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## **“A HERETIC WHO HAS NO FAITH IN THE GREAT ONES OF THE AGE”: THE CLASH OVER THE HONOR OF *OR HA-ḤAYYIM*\***

### 1. “IN POLAND THEY HOLD IT IN HIGH ESTEEM”: HASIDIC ATTITUDES TOWARD R. ḤAYYIM BEN ATTAR

Almost as soon as it was published, the book known as *Or ha-ḥayyim*, comprising the Torah interpretations of the Moroccan sage R. Ḥayyim ben Attar (1696–1743), became one of the most beloved literary works within the Hasidic movement, a favorite of its leading personalities going all the way back to R. Israel Ba'al Shem Tov (the Besht) himself. The attitude of the early Hasidim toward the book was transmitted to ensuing generations, and the book was venerated and esteemed by *zaddiqim* and Hasidic rank and file alike. The book enjoyed numerous accolades; and while ben Attar lived in a world far removed from that of the Hasidim, the literary qualities of his commentary were able to bridge that gap and locate hidden pathways from North Africa to Eastern Europe.<sup>1</sup> Ben Attar's student, R. Ḥayyim Joseph David Azulai (Ḥida) could write: “We have heard that in Poland, they hold it in high esteem, and it has been printed two more times.<sup>2</sup> And this was inspired by the pious and holy rabbi, our master R. Israel Ba'al Shem Tov, having spoken of the great soul of our aforesaid master R. Ḥayyim.”<sup>3</sup>

Hasidic thinkers and respected *zaddiqim* in the ensuing generations were influenced by the Besht's opinion, and they, too, held the book and its author in great esteem and spoke hyperbolically of his exalted level of spirituality. R. David Solomon Eibschutz of Soroka (1755–1813), for example, commenting on the verse “when they came near before the Lord and died” (Lev. 16:1), could say: “See what the breath of our nostrils [cf. Lam. 4:20, where the phrase is applied to God's anointed one] wrote on this in his book *Or ha-ḥayyim*; and his words can be comprehended only through the holy spirit. Only a bit of the first of his comments are understandable to one who looks

into them.”<sup>4</sup> Similarly, the *zaddiq* and kabbalist R. Isaac Judah Jeḥiel Safrin of Komarno (1806–1874) wrote as follows:

One who accepts a single commandment in faith is worthy of having the holy spirit alight upon him . . . and for that reason, [God] sets against him wicked accusers who scorn him . . . as they did the holy rabbi, our rabbi Ḥayyim ben Attar, who was scorned by some accused one [who said]: “you are a deceiver and a hypocrite.” And to this day, the stupid and foolish among his countrymen scorn him . . . But our teacher the Besht said of our holy rabbi [the author of] *Or ha-ḥayyim* that his soul has the spirit of David from the [world of] emanation. And every night he heard Torah from the mouth of the Holy One blessed be He. And the greater part of his holiness cannot be described in writing. He was among those who descend to the chariot [that is, attain exalted mystical visions] and attain revelation of souls and true levels of the holy spirit.<sup>5</sup>

The *zaddiq* R. Israel of Ruzhin (1796–1850)—who provided, toward the end of 1849, an enthusiastic approbation for the publication of a Pentateuch with the *Or ha-ḥayyim* commentary<sup>6</sup>—was quoted by his son, R. David Moses of Czortkov (1827–1903) as having said: “Just as in earlier times the holy Zohar had the capacity to purify the soul, today, study of the holy *Or ha-ḥayyim* on the Torah has the capacity to purify the soul.”<sup>7</sup>

From the time he heard this from his father, R. David Moses made it a point to study this commentary weekly, and the practice came to be considered a sacred obligation among the Sadigura (Sadegóra) Hasidim.<sup>8</sup> Even the *maskil* Abraham Ber Gottlober, who lived in a Hasidic environment, recounted the pleasure he took in his regular study of *Or ha-ḥayyim*, noting that “in those days, no *ḥumash* in our land was without that commentary.”<sup>9</sup>

