

Being a Jew in Muslim dominated 18th Century Jerusalem was certainly challenging for the Sephardic community that resided there, but for the small Ashkenazic community that settled the city in the early 1700s, it could have been fatal! As a result of an outstanding debt to Arab landlords, Ashkenazic Jews were expelled and banned from the city. Those European Jews who did remain in Jerusalem had to wear Sephardic garments so as not to be identified as Ashkenazim. In light of these circumstances, the story of how a scion from a Lithuanian rabbinic dynasty rose to become the revered Hacham Bashi is all the more remarkable.

A Rabbinic Dynasty

The saga began when a great Torah scholar, Rabbi Yaakov of Vilna¹, who would later become known as the patriarch of the distinguished Elyashar family², emigrated from Lithuania to Jerusalem with Rabbi Yehuda Hehasid, around the year 1700. As a youngster, he was given the name “Elyashar” (from the Hebrew word “yashar – upright”) by his father to signify his exceptional honesty and integrity. This became the family name for generations thereafter.

Upon moving to Jerusalem, Rabbi Yaakov joined the Sephardic yeshiva Bet Yaakov which was founded and financed by the philanthropist Hacham Yisrael Yaakov Pereira of Amsterdam. But the difficult economic condition of the community forced him to travel abroad in 1705 to raise funds for the impoverished Jews of Jerusalem. Later, in 1714, he borrowed a

large sum of money from a wealthy Arab to help the fledgling Ashkenazic community of Jerusalem. One year later, when the loan was to be repaid, Rabbi Yaakov had still not returned from fundraising in the Diaspora. His wife, who was the guarantor, managed to delay payment until her husband’s return, but by then the interest had swelled to exorbitant amount and the community could not raise the money. As the debt continued to mount, most Ashkenazic Jews fled the city out of fear of the increasingly hostile Arab creditors, and in 1721, the Ashkenazic community effectively dissolved. Though a small number of Ashkenazic Jews remained in Jerusalem, they had to hide their identities among the Sephardic majority.

The Ashkenazi Hacham Bashi

Almost 100 years later, the great-great-grandson of Rabbi Yaakov of Vilna was born in the holy city of Tzefat on 23 Sivan, 1817. Young Yaakov Shaul Elyashar – also known as the “Yisa Beracha” (“Yisa” is the acronym for “Yaakov Shaul Alyasher”) was six-years-old when his family moved

to Jerusalem. His father passed away two years later, leaving the family poverty-stricken. His mother sold her home and her belongings to pay off the family’s debts, and only approximately 10 Lira remained with which to support herself and her children. In the preface to his work of responsa, *Bene Binyamin Ve’Karev Ish*, Hacham Yaakov described the severe conditions of poverty that his family endured:

"We would spend ten kurus [100 kurus make one Lira] ... each month. Out of that we would put aside four for my teacher and two for rent, so all we had left were four kurus. We would buy eight stalks of wheat, and five sesame stems [to grind into tehine spread], and my mother would [work as a seamstress] so that she can make some money for [other] food."

Four years after his father’s passing, his mother married the Av Bet Din of Jerusalem, Hacham Binyamin Mordechai Navon (1788-1852), author of *Bene*

¹ Rabbi Yaakov of Vilna should not be confused with Rabbi Yaakov Zak, known as the Zera Kodesh of Vilna, who was the son-in-law of the author of Sha’ar Efrayim and father of the Hacham Tzvi Ashkenazi of Amsterdam (1660-1718).

² Hacham Yaakov Elyashar and Rabbi Yaakov of Vilna, are separated by five generations in this illustrious rabbinic dynasty. The lineage can be traced as follows: Rabbi Yaakov of Vilna (patriarch of the family), Rabbi Haim Yerucham, Rabbi Yaakov Ben Haim Yerucham, Rabbi Eliezer Yerucham, Rabbi Yaakov Shaul Elyashar (Hacham Bashi).

