



THE LATE RABBI ISRAEL JOSHUA OF KUTNA

Russia-Poland, who Departed this Life 25 days in Tamuz 5653.

תמונת הרב הצדיק הגאון החריף פאד הרה"ק רבן של כבתי"א אשר שמו נודע בכל תפוצות
 ישראל כש"ת מרה"ק **ישראל יהושע זצ"ל** אשר שמש בבית הדינות
 בקרית ארבע—בעיר "שרענצק", "חארקע", "נומבין", ופאלמוסקי ובאחרות הימים
 שמר את משמרת המורש בעיר קיסנא שלשים שנה, נפטר ב"ה תמוז תרנ"ג.

HAGAON¹ R' I. Y. TRUNK OF KUTNO

translated from the Hebrew by Sara Mages

R' Yehoshe'le – so he was called in Poland – was born to his chassid father, R' David, on the month of Kislev 5581², in the community of Płock. When the boy was two years old, his mother took him to Lwów³ to visit his father, R' David, who studied at that time at the *yeshiva* of HaGaon R' Orenstajn author of *Yeshuot Yaakov*. In his old age, R' Yehoshe'le used to tell that he remembers the shape of the mouth of the author of *Yeshuot Yaakov*.

As was the custom in those days, when R' Yehoshe'le was three years old he started to study Torah and commentators in the *cheder*, and when he reached the age of six, he already studied the Gemara and wrote Torah innovations by himself. The teacher and instructor of the young "genius" was his father, R' David. R' Yehoshe'le was a great diligent from his youth, and when he was given bread and butter to eat, he never wanted to waste his time spreading butter on the bread, and ate the bread dry unless his mother spread the bread for him, and ate hastily so as not to waste time from his studies. Already in his youth he became proficient in the Six Orders of the *Mishnah* and *Poskim*, and knew well the four sections of *Shulchan Aruch*. Every Shabbat he used to go over two tractates, *Shabbat* and *Eruvin*, about two hundred and sixty pages of Gemara. The young "genius," R' Yehoshe'le, was the favorite child of all the scholars in Płock.

When R' Yehoshe'le was about eleven years old when his father died, but his righteous mother watched out for him and he continued to engage in the Torah diligently. When he was about fourteen years old, R' Yehoshe'le became engaged to a girl his age, Miss Priwa daughter of HaRav R' Chaim son of HaRav HaGaon, our teacher and rabbi R' Yehuda Nomberg of Rawicz, but R' Chaim was not granted to enter his genius son-in-law to the *chuppah*. He fell ill a few weeks before the wedding and passed away.

In spite of it, after the wedding the "genius" continued to be supported by his mother-in-law for six years, and engaged diligently in the Torah. From his father z"l, R' Yehoshe'le inherited the affinity for the *chassidut* and occasionally traveled to the old Kocker Rebbe. Once, R' Yehoshe'le stayed in Kock for more than three months and the Kocker Rebbe, who was accustomed to guide each of his chassidim in his own way, called R' Yehoshe'le to his room and said to him: "In my opinion, you should go home to engage in the Torah and we will see what will come out of you." He recognized in the young married *yeshiva* student that he was created for greatness, and he

must be in the future the "rabbi of all the people in the Diaspora" and decisor of *halachot*⁴, and did not want him to waste his time with the chassidim in Kock. R' Yehoshe'le listened to his rabbi, returned home and invested himself entirely in the Torah. His young friend, HaGaon of Sochaczew, used to tell that his father-in-law, the Kocker Rebbe, highly valued R' Yehoshe'le as a genius and expert in all the secrets of the Torah, and most of all, the Rebbe liked the honesty in him and that he does not shame anyone. And when R' Yehoshe'le was accepted as rabbi in various community there were Kocker chassidim there, and each time the chassidim traveled to Kock to the Rebbe, the Kocker Rebbe was interested to know how the young rabbi was doing. And even though in the following days R' Yehoshe'le was not a subordinate to another "Rebbe" after the old Kocker Rebbe, he remained a "chassid" all the days of his life. And the interesting thing is that in 1886, HaGaon of Kutno wrote to a rabbi in Radom regarding the hot *mikveh* on the Shabbat, "that I heard from a genius that also the Holy Rabbi, our teacher and Rabbi Shalom ztz"l from the community of Bełz, introduced it" (responsa⁵ *Yeshuot Malko, Orach Chayim*, mark19) and according to this he authorized it.