The high esteem in which the Hasidim held R. Ḥayyim ben Attar and his book stands in contrast to the more moderate—perhaps even reserved—attitude of his fellow Sephardic Jews regarding the man and his work. The comments of the *zaddiq* of Komarno regarding “the stupid and foolish [among R. Ḥayyim ben Attar’s] countrymen” (that is, Moroccans), who “accuse and scorn him” have already been noted. Another instance dates from 1870, when the *zaddiq* R. Ezekiel Shraga Halberstam of Shinova (1818?–1898), the son of R. Ḥayyim of Sanz, visited the Land of Israel and decided to delay his return to Galicia until after the anniversary of R. Ḥayyim ben Attar’s death. On that day (15 Tammuz), R. Ezekiel went to the sage’s grave on the Mount of Olives and was surprised to see that no Sephardim were present. Upon asking why, he was told that while ben Attar was himself a Sephardi,

he had disputes with them, for he recognized their impudence and they did not acknowledge his great holiness . . . and even after he

departed, “they knew not, nor did they understand; they went about in darkness” [cf. Ps. 82:5] with respect to his exalted sanctity. Not so we, the Ashkenazim and the Hasidim, disciples of the disciples of our rabbi the Besht...and it is our legacy from him that [ben Attar’s] name is holy and awesome beyond understanding.<sup>10</sup>

The Hasidic leadership in Eastern Europe could not, of course, respond to this lack of respect on the part of the Sephardim for the esteemed figure of R. Ḥayyim ben Attar. Another incident related to ben Attar’s book had arisen only some years earlier, however, and in that case, their response was harsh and severe.

2. “SOME *MELAMMED* SLIGHTED THE *OR HA-ḤAYYIM*”:  
THE RESPONSA OF R. ḤAYYIM OF SANZ

A famous question posed to the *zaddiq* R. Ḥayyim Halberstam of Sanz (1799–1876) pertained to the sanctity of the *Or ha-ḥayyim*. The question appears as follows in R. Halberstam’s *Responsa divrei ḥayyim*: “Some *melammed* slighted the *Or ha-ḥayyim*, of blessed memory, saying he did not write his book with the holy spirit.”<sup>11</sup>

The terse question and ensuing brief answer are undated. The version of the question we have cannot be the original one—it is not even worded as a question, and the details and context of the incident are not presented. That the *melammed* committed an offense—that of “slighting”—is presumed ab initio in the question itself. Almost certainly, the printed version of the question was edited by R. Ḥayyim’s grandsons, who published their grandfather’s book during the final year of his life.<sup>12</sup> In any case, the response sheds some light on the details of the episode: a certain *melammed* of undisclosed name and provenance slighted R. Ḥayyim ben Attar by saying his book had not been written with the holy spirit but only, as we are to understand, through the wisdom and intelligence of the author himself.

In his response, R. Ḥayyim of Sanz does not pin down the elusive concept of the “holy spirit”; instead, he beclouds it even more.<sup>13</sup> He begins with a straightforward determination that the holy spirit is a phenomenon that continues to exist (“I do not know why you doubt that the holy spirit rests even now on one who is worthy of it”). The Talmud, to be sure, states that prophecy had been taken away from the prophets; but, at the same time, “the spirit of prophecy” has been given to the sages, and “a sage,” accordingly, “is superior to a prophet.” He writes: “Even after the destruction [of the Temple] the spirit of prophecy rests on those who are worthy of it, that is, the holy spirit of wisdom.” The “vision and revelation” that characterized the prophets’ prophetic experience may have passed from the world,

but the sages' prophecy, "manifest in wisdom, was not taken away. Rather, they [the sages] know the truth through the holy spirit that is within them."<sup>14</sup> In other words, the holy spirit operates on two levels—that of the ancient prophets and that of the sages in each generation. And while the former has terminated, the latter very much continues to exist. The "holy spirit of wisdom," which comes to rest on sages who are worthy of it, is the intellectual activity ("the way of wisdom") involved in uncovering the truth ("the truth of Torah"), whether in the ongoing circumstances of life or in the authoritative exegesis of Scripture. That holy spirit is a reflection of ancient prophecy, and its source lies in an inner holy spirit that has not terminated and never will. These ideas, according to R. Ḥayyim, are grounded in talmudic sources, and one who denies them is a heretic.

What, then, was the offense of that anonymous *melammed* whose livelihood was ruined? The responsum implies that he argued, on the face of it, that the holy spirit had entirely terminated. The heretical words were not a one-time utterance or slip of the tongue; evidently, the *melammed* had disseminated them publicly. According to R. Ḥayyim, this "vile" *melammed* even managed to secure "responsa from the great Torah scholars of our age" in support of his view that in our day, the holy spirit has entirely terminated:

And concerning what you wrote [regarding his receipt] of a responsum from the great Torah scholars of our age regarding the total termination of the holy spirit—I will not believe that our rabbis, may they live long, in fact said that. Who knows what this vile deceiver wrote to them? But truth is a witness to its [the holy spirit's] way, for even in our time, the true sages, who do not incline toward the material, possess the holy spirit.... Accordingly, the author of *Or ha-ḥayyim*, whose soul is secreted on high, certainly wrote his book with the holy spirit. **And not just he: rather, every writer worthy of it, even in our own generation, writes his book with the holy spirit;** that is, his wisdom corresponds to the truth of the Torah.... Accordingly, the *melammed* who denies the holy spirit of the *Or ha-ḥayyim* is **a heretic, for he has no faith in the great Torah scholars of the age** who attested that he [R. Ḥayyim ben Attar] was worthy of the holy spirit. And that *melammed* denied the fundamental principle of the holy spirit and mocked the aforesaid words of the Talmud in *Bava batra* [12a]. And you did well in not entrusting your children to him; well done! But I cannot rule regarding his wages as a *melammed* without the presence of the litigants and without knowing exactly how he conducted himself, for there may be some error here. Regarding that, you may rely on your local rabbinical authority.

R. Ḥayyim of Sanz cannot conceive of the great scholars of the age lending support to the heretical view "regarding the total termination of the holy spirit,"<sup>15</sup> and he suspects the *melammed* ("this vile deceiver") of having fooled those who replied to him or of having falsely

misrepresented the response he received. With respect to the issue at hand, R. Ḥayyim's responsum is an enthusiastic defense of the continued dwelling of the holy spirit within the hearts of those sages, present as well as past, who are worthy of it. (He himself acknowledges that not every sage is worthy!)

The harsh actions of the men who posed the question—not only did they fire the *melammed* from his job; they also withheld his wages<sup>16</sup>—and the supportiveness of R. Ḥayyim of Sanz's responsum (apart from his uncertainty about withholding wages) suggest that they saw in the *melammed's* “heretical” remarks something more than an affront to the author of *Or ha-ḥayyim* with respect to his not having attained the holy spirit. True to the talmudic adage that “a heretic . . . is one who scorns a Torah scholar,” (*Sanhedrin* 99b), they took the *melammed's* actions as an affront to the honor and authority of all the sages and leaders of the day, for it was they who had determined that R. Ḥayyim ben Attar was worthy of the holy spirit. As R. Ḥayyim of Sanz put it, “he believes not in the great leaders of the time.” And if R. Ḥayyim were writing as well from an immediate, personal perspective, one could fairly infer that when he wrote of sages and authors “of our time” and of “the great leaders of the time,” he meant to include among them his fellow *zaddiqim*, the leaders of the Hasidic movement.<sup>17</sup>

Hasidic literature in fact devotes more than a little attention to the source of the *zaddiq's* authority. A radical answer was provided by R. Moses Ḥayyim Ephraim of Sudlikov, the Besht's grandson, who stated explicitly that “the leader of the generation [i.e., the *zaddiq*?] is named not by human but by heavenly authority.”<sup>18</sup> Various writers therefore interpreted the obligation of the Hasidim to offer unquestioning obedience to the *zaddiq* in light of their own self-perception as having been chosen by divine grace for their roles—and, accordingly, as beneficiaries of the holy spirit's ongoing guidance. In his indictment of Hasidism, the *maggid* (preacher) R. David of Makov asserted that the Hasidim say “that all the words [of the *zaddiq*] are the holy spirit emanating and speaking from his throat.”<sup>19</sup> And the *zaddiq* R. Eliezer of Tarnograd (d. 1806), who wrote his book *No'am megadim* during the final decade of the eighteenth century, based the obligation to obey the directives of “the sages of each age” on the holy spirit pulsating within them:

And see, I will inform and give you understanding, that the true reason for carefully heeding the voice of the sages of each age is that **their words are the words of the living God that come to them through the holy spirit** . . . For at one time, God our Lord revealed Himself to us at Mount Sinai and gave us His Torah and showed us His glory and His greatness, after which He returned to

His heavenly dwelling place. And the polity is run by His ministers, the sages and interpreters in each generation. The King's orders come to them through the holy spirit—and the members of the polity must act accordingly. And he [the “minister”] simply acts and speaks, without saying that his instructions have come from the King, for it is unseemly to mention the King's name with respect to each action. And the fools who disobey his word say that they, too, are like him [that is, like the minister]. But they do not know that God speaks truth through his mouth, and they are sentenced to the fire.<sup>20</sup>

Remarks of this sort regarding the holy spirit had appeared earlier, of course, even among non-Hasidic writers. As we shall see below, however, it is no coincidence that in the case of the *melammed*, the inquiry moved to the plane of belief and extra-normative values. Preoccupation with the question of respect—not only for the author of *Or ha-ḥayyim* but for the *zaddiqim* overall—and with the question of trust in the spiritual leadership (“he does not believe in the great leaders of the time”) are among the prominent markers of defensive Orthodoxy during the 1860s.<sup>21</sup>