The Novominsk Affair

Binyamin. Hacham Binyamin Mordechai was an excellent teacher who enjoyed the company of many outstanding Torah scholars who would visit his home to hear his words of Torah. The hacham took young Yaakov Shaul under his wing and raised him as his own son. Being that his step-father was a Sephardic hacham, he was raised in that environment and continued with those traditions, adopting them as his own, even as he grew into an adult. In later years, Hacham Yaakov would fondly recall his special relationship with Hacham Binyamin Mordechai:

"The day after he got married he sent for me and brought me to his home – I was only eleven years old – so he could teach me Torah: Talmud during the day, En Yaakov at night, and Shulhan Aruch on Friday nights. Scholars would learn with him in depth, since he was well known to all the rabbis in Jerusalem, and he taught Torah for several years. I would sit and learn by his feet, and I would read the sugya [Talmudic passage] in front of everyone."

Hacham Yaakov married the daughter of the revered Torah leader, Hacham Rafael Meir Panigel. He rapidly became known as an outstanding Torah scholar and earned widespread renown. In 1853, at the age of 36, he was appointed as a *dayan* (rabbinical judge) in the Sephardic Bet Din of Jerusalem under Hacham Abraham Ashkenazi. Two years later, he was appointed Associate Chief of the Beth Din, and in 1869, he assumed the position

On 26 Tammuz, 5666 (1906), Hacham Elyashar received an urgent telegram from Rabbi Shemuel Yaakov Rabinovitch of Novominsk, Poland, informing the hacham that the Jewish community of Novominsk was in grave danger. A few months earlier, a local government official by the name of Nasalink was murdered, and two Jewish brothers, Eliezer and Noach Horowitz, testified before a Polish court that they witnessed five gentile men commit the crime. Based on their testimony, the court convicted the five gentiles and sentenced them to death. With the execution yet to be carried out, Rabbi Rabinovitch said that the city's gentile population was poised to launch a violent retaliatory assault on the Jewish community, in the form of a full-blown pogrom. The Horowitz brothers had since moved to Jerusalem, and Rabbi Rabinovitch therefore asked Hacham Yaakov to speak to them and demand that they confess to rendering false testimony. If they admit that they lied, the convicted prisoners will be released, and the Jewish community will be saved from a potentially deadly pogrom.

Hacham Yaakov immediately summoned his secretary, Rabbi Michlin, and asked him to find the Horowitz brothers and bring them to him. An hour later, Hacham Michlin returned with Eliezer and Noach Horowitz. The brothers vehemently denied the accusations, and insisted that they had testified truthfully.

The Hacham Bashi faced a difficult dilemma. The lives of an entire Jewish community were at stake, but the Horowitz brothers refused to confess to giving false testimony. That night, Hacham Yaakov called a meeting of the community leaders, at which Rabbi Michlin read aloud the telegram sent by the rabbi of Novominsk. He then presented the Horowitz brothers' version of the story. The men spent several hours discussing and deliberating, as Hacham Yaakov sat listening silently. Finally, after hours of discussions, he signaled to all those present that he would like to speak for the first time.

"Gentlemen," he announced, "before you decide on any course of action, I would like to present my view on the situation. In my personal opinion, the telegram is a forgery. The authors of the telegram are none other than the relatives of the convicted murderers, who are trying to trick the Horowitz brothers into recanting. If the Horowitz brothers disavow their testimony, the word will spread that two Jews lied and testified falsely against upstanding gentile citizens. This may incite the gentile population to riot against the

entire Jewish community. Therefore, it is my opinion that we can do one of the following. Either we do nothing, or we can send a reply stating that it is forbidden for the Chief Rabbi of the Ottoman Empire to interfere in the affairs of a foreign country."

Silence filled the room. Throughout all the discussions, it had not occurred to anybody that the telegram might have been a forgery, sent by the relatives of the convicted criminals. After several moments, one of the men finally broke the silence. "Honorable rabbi, please forgive me, but if the telegram is not a forgery, then remaining silent or replying that you cannot get involved could spell disaster for the community of Novominsk!" The men were skeptical of the hacham's theory. They highly doubted that the telegram was a fake. According to one version of the story, the community leaders considered this idea so preposterous that they saw it as an indication of the onset of senility. Hacham Yaakov was nearly 90 years old, and it was quite possible, the people at the meeting thought, that his mental faculties had begun to decline.

Realizing that he could not convince the men, Hacham Yaakov suggested that they consult with Rav Shemuel Salant and hear his opinion. Despite the late hour, Rabbi Michlin went to Rav Shmuel Salant's home and woke him up. He described to him the situation, without revealing to him the Hacham Bashi's assessment.