In the community of Płock served at the same time the famous genius rabbi, R' Chaim Auerbach of Łęczyca author of *Divrei Chaim*, and he also greatly valued the young "genius" and at every opportunity he entertained with him in *Divrei Torah*⁶ and *halacha*. Already at that time, when he was still young, R' Yehoshe'le has taken an important position in the community life in Płock. In those days, the well-known community leader, R' Shlomo Zalman Posner from Warsaw, decided to make the attempt and revolutionize the lives of the poor Jewish masses, by transferring them to farming so that they can make a living from the labor of their hands. He bought an estate in the Płock District and settled Jews there to work in the fields. The name of the estate was "Kuchary⁷," and in order to attract the Jews to farming, R' Shlomo Zalman also founded a *yeshiva* in this estate and invited the young genius, R' Yehoshua, to visit him at the estate. He took him out into the fields and showed him how Jews work the land and also study the Torah in their free time from work (Gelber "The Jews and the Polish Uprising" p. 21).

In 1840, at the age of nineteen, he was accepted as rabbi in the community of Sześćńsk, and sat there seven years with dignity and serenity. In Sześćńsk, R' Yehoshe'le founded a *yeshiva* and he himself was the head of the *yeshiva*. Many scholars in Poland came out of this *yeshiva*. In this period of time R' Yehoshe'le used to meet the well-known genius, R' Abraham of Ciechanów, who often visited Sześćńsk. Even though HaGaon of Ciechanów was

¹ TN: "HaGaon" – the genius.

² TN: November/December 1820.

³ TN: now Lviv, in Ukraine.

⁴ TN: *Halacha* (pl. *halachot*) is the collective body of Jewish religious laws which is derived from the written and Oral Torah.

⁵ TN: Responsa – comprise a body of written decisions and rulings given by legal scholars in response to questions addressed to them.

⁶ TN: *D'var Torah* (pl. *Divrei Torah*) is a talk on topics relating to a parasha (section) of the Torah, typically the weekly Torah portion.

⁷ TN: small village, 2.5 km north of Drobin and about 31 km northeast of Płock.

older than him, he greatly appreciated him. In 1847, R' Yehoshe'le moved from Szreńsk to the community of Gąbin in place of the righteous genius, R' Shraga Feivel Dancyger of Grójec who, at that time, left the community of Gąbin. Here, in Gąbin, he started to write and answer questions to those who ask him. From this period only two answers remained in his book *Yevin Daat*, in the collection of responsas, mark 7, from 5607 [1847]. "To my student, the sharp and wise, our teacher R' Chaim Mordechai," this student later published *Sefer Keritut* by Rabbi Shimshon of Chinon⁸ with his comments and was known as a great scholar, and in mark 27 there, "To HaRav R' Yitzhak of Żychlin," from 5608 [1848].

But here, in Gąbin, a controversy broke out against him and even though his predecessor, R' Shraga Feivel, came to Gąbin to silence the controversy, and to explain that they should know how to behave with their great rabbi, he did not influence them and in the end, three years later, in 1850 he moved to Warka.

In Warka, R' Yehoshe'le became famous as the greatest of the generation, and was approached with questions from all corners of Poland. From that period various answers remained and they were printed in his book, *Yeshuot Malko*, marks 9, 10, 12, 14, 16, 17, 18, 20 and more from 5611-5613 [1851-1853].