### 3. “AN EMPTY-HEADED, IGNORANT MAN”: ADDITIONAL REACTIONS TO THE INCIDENT

Although the case of the *melammed* and R. Ḥayyim's responsum went almost entirely unnoticed in the literature of the period, two reactions—one from afar, one local—have been preserved. R. Jacob Tannenbaum (1832–1897), head of the rabbinical court in Putnok, Hungary, was asked for his opinion on a similar question, this one involving a slaughterer of kosher meat who had slighted the author of the book *Ma'avar yaboq*: “a certain slaughterer had the effrontery not to recite for a deceased anything from the book *Ma'avar yaboq* on the grounds its author was only a *katshebnik*.”<sup>22</sup> In his response to this obscure incident, Tannenbaum relied on R. Ḥayyim of Sanz's responsum regarding the *melammed* and analogized his own case to that one: “so, too, regarding the slaughterer, a spirit of heresy seems to have been cast into him, for he mocks our holy rabbis.... But since he cannot be sentenced to punishment in absentia, let his honor [the inquirer]... so inform the local rabbinic authority to whose jurisdiction the slaughterer is subject.”<sup>23</sup>

This reaction, whose date and provenance are not noted, casts no new light on the incident of the *melammed* and the *Or ha-ḥayyim*, but it provides evidence of widespread awareness of the episode and of the harshness with which rabbinic decisors and halachists treated all cases of spiritual “deviance,” mild as well as severe, on the part of

*melammedim* and slaughterers (see further below). Here, too, the focus of the inquiry, which left its mark on the halachic decision, was the extra-halachic ethical consideration of mockery (“he mocks our holy rabbis”). Disparaging the authoritativeness of earlier sages, whose books had become sanctified and familiar to all, was taken as a clear expression of apostasy.

A more detailed reaction to the *Or ha-ḥayyim* episode was written by R. Solomon Drimer (c. 1800–1872), a well-known rabbinic decisor and head of the rabbinical court in Skole (Skala), Galicia.<sup>24</sup> The responsum was issued on November 6, 1865 to one David Shub of Botoshan (Botoșani). It reads, in part, as follows:

Regarding the empty-headed, ignorant man who came to the community of Siven and presumed to speak vain words about our holy rabbis, the sages of the Talmud, that their words are merely of human intellect and did not attain the holy spirit: Inasmuch as all God-fearing men stood against him, he acted under cover of dark. **He asked one of the sages of the generation** whether he had transgressed in saying that the book *Or ha-hayyim* had not been produced through the holy spirit. **And the sage in his reply made fools of you**, for he wrote that since the time of the last prophets, the holy spirit has terminated; **and he ended his letter** as follows: “And I add that even though the author of *Or ha-ḥayyim* was a righteous genius, a pillar of the world, he did not possess the holy spirit”; thus far his words. And all were thereby weakened, for on the basis of this letter, that empty-headed one was able to confirm his words.<sup>25</sup>

Even though the subject here, at first glance, is a certain person who slighted the sages of the Talmud, there is no doubt that the matter here is the same one considered above. R. Solomon Drimer was asked—evidently in parallel to R. Ḥayyim of Sanz—what should be done about this heretic who had slighted the author of *Or ha-ḥayyim*, particularly given that the “empty-headed, ignorant man” had the support of “one of the sages of the generation.” In his responsum, R. Solomon Drimer disputed that anonymous sage, whose identity is not disclosed, and reviewed all the revelations of the holy spirit of which he knew, beginning with the time of the Mishnah and continuing through the Holy Ari (R. Isaac Luria) and the Safed kabbalists all the way to “the exalted holy ones close to our own times, among them the holy author of *Or ha-ḥayyim*, as attested by the holy Besht.”

Siven (Săven), mentioned as the location of the episode, was a small Jewish community in northern Moldova, thirty-three kilometers northeast of Botoshan.<sup>26</sup> That this local episode was brought to the attention of two distant Galician rabbis—and, as we shall see, to the attention as well of R. Solomon Kluger of Brody—reflects not only the scholarly impoverishment of the Jewish communities in Moldova<sup>27</sup> but also the importance as a matter of principle ascribed to this incident.

4. "I CRY OUT IN THE BITTERNESS OF MY SOUL":  
THE LETTER OF THE SIVEN *MELAMMED*

As it happens, we have a rare opportunity to take a broader view of this obscure incident and consider it from the perspective of that "empty-headed, ignorant man," "the vile deceiver...who does not believe in the great leaders of the time."