Rav Shemuel thought for several minutes, and then said to Rabbi Michlin, "In my humble opinion, the telegram is a forgery. The rabbi of Novominsk never sent it. It was probably the work of cunning relatives trying to save their loved ones. One possibility would be not to answer anything at all. Another possibility would be to reply that the Hacham Bashi does not get involved in foreign matters." Rabbi Michlin returned to the meeting, and everyone was amazed to hear how the two great rabbis of Jerusalem had arrived at the exact same conclusion. The next morning, a short telegram was wired stating the rabbi of Jerusalem would not interfere in the affairs of a Polish town.

Several weeks later, it was reported that the telegram was indeed a forgery. Had the rabbis of Jerusalem fallen into the trap, and believed the telegram, the consequences for the Jewish community of Novominsk would have been disastrous. The wisdom of the two great rabbis of Jerusalem had protected the safety of an unsuspecting Jewish community some 1,500 miles away.

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presented them with a medal. Hacham Yaakov spoke Ladino, Spanish, Hebrew, Arabic, Turkish, Italian, and Greek, which served him well in his capacity as Hacham Bashi. Ladino was the primary language among the Sepharadim of Jerusalem at the time.

A True Torah Leader

In his capacity as Hacham Bashi, Hacham Yaakov took responsibility for the wellbeing of the Sephardic community in Israel, and traveled to Turkey, Syria, Egypt and Italy on missions on their behalf. He maintained a close relationship with Rav Shmuel Salant, leader of Jerusalem's Ashkenazic community, helping him run the Rabbi Meir Baal Hanes Salant charity fund which supported the Ashkenazic community.

Hacham Yaakov authored a large body of Torah literature spanning the spectrum of Jewish scholarship. His published works include *Simla Le'ish*, *Ma'aseh Ish*, *Sho'el Ish* and *Ish Emunim*.⁵ A cultured scholar and proficient linguist, he wrote thousands of responsa to halachic questions that came to him from both Ashkenazim and Sepharadim all over the world. He was also respected by the authorities and leaders of other communities, corresponding with various distinguished figures including the Ben Ish Hai (Hacham Yosef Haim of Baghdad, 1834-1909), who asked Hacham Yaakov to assist Babylonian rabbis who wished to immigrate to Jerusalem. He was also instrumental in resolving

of head of the Bet Din. In 1881, Hacham Yaakov was offered the position of Hacham Bashi – Chief Rabbi of the Ottoman Empire, but he declined, insisting that the position be given to his father-in-law, Hacham Rafael Meir Panigel. Hacham Rafael Meir served as Hacham Bashi until his death in 1894, at which point Hacham Yaakov assumed the post, at the age of 76. He held the position for ten years, until 1904.

When Hacham Yaakov was named to the position of Hacham Bashi, Sultan Abdul Hamid II, Emperor of the Ottoman Empire, confirmed his appointment in an official Firman³, sending him an official robe and a medal of the Medjidie order⁴. In 1898, when Emperor William II of Germany visited Jerusalem, Hacham Yaakov, together with Rabbi Shmuel Salant (1816-1909), Chief Ashkenazic Rabbi of Jerusalem, welcomed the monarch who

complex situations involving men who left their wives and children in Baghdad to settle in Jerusalem.

In 1904, at the advanced age of 87, Hacham Yaakov retired from his position as Sephardic Chief Rabbi, and was succeeded by his oldest son, Hacham Haim Moshe Elyashar. He passed away two years later, in 1906, and was buried on Har Hazeitim (Mount of Olives). The hacham was mourned by the entire Jewish community, Sephardic and Ashkenazic alike. The Givat Shaul district of Jerusalem is named after him.

Yehuda Azoulay is the author of A Legacy of Leaders, a groundbreaking English series containing biographies and stories of Sephardic hachamim. More information and articles can be obtained on his website at www.SephardicLegacy.com

³ A firman is a royal mandate or decree issued by a sovereign in certain historical Islamic states including the Ottoman Empire, Mughal Empire, and Iran under Shah Mohammed Reza Pahlavi. The word firman comes from the Persian: farman (فرمان) meaning "decree" or "order". In Turkish it is called a ferman.

⁴ Military or knightly order of the Ottoman Empire.

⁵ The Israeli National Library owns manuscripts of his responsa.