At that time, the *tzadik*, R' Menachem Mendel Kalisz, son of the *tzadik* R' Yitzhak Kalisz, lived in Warka. He was one of the admirers of HaRav HaGaon R' Yehoshe'le, and used to visit R' Yehoshe'le in each pilgrimage festival, to fulfill the saying of Chaz"l⁹: "I am obligated to greet my rabbi on the pilgrimage festivals¹⁰." To his friends he said: "as long as R' Yehoshe'le serves as our rabbi, I sleep at rest, because I trust him that all religious matters are conducted appropriately. In 1853, when the *tzadik*, R' Menachem Mendel found out that R' Yehoshe'le was about to leave Warka to move to Pułtusk, he came to him, offered him to stay in Warka, and he himself would add to his salary from his pocket. Also, the Warka chassidim, from all over Poland, treated their rabbi, R' Yehoshe'le, with respect and many scholars among them were accustomed to come to him and converse with him on *Divrei Torah*. The genius *tzadik*, R' Berish of Biała, son of HaGaon R' Abraham of Ciechanów, of the important Warka chassidim, was also a visitor to the home of R' Yehoshe'le.

In spite of that, R' Yehoshe'le did not want to remain in Warka, and after he sat there for about three years, he moved in 1853 to Pułtusk, and there his only son was born, HaRav R' Moshe Pinchas, who later filled his place in Kutno. This son married the daughter of HaGaon R' Abraham Meir president of the rabbinical court of the community of Białobrzegi, who was the son and friend of the *tzadik* R' Yeshaya of Praga¹¹, and son-in-law of the

tzadik R' Yitzhak of Warka. The *Admor* R' Mendel of Warka, attended the wedding of R' Moshe Pinchas as the bride's uncle, and R' Yehoshe'le then said to R' Mendel of Warka: "I give you my only son with my body and soul," and this son of his really excelled as a *tzadik* and a scholar.

In the month of Tevet 5621 [Dec 1860-Jan 1861], R' Yehoshe'le was accepted as rabbi in Kutno, and here he became famous as a genius and respondent to *D'var Torah* to all who turn to him, and in the name of this community he became famous in the Jewish world, "R' Yehoshe'le of Kutno." Everything that came into being in the Jewish world, the rabbinic literature, was connected to the name of R' Yehoshe'le. Apart from the answers to *halacha* that he wrote to various rabbis, he was also the "consent minister," and every rabbi or author, who wanted to publish a book in print, came to R' Yehoshe'le to receive his consent, and on the hundreds of books that were printed in this period, from 1861 to 1893, the year of his passing, we find his consent.

In the first years of his rabbinate in Kutno the question of the children of poor, who grew up without education, without good manners and without piety, arose there. These children were left to fend for themselves, stole fruit from the sellers' stalls, slept in abandoned ruins until they were abducted to the Tsar's army where they were forced to convert from Judaism. The leaders of the community of Kutno addressed this problem and began to work on correcting the situation of the Jewish children. They worked on regulations and acquired members to establish for these children a revised Talmud Torah, such as in the big cities in the country, in which the study of writing and arithmetic also entered its program. However, opponents of the foundation of such a Talmud Torah arose from among the chassidim who feared heresy. Both sides came to the Rabbi of Kutno to offer before him their claims. Those, who argued against, tried to persuade the genius not to give his consent to the new institution, because they feared that its students will fall into bad ways. On the other hand, those who supported it argued that the children of the poor should not be neglected and it is necessary to educate them in the Torah and good manners, they will be literate people, who will be able to engage in trade and craft, and the number of criminals among them will decrease. The argument between the two sides was heated and lasted a long time, one forbids and the other allows, until HaGaon of Kutno ruled in favor of Talmud Torah. He was the first to donate a tidy sum from his salary for the upkeep of the institution, and watched over it all the days of his tenure. (Asaf Elberg. Told by R' Ze'ev Yehuda [Wolf Leib] HaCohen Szymonowicz).

As is well known, there was a strong friendship between the two geniuses, the author of *Chiddushei*

⁸ TN: in the original Hebrew text, "Shimshon of Sens" but incorrect.

⁹ TN: Chaz"l – acronym for the Hebrew "Chachameinu Zichronam LiV'racha" – Our Sages, may their memory be blessed.

¹⁰ TN: *Sukkot*, *Pesach* and *Shavuot*, the three festivals commanding a pilgrimage to the Temple of Jerusalem, when it existed.

¹¹ TN: Praga, a mostly Jewish district of Warsaw.