Included in a collection of letters sent during the 1860s to the decisor R. Solomon Kluger of Brody (1785–1869) is a petition sent by one Abraham Cohen of Siven on August 16, 1865.<sup>28</sup> R. Solomon Kluger was regarded as one of the greatest halachic (legal) decisors of the time, and his legal and moral authority knew no political or geographic boundaries.<sup>29</sup> The letter writer—who does not state his profession but who is certainly the *melammed* referred to in the responsum by R. Ḥayyim of Sanz—complains to the Rabbi of Brody that he is being persecuted by the followers of the *zaddiq* Menaḥem Naḥum Friedman of Stefanesti (S, tefānes, ti) (c. 1825–1868),<sup>30</sup> the son of R. Israel of Ruzhin. Alleging him to be a heretic, they cancelled their financial obligations to him and even expelled him from his town. All this happened to him because of his support for a certain slaughterer, who had said that R. Ḥayyim ben Attar "possessed the holy spirit but his treatise was produced through his wisdom and his learning in the yeshiva."

The *melammed's* words make it evident that he and the slaughterer had not been accused of denying the phenomenon of the holy spirit itself, as might have been inferred from R. Ḥayyim of Sanz's ruling. They, too, agreed that ben Attar's commentary had been written with the holy spirit, but they believed the source of that holy spirit was the writer's wisdom and the Torah learning he had acquired through diligent study. In truth, that view is not so far removed from the words of R. Ḥayyim himself, who argued that the holy spirit of wisdom is what moves the writers of books who are worthy of it.

It is clear that what we have here is a single incident presented very differently by the various writers. The *melammed* Abraham Cohen was struggling to maintain his livelihood and his standing within the community. In writing to R. Solomon Kluger, he sought support from a distinguished decisor whose opinion was respected throughout the Jewish world, and it is reasonable to assume that Cohen directed similar letters to other decisors who, like Kluger, stood outside the Hasidic world. Cohen presented his case in a manner calculated to suit the non-partisan worldview of a scholar such as R. Kluger, highlighting the asymmetry of the struggle: the Hasidic collective, up in arms and organized, versus the persecuted and helpless individual. Meanwhile, the accusatory letter to R. Ḥayyim of Sanz (whose reply is couched in



the plural) seems to have been written by some of the Siven community's leaders, who had made common cause with the Hasidim. Naturally, their letter portrayed the matter in quite different terms, presenting the *melammed* as one who denied the holy spirit in general and who mocked the words of sages and *zaddiqim*.

Against the background of Orthodoxy's vigorous battle against modernity in its various manifestations, especially the Enlightenment and everything associated with it, this sort of remark was considered major heresy, rebellion against traditional authority, and adequate ground for expulsion from the community.<sup>31</sup> But it had not even been suggested to R. Ḥayyim of Sanz that the *melammed* had been expelled from the community (that fact, at least is not mentioned in his printed responsum); he was told only that the accused had been fired from his job as a *melammed* and that his wages had been withheld. As noted, R. Ḥayyim praised them for not entrusting their children's education to such a heretic, but he declined to rule on the matter of the wages without hearing the *melammed's* version of the events.

The text of the *melammed's* letter to R. Kluger follows. In a few places where the written text is damaged, I have filled in the gaps; those inserts appear in square brackets. (Clarifying insertions by the translator are in braces; note that the writer's respectful use of the third person in addressing R. Kluger is preserved in the translation despite its awkward sound in English.)

Blessed be God, Wednesday, the twenty-fourth day of the month of Menaḥem Av, in the year 5625, Siven

May bounteous peace and blessing flow from its heavenly dwelling to his honor, the truly learned one, who enters the chambers of Torah and its palace, clarifying any obscurity that may be posed to him and clearing the path of Torah so it may be traversed. One who delights the heart of the sages with his handiwork, one to whom all difficult matters are brought; one who takes the oppressed and dejected under his wing; the crown of Israel and diadem of Jacob, the leader of the Diaspora, the sturdy pillar, the mighty hammer, pious and modest, righteous and honest; the glory of his holy name; our master Rabbi Solomon Kluger, may his lamp shine brightly.

I have seen how his righteousness and graciousness benefit his people, and how his holy hands extend throughout the world in response to every person's question and petition. I, too, therefore approach on my own part, my eyes incessantly wet with tears over the misery of my lot, greater than the sufferings of others my age.