*HaRim*¹² from Ger, and R' Yehoshe'le, despite the great difference in years between them. *Chiddushei HaRim* was twenty-one years older than his friend HaGaon of Kutno. Whenever HaGaon of Kutno was in Warsaw, he used to go to the home of *Chiddushei HaRim* to talk to him, and stayed with him for a long time in conversations on *Divrei Torah* and, as was customary, they argued with each other.

Once, he came to *Chiddushei HaRim*. The matter was before *Rosh HaShana*. As they were accustomed to, they sailed into a discussion on one of the issues in the *halacha*, their opinions were divided and each of them defended his opinion. In the end, the Rabbi of Kutno called out of disagreement to *Chiddushei HaRim*: "your honor is already immersed in the atmosphere of the impending *Rosh HaShana*, and since your honor hovers in the upper worlds in the manner of the *chassidut*, his mind is not free to the body of the *halacha*." *Chiddushei HaRim* smiled at the words of his young friend and they parted out of friendship. However, immediately after he left, HaGaon of Kutno began to consider the words he had said to *HaRim*, and felt that he disrespected the honor of his friend, the great scholar, who is older than him in years, "*HeChassid HaGaon*" as he used to call him, and committed an explicit offense of despising a scholar. He immediately returned and came to the *HaRim*'s house, took off his shoes, and entered to him, as if he was reprimanded, in his socks, asked for forgiveness for the slip of the tongue he unintentionally emitted. *Chiddushei HaRim* hugged his young friend, sat him down and reassured him by saying that he had not heard any insult, or a word of contempt, from his mouth. Since, their friendship has grown stronger.

In 1870, R' Yehoshe'le published his book *Yeshuot Israel* on *Choshen Mishpat*¹³. The book made a great impression on the learners, and the genius, author of *Avnei Nezer*¹⁴ of Sochaczew, said about this book, that it was arranged for great wise scholars and only they can understand the deep things written in it.

In 1864, HaGaon R' Zvi Hirsh Kaliszer, the Rabbi of Toruń, turned to R' Yehoshe'le to write a consent to his book *Derishat Zion* in which he suggested two things: A) To establish the Society of *Eretz Israel*, to build the country even before the coming of the Redeemer. B) The renewal of the sacrifice service in Jerusalem based on of the words of Chaz"l "Sacrifice even though there is no Temple." R' Yehoshe'le wholeheartedly agreed to R' Kaliszer's proposal regarding the "settlement of *Eretz Israel*," and wrote in his consent from 10 Tevet 5624 [20 December 1863] "My honorable friend, the great rabbi, renowned for his genius and glory, his name is his glory, our master, R' Zvi Hirsh Kaliszer may his light shine

brightly, his precious words have shed their light upon me, and I am glad to see that he has invested great efforts on behalf of the "Society for the Settlement of *Eretz Israel*," when one begins a *mitzvah*, we say to him, finish it, continue and you will surely succeed. Do not become disheartened or discouraged by the words of the opponents." R' Yehoshe'le of Kutno, in addition to his signature on the proclamation, turned with answers to the great rabbis to support this enterprise of the *etrogs* of *Eretz Israel*. "Blessed are those who strive for it. I hereby say *shalom* to his honor, and *shalom* to the leaders of the organization, and although their beginning was insignificant, their end will be exceedingly great." This was the beginning of the appearance of the Gaon R' Yehoshe'le on behalf of *Eretz Israel*. From now on, the *mitzvah* of settling of *Eretz Israel* takes first place for him.

In 1874, his genius son-in-law, R' Chaim Elozor Waks, author of *Nefesh Chaya*, who was president of the Kollel Poland¹⁵, published a proclamation calling to buy *etrogs* from *Eretz Israel* and not *etrogs* from Corfu. The proclamation was signed by the chassidic leaders and the Rabbis of Poland and Galicia, among them were the author of *Sefat Emet*¹⁶ of Ger and the *tzadik* Yechiel Meir of Gostynin, the *Admor* R' Abraham of Sochaczew and more. R' Yehoshe'le, besides signing the aforementioned proclamation, wrote answers to the great rabbis to support this enterprise of *etrogs* from *Eretz Israel*, to HaRav R' Elazar HaCohen of Pułtusk, author of *Chiddushei Maharash*, son-in-law of the genius author of *Chavat Da'at* from Leszno, R' Yehoshe'le writes wittily as usual, "indeed, many exaggerate, to a very large extent, choosing these *etrogs* for themselves... as if a voice had come from the heavens saying that the 'fruit of the citrus tree,' mentioned in the Bible, is only from the inhabitants of the oppressors of the Jews living on the Island of Corfu."

He also demanded, with all his might, to support the settlement of *Eretz Israel*. In one of his answers to the *Admor* R' Israel of Pulawy, grandson of the old *Admor* of Kock, he writes: "and according to the opinion of *Kesef Mishneh*¹⁷, the one who ascends from Babylon, even to *Eretz Israel*, transgresses a positive *mitzvah* and it is not understood, for it was only said about the land of Babylon in particular and not of the rest of the foreign countries, and the reason is, that after they were negligent in the days of Ezra, they did not want to return for they did not consider it a complete commandment, that they must settle there until the final visitation, as the prophet foretold. However, those who dwell in these countries, who were exiled from *Eretz Israel* by Titus, along with the people of all the other lands, are not included in this rule, and it is a great *mitzvah*... And the Maharam of Rothenburg feared

¹² TN: Yitzhak Meir Rotenberg-Alter, the first Rebbe of the Ger chassidic dynasty, aka *Chiddushei HaRim* for his Torah writings.

¹³ TN: *Choshen Mishpat* (lit. "the Breastplate of Judgment"), the fourth section of the legal codes, the *Tur* and *Shulchan Aruch*, dealing with laws of judicial procedure, monetary affairs, real and personal property, property damages and personal injuries, etc.

¹⁴ TN: *Avnei Nezer* (lit. "Stones of the Crown") was written by Abraham Bornsztajn.

¹⁵ TN: Kollel Polyn, is a charity organization founded in 1796 in Poland by the Torah leaders of European Jewry.

¹⁶ TN: *Sefat Emet* (lit. "Language of Truth") was written by Yehuda Arye Leib Alter.

¹⁷ TN: *Kesef Mishneh* – a commentary on Rambam's *Mishneh Torah*, written by Joseph Karo.

the dangerous roads and lack of livelihood... Therefore, now that there has been a change for the better (with God's help) both in terms of the dangers of the roads and in terms of poverty, it is certainly a great *mitzvah* etc. In any case, the essence of the *mitzvah* is above all an inheritance and dwelling there like a person does in his own property, to acquire *Eretz Israel* that will be under our inheritance and not to come empty-handed like today... It is undoubtedly a great *mitzvah*, because the gathering is the beginning of redemptions, and we read in *Yevamot* page 64, that the "*Shechinah* does not rest upon less than two tens of thousands of Jews," especially now that we have seen the great desire, either by lowly and average people, and upright people, it is almost certain that the spirit of redemption sparkles. (responsa *Yeshuot Malko*, *Yoreh De'ah*, mark 66).

*

HaGaon, R' Yehoshe'le, did not stop working on the matter of *Eretz Israel* despite the opposition from several sides. In 1886, he left for *Eretz Israel* together with his son-in-law, R' Chaim Elozor Waks, author of *Nefesh Chaya*, from Kalisz, who was the president of Kollel Russia and Poland. Before their journey these geniuses received ten thousand rubles from a wealthy Polish man for the benefit of the poor of *Eretz Israel*. They left Odessa on a simple passenger ship, in third class, and after a difficult journey of several months they finally arrived to the Holy Soil in Jaffa.

Both, R' Yehoshe'le and his son-in-law *Nefesh Chaya*, received a special welcome. All the Jewish residents in the country came out to meet them. At first, R' Yehoshe'le and his son-in-law wanted to spend the money on organizing a group of Jews, residents of Jerusalem, who will leave "the city to the village" to engage in farming¹⁸.