And so I have written to his exalted honor in Torah regarding what has happened in our town, where ignorant Hasidim have arisen and spoken in pride and scorn of the learned scholars of the time. And a certain slaughterer was angered by their defilement of the Torah's honor. And inasmuch as the Hasidim demeaned the learned scholars as lacking in intellect, he said to them that though the ancients were possessed of the holy spirit, even the Torah was not in the heavens

but was attained by toiling in the yeshiva. And they said to him: Do you say this about the *Or ha-hayyim* as well? The slaughterer said: The *Or ha-hayyim*, too, was possessed of the holy spirit, but his holy treatise was produced through his wisdom and his learning in the yeshiva. To which they all replied that he was a heretic, and they treated him very harshly.

I wrote to his exalted honor in Torah but he did not reply to me. But now I set aside the aforesaid slaughterer and attend to myself, for I arose to help the slaughterer. For I recognized this stumbling-block, in that they did not esteem the Torah and they took a different path, that of sitting together and drinking,<sup>32</sup> and wisdom was nothing to them. I saw as well their scorn for interpreters of the Torah, who were not esteemed in their eyes. I therefore lent support to the aforesaid slaughterer, and I said that the matter was as he had spoken, even with respect to the *Or ha-hayyim*. For he said, as I found in the sermons of the Ran {Rabbenu Nissim ben Reuben of Gerona; fourteenth century} on the matter in *Bava Mezi'a*, that the heavenly academy was divided over whether the appearance of a bright spot of skin before the appearance of a white hair meant that the person was considered pure. The Holy One Blessed be He asked: Who is present? Rabbah bar Nahmani was present.<sup>33</sup> That is, Torah learning is not in the heavens but is given to the sages of each generation so they may adjudicate in accord with our intellect, and the heavens will grant approval to them.<sup>34</sup> And so it is written in *Sefer ha-hinukh* with respect to the blessing over the Torah, that reading the Torah is the province of the intellect [which knows] and recognizes, and prior to attaining benefit must understand it. And God obligated us to give thanks to him before reading the Torah. But with respect to food {thanks are given} after {partaking}, and one who acknowledges the truth will find his words reasonable; thus far his words.<sup>35</sup> But they paid no heed to this, and even spoke haughtily about the Ran having written this. And one of the Hasidim spoke scornfully about the Ran in a manner that should not be committed to writing. But in that they see no offense, but [only] in my aforesaid statement about *Or ha-hayyim*.

Now near our town lives the rabbi R. Naḥum of Stefanesti; he is the rabbi of the Hasidim and they obey what he says. And they told him what I said about the *Or ha-hayyim*, as well as other matters about which I knew nothing. And the rabbi, the *zaddiq* R. Naḥum ordered that I be expelled from the town, for he said I am a heretic in this matter. And it is now two weeks since they have expelled me from partaking of God's portion, denying me entry into the study hall and deliberately costing me several debts. And they are unwilling to pay me what is due me from several people.<sup>36</sup> Even my comrades in whom I trusted have kept their distance from me, for they fear the aforesaid rabbi, R. Naḥum inasmuch as a majority in the town are his Hasidim, and speakers of falsehood immediately bear tales to their rabbi regarding anyone who speaks to me. And I cry out in the bitterness of my soul for one to engage with me in litigation in accord with the law of holy Torah, but no one hears.

And there resides here R. Alter Stam,<sup>37</sup> who stood by me in my difficult time and {continued to} speak with me. And all of them

leapt to remove him as well;<sup>38</sup> and now I have heard that the leaders of the community have gathered to send a letter to his exalted honor in Torah, knowing that I am in awe of the glory of his learning. Dread and trembling therefore have seized me, and I am very fearful, lest they write poisonous lies about me, as those who hate me have said of me, in order to justify their rabbi R. Naḥum and to expel me from the town. And if his honor in Torah should respond to them as they expect, why should I go on living? For in addition to banishing me from my place and denying me my livelihood,<sup>39</sup> they will pursue me to wherever my feet may lead me by sending letters calling for my banishment from there as well {that is, they will send negative recommendations}. And what shall I do for my wife and children who depend on me?