When they arrived in Jerusalem all the city's dignitaries, headed by HaRav HaGaon R' Shmuel Salant¹⁹, came out to meet them. The distinguished guests stayed in Jerusalem for about three weeks, they visited all the holy sites and institutions of Torah and charity in Jerusalem, and on the Shabbat Parashat Pinchas [16-17 July 1886], *Nefesh Chaya* preached a farewell sermon to the members of Kollel in Jerusalem and said: "You should know, my brothers, that all my thoughts, and all my work, are only for your benefit, and now I have made the decision to come to Zion and ask for means to improve your life so that you could live from the labor of your hands and you will not have to eat the bread of charity, contaminated bread of kindness..."

HaRav Waks did not bring into account all the recipients of charity, and decided to buy a number of courtyards in the northern part of Jerusalem called "Bab

Huta," which, at that time, was not inhabited by Jews. By doing so he expanded the area of the Jewish settlement outside the wall. Also, his father-in-law, R' Yehoshe'le, when he saw the economic situation in Jerusalem, said to the residents of Jerusalem: "why are you sitting idle and only waiting for charity money, you loath a job that earns its owner a respectable living?" and just because of the respect they felt for this famous righteous genius, they did not boycott him. Other than that, R' Yehoshe'le and his son-in-law *Nefesh Chaya*, bought an orchard in "Kfar Hittim" near Tiberias, and planted etrog²⁰ trees in it. On 6 Elul 5646 [6 September 1886], when they returned to Poland, the author of *Nefesh Chaya* published an enthusiastic declaration and in it he writes:

"To the honor of the tens of thousands of Jews, the chosen people, the leaders of our brethren in the Diaspora, the genius rabbis, etc. God, by such things men live. Here, since I informed the venerable geniuses that I have planted etrog trees in the Holy Land in Kfar Hittim, which is called in the *Midrash* 'Kfar Hittaya,' and brought plantings from those kosher in the *Masora*²¹ from generation to generation, but this year, when I was privileged to ascend to the Holy Land and dwelt in the desert, not in a guest hotel, I set my eyes on the disgrace with greater vigor and corrected everything I could for the better and, with God's help, they grew and succeeded in appearance and shape, beautiful in appearance and nicer than the etrogs of Corfu... and surely, every person will be enthusiastic to take an etrog from the Holy Land, and also according to the law, and as the Jewish righteous agreed, that the etrog of the Holy Land is kosher and even if the Corfu etrog is more beautiful than it, it is only appropriate to bless the etrog from the Holy Land" (History of HaRav Chaim Elozor Waks from Beit HaLevi, p. 74).

HaGaon of Kutno was the first to touch the question of the Arabs, even before Herzl. Once, when he talked with the Zionist leader, Nachum Sokolow, R' Yehoshe'le asked "and what will happen in *Eretz Israel* if the Arabs would not agree to the immigration of Jews to the country?" – and he immediately answered – "I have a piece of advice, bring your young people from Lithuania, they are not as lazy as the young people in Poland, and they will not be afraid of the Arabs" (told by HaRav Brot z"l).

HaGaon R' Azriel Hildesheimer from Berlin, who was in contact with R' Zvi Hirsh Kaliszer in the matter of the settlement in *Eretz Israel*, also came especially to R' Yehoshe'le to settle with him the matters of the settlement of *Eretz Israel*.

HaGaon of Kutno was an educated man, proficient in the written Torah and also in the Oral Torah, the Babylonian and the Jerusalem Talmud, in *Rishonim*²² and

¹⁸ TN: at this time, Jerusalem was delimited by the present "Old City" and the *Mishkenot Shaananim* neighborhood, built outside the walls, in 1859-1860, by benefactor Moshe Montefiore.

¹⁹ TN: (January 2, 1816, Białystok – August 16, 1909, Jerusalem), Ashkenazi Chief Rabbi of Jerusalem for nearly 70 years.

²⁰ TN: "*Etrog*", yellow citron used by Jews during the week-long holiday of *Sukkot*, as one of the four species.

²¹ TN: *Masora* – a collection of critical and explanatory notes on the Hebrew text of the Old Testament.

²² TN: *Rishonim* (the "first ones") are the leading rabbis and *poskim* (Jewish legal decisors) who lived approximately during the 11th to 15th centuries.