And so my soul pleads before his exalted honor in Torah to have mercy on my soul and the souls of my household and on my bitter days and to reply to them in accord with his wisdom, so I am not cut off in my bitter depression. That is his holy way, in which tenderness overcomes power. It is now some eight years since they tried with similar words to crush the rabbi who was then here, falsely accusing him of speaking {disrespectfully} about the holy *zaddiq*, the rabbi R. Levi Isaac of Berditchev, and so forth,<sup>40</sup> and his exalted honor in Torah struck a blow for life and was among those who supported the aforesaid rabbi with his lovely letter.<sup>41</sup>

I know that they will write falsehoods about me as well. But God knows that I am pure, I am innocent, and I spoke nothing [other] than what I have written to his exalted honor in Torah. But what shall I do, for his exalted honor in Torah is in the town of Brody, which he has made his dwelling place, and there is a great distance between us. I therefore ask the following of his exalted honor in Torah: that he look with his holy mind's eye, understand things truly said from the depths of the heart, and not banish the banished, instead making room for my soul as well and, through his refined intellect, causing the complaint against me to fade away. Perhaps the leaders of the community will ascertain that these people accused me falsely and will not write to his exalted honor in Torah. May he therefore deign to respond to me regarding whether all these things have been properly done to me, and to fortify me with the letter he may write to me so I may show it to all and, with his letter, be not reticent even before kings, for all who hear him tremble before him. And perhaps even the rabbi, the *zaddiq*, R. Naḥum will heed his words and will no longer command that I be treated harshly, as he has done until now. Now when the leaders of the town assembled to ascertain the truth, R. Isaac, the head of the community, cried out for me to be called as well. But my enemies did not allow that. And even if they write ill of me, it will be hereby known that they have not acted truthfully, for they did not inquire as to my side of the story; and his exalted honor in Torah may smite them with shame for not coming before the court with me.

And so I beseech his exalted honor to reply to my letter. And let him mention the name of the rabbi R. Naḥum who directed that I be expelled; perhaps he will change his mind. For I am in great fear not only because they have deprived me of my livelihood; but the days of

awe are approaching, and what shall I do if they do not allow me to come to the synagogue on Rosh Hashanah and Yom Kippur? And I know that if the rabbi R. Naḥum does not permit them, they will [not] allow me to come. And may he inform them in accord with the law that they have deprived me of my livelihood, and regarding the embarrassment they have caused me to this point, and various torments. . . . And I hope that if he responds in accord with his generosity to speak favorably on my behalf, the leaders of the community, first among them the sage R. Isaac, head of the community, will [certainly] heed his words to the extent possible. As for the Hasidim who deal in lies, I hope that when he calls their rabbi R. Naḥum {to account} because of what he has done here, they, too, will put an end to these words and thereby revive a Jewish soul, a depressed and pained soul, one who struggles in the dust at his feet, awaiting for his response that will revive my spirit.

The lowly and young Abraham Cohen of Siven  
Address: The noble R. Mordecai Federhor, Botoshan

What was the fate of that “depressed and pained” *melammed*? We do not know if R. Solomon Kluger replied to his letter (or to that from the leaders of the Siven community), for in the last years of his life, he answered few petitions that were addressed to him. If he did reply, his letter may be contained within one of the many manuscripts of his responsa that have not yet been printed and may yet be discovered some day. The *melammed*'s request, in his letter's final line, that Kluger send his reply to Botoshan suggests he found temporary refuge in the latter community after being expelled from Siven. The final reference to him appears in the previously noted question posed by David of Botoshan to R. Solomon Drimer of Skole and dated November 6, 1865. It therefore seems likely that the *melammed* remained in Botoshan through the high holidays of that year and did not return to his town. Thereafter, we know nothing of him.

##### 5. BETWEEN “HOLY SPIRIT” AND “SITTING AND TOILING”: SOCIAL AND IDEOLOGICAL MOTIVES

Of particular interest here is the vast power wielded by extra-communal authorities: the Hasidic *zaddiq* of Stefanesti and the halachic decisor in Brody. Although both resided far from the events at hand, as a practical matter they constituted the recognized source of authority with respect to expelling the *melammed* from his community. A possible conflict between the charismatic authority of the *zaddiq* and the halachic authority of the decisor had the potential to fracture the local institutions of communal governance, which had voluntarily waived their rights and submitted to the rule of remote authorities. The Hasidim, it appears, enjoyed a majority in the communal leadership,

and the *melammed* did not fool himself: he knew that even if some of the community leaders would heed the ruling of R. Solomon Kluger, the ruling itself would make no impression on the Hasidim unless it was accompanied by mention of the *zaddiq*'s name.

But why did the Hasidim take so forceful a stance against the view of the *melammed* and his associates? Was it only because they cherished the honor of R. Ḥayyim ben Attar? Is it conceivable that the *zaddiq* Israel of Ruzhin's great esteem for the *Or ha-ḥayyim* commentary might impel his son to punish severely anyone who might slight it? Perhaps; but we would not be amiss in attributing the forcefulness of the response to other, more important social and spiritual phenomena.