*Acharonim*²³. He was an excellent scholar and bibliographer of medieval literature. And so, he wrote in one place: "And it is a simple fact that *Sefer Chassidim*²⁴, which was written in *Beit HaMidrash* of R' Yehuda HeChassid in Ashkenaz, in the city of Regensburg, was about Rabbeinu Gershom Me'Or HaGolah²⁵ because, for a long time, Rabbeinu Gershom Me'Or HaGolah was his

rabbi's rabbi, Rashi, and R' Yehuda HeChassid lived in the year 1808, and R' Yitzhak Or Zarua²⁶ was his student." (*Yeshuot Malko*, part *Even Ha'ezer*, mark 2), and so he writes "And it appears from the words of the one who says that the *Halachot Gedolot* in our hands is a collection from the *Halachot Gedolot* written by R' Shimon Kayyara, as they were written by the Rabad²⁷ and the Ramban²⁸, and from *Halachot Pesokot* written by Hai Gaon²⁹ as was written by the SeMag³⁰, therefore it is not surprising that his words sometimes contradict each other." In the time of the HaRan³¹ and Ribash,³² *Beit HaMidrash* in Barcelona of the Rashba³³ expanded, and elsewhere writes "Indeed, I looked in the writings of the Maharam³⁴, and he was an earlier rabbi of the rabbi, the son of the Rashba, and because it is a rare book, I decided to copy his words." (*Yeshuot Malko*, *Ketuvim*, mark 20).

He used to name anyone, who moved away from the life of tradition, "weak," and not, God forbid, a "Jewish criminal" or "evil." Each time one of the residents of Kutno, who was a modern Jew and deviated from the ways of tradition, entered his house, R' Yehoshe'le asked him: "Why are you so weak?" At first, the man thought the genius was asking him why his health was weak, the man replied that his health was fine, but the genius did not let go of him and asked him again why he was so weak, until he learned from his family that in the concept "weak" the genius meant not his state of health but his state of Judaism.

Many communities turned to the genius to accept the burden of the rabbinate in their community, but he did not want to leave the place he liked, Kutno. Although, that he himself was accustomed to say, when he was in a humorous mood, that "Kutno is not a city and here is proof from the verse (Melachim II, 5/2) 'and captured from *Eretz Israel* a minor young girl,' the Gemara asks (Chulin 5a) 'And it is difficult for us to understand why the verse calls her a young woman and also calls her a minor? And Rabbi Pedat said: 'she was a minor girl who was from a place called Naaran', meaning, a minor from the city of Niran, and why the Gemara doesn't explain that 'she was a young girl from the city of Kutno.' But the conclusion that emerges from the words is that Kutno is not a city at all."³⁵



Title page of *Yeshuot Malko* by R' Israel Yehoshua of Kutno

²³ TN: *Acharonim* (the "last ones") are the leading rabbis and *poskim* living from roughly the 16th century to the present.

²⁴ TN: *Sefer Chassidim* – "Book of the Pious."

²⁵ TN: Gershom ben Judah, best known as Rabbeinu Gershom Me'Or Hagolah ("Our teacher Gershom the light of the exile"), was a famous Talmudist and Halakhist.

²⁶ TN: Yitzhak ben Moshe of Vienna, also called Yitzhak Or Zarua or the Riaz, was among the greatest rabbis of the Middle Ages.

²⁷ TN: Rabbi Abraham ben David (ca 1125 – 27 November 1198), French Provence Rabbi, considered as a father of Kaballah.

²⁸ TN: R' Moshe ben Nachman, commonly known as Nachmanides is also referred to by the acronym Ramban.

²⁹ TN: Hai ben Sherira, better known as Hai Gaon, was a medieval Jewish theologian, rabbi and scholar.

³⁰ TN: SeMaG – *Sefer Mitzvot Gadol* (lit. "The Great Book of Commandments") was written by Moshe ben-Yaakov of Coucy.

³¹ TN: HaRaN – Nissim ben Reuven of Girona, Catalonia, was a Talmudist and authority on Jewish law.

³² TN: Ribash – Rabbi Yitzhak ben Sheshet Perfet, was a Spanish Talmudic authority.

³³ TN: Rashba – Rabbi Shlomo ben Abraham was a medieval rabbi and Talmudist.