Although they never say so explicitly, it is fair to infer that the fierce anger of the Hasidim was fired not only by the perceived affront to ben Attar and his book, which they believed to have been literally written with the holy spirit, but also by their perception that the *melammed* was giving expression to a rationalist, Enlightenment-inspired (read: heretical) mode of thought that insisted on an author's absolute dominion over his work. That way of thinking, and its conclusions even more so, have the potential to cast doubt even on the divine inspiration that moves halachists and contemporary *zaddiqim*, guides them in their path, and dictates their instructions to their flock. If a halachic ruling or some other Torah work is written solely through "sitting [i.e., studying] and toiling," and not necessarily with the prophetic inspiration that alighted on the author, it becomes open to criticism and rational analysis and its authority ceases to be unchallengeable.<sup>42</sup> We therefore may say that it is not only the holy status of a particular book that underlies the dispute; it is, as well, the question of an individual's right to judge the words of ancient scholars and of *zaddiqim* by the application of rationalistic standards.

Something else clearly emerges from this episode: the bar that defines heresy is being lowered, and even the slightest breach in the fortifications of traditional society—and, in particular, the slightest challenge to the heavenly authority of its spokesmen, the rabbis and the *zaddiqim*—is seen as a threat that must be uprooted as heresy. As early as 1815, the *maskil* Rabbi Solomon Judah Rapoport (known by the acronym *Shir*) noted the unrestrained use of the derogatory term "apostate and heretic." In his epistle *Ner mizvah*—addressed, as he says, to a young friend who had become a Hasid—he wrote as follows:

The rest of the day [the *zaddiq*] spends speaking to his people about worship and Hasidism, insulting and mocking anyone he thinks to be an apostate and a heretic (those two nouns have acquired so many meanings in our day that anyone who thinks differently from his fellow is considered to be properly labeled an apostate, etc.)<sup>43</sup>

Finally, from the perspective of the traditional community (including, of course, the Hasidim), *melammedim* and slaughterers played sensitive roles entailing enormous responsibility toward the consumers who relied on their services. Throughout the nineteenth century, it was *melammedim*, who had never enjoyed much social status or appreciation, who were the first to be suspected as potential heretics or Enlightenment advocates.<sup>44</sup> Those suspicions were only reinforced by the easy movement of traditional *melammedim* into the ranks of Enlightenment teachers. Kosher slaughter also was the object of special sensitivity, not only because of the economic matters related to collecting the meat tax but also because the slaughterers were the principal propaganda agents of the *zaddiqim* and spearheaded the spread of Hasidism in its newly “conquered” areas. During the nineteenth century, the time of Hasidism’s great ascendancy, the appointment of *melammedim* and slaughterers, with the associated economic and social consequences, became an outward expression of the *zaddiq*’s powerful rule over his community. In the words of S. Y. Agnon, “And even the rabbis, slaughterers, cantors, and teachers who did not believe in Hasidism in their hearts subordinated themselves to the *zaddikim* of the generation, for any rabbi, slaughterer, or teacher who was not subordinate to the *zaddik* had no hope in our community.”<sup>45</sup> Compounding the situation, of course, was the practice of nepotism, as progeny, relatives, and friends were appointed to various offices. It can reasonably be assumed that many a dispute over kosher slaughter that resulted in the displacement of a slaughterer for putatively professional reasons had its true origin in the desire to replace him with a relative or friend of the appointing authority.

Conflicts and tensions regarding kosher slaughter and its practitioners had initially been focused on the polemic of the Mitnagdim against the novel Hasidic practices, particularly those pertaining to the sort of knife that was used. After Hasidism became fully accepted, however, these disputes were displaced to within the Hasidic camp itself. Throughout the nineteenth century innumerable feuds raged among various competing Hasidic groups—sometimes related to honor and esteem, sometimes to economics and livelihood.<sup>46</sup> It goes without saying that the modern incarnations of these quarrels are the intra-Haredi power struggles over matters of kashrut and its certification, for decisions regarding such matters naturally have weighty economic consequences.

In any case, the concern over eating meat slaughtered by one considered a heretic, or entrusting the education of children to one suspected of harboring pro-Enlightenment tendencies,<sup>47</sup> was so great that any manifestation of independence or rebelliousness—trivial as well as significant; true or imagined—was taken as a serious threat.

The relative ease with which economic sanctions could be imposed—such as by invalidating the kashrut of slaughtered animals or withholding pupils from a *melammed*—made their use more frequent and widespread. Accordingly, nineteenth-century responsa literature, Jewish newspapers, and memoirs are rife with reports of tensions between competing slaughterers and *melammedim* within a community and between them and their region's preeminent *zaddiq