³⁴ TN: Meir of Rothenburg, a German rabbi and poet, is also known by the Hebrew acronym Maharam (*Morenu HaRav Meir* – Our teacher the Rabbi Meir).

³⁵ TN: this paragraph is a double pun on "minor" ("*ktana*") and "Kutno" ("*kutna*"), on one side, and "young girl" ("*ne'ara*") and "Naaran", on the other side.

HaGaon R' Yehoshe'le, apart from his greatness in the Torah and righteousness, excelled in moral personality. He hated greed and did not know the shape of a coin. He never had a pouch of money, gave all his salary to his spouse, the rebbetzin, and sometimes, when a banknote was laid on his table and R' Yehoshe'le, in his usual manner, was immersed in his studies he took the banknote and wrap the smoking tobacco in it.

In 1891, HaGaon of Kutno turned seventy years old, and thirty years to his sitting on the rabbinate chair in Kutno. The members of his community decided to celebrate the 70th anniversary. Out of appreciation and affection to their rabbi, the members of the community decided to declare a great holiday in his honor and to invite, from near and far, great Torah scholars, to participate in their joy, that they were privileged to have a great genius rabbi would sit among them. The initiators of the celebration knew their rabbi's great humility and feared that he would not agree to it. Therefore, they came and offered before him the need for this holiday in honor of the Torah, its students and supporters.

When they heard the absolute opposition of HaRav HaGaon, the community leaders were forced to cancel their will for his will, and even though the Rabbi of Kutno did not exclude himself from parties of joy, and used to attend all the *mitzvah* meals even with the simple homeowners, to fulfill the saying of Chaz"l: "Seven descend to the Heaven and some say also the one who is not in a group of a *mitzvah*" (Pesachim 113b). Nevertheless, the jubilee celebration was not considered a *mitzvah* meal for him and he did not agree to have the celebration held in his honor, and the community leaders were forced to cancel their will for his will.

*

In 1893, HaGaon of Kutno fell ill, the doctors, who visited him, forbade him to put too much effort into studying and reading the Six Orders of the *Mishnah* and *Poskim*, because they weigh on his heart, but the genius did not listen to them and said to his family, "life without Torah is life of a beast," and it is not worth continuing to live without studying the Torah. Near his death HaGaon of Sochaczew came to visit him, the two geniuses secluded themselves and talked about *D'varei Torah*. When HaGaon of Sochaczew parted from the patient, he wished him a complete recovery and long life. R' Yehoshe'le answered him: "His Honor surely means a world that is all long."³⁶ When HaGaon of Sochaczew came out he said to his escorts: "I saw R' Yehoshe'le watching and looking into the distance."

Before his death he ordered to take the burial expenses from the money he had saved especially for it from the day he turned seventy years old, to buy him a new *tallit* to bury him in it. Not to carry on with a lot of eulogies and not to build an *ohel* on his grave. On Sunday, *Parashat Matot* and *Mase'ei*, 25 Tamuz 5653 [9 July 1893], he returned his soul to the Heavens. All the great rabbis of the time, among them the Admor R' Abraham of Sochaczew,

HaGaon R' Eliyahu Chaim Maisel of Łódź, HaGaon R' Yitzhak HaCohen Fajgenbaum chief of the rabbinical court in Warsaw, HaGaon R' Shimon Orenstajn of Kalisz, his student HaGaon R' Yoav Yehoshua [Wajngarten] of Gostynin, and others, came to his funeral and gave him great honor.

He left important books. *Yeshuot Israel* on *Choshen Mishpat*, was printed in his lifetime, in 1870.

Yeshuot Malko, responsa for the four sections of *Shulchan Aruch*, was printed after his death, in 1928, by his grandson HaRav Yitzhak Yehuda Trunk of Kutno.

Yevin Daat, innovations and responsa, was printed in 1932 by his grandson HaRav Yitzhak Yehuda Trunk of Kutno.

HaRav A. Y. BROMBERG
(from "Gvilin" – for national religious thought,
issue 18
Tel-Aviv, Tevet 5724 – December 1963)

³⁶ Meaning, the world to come after his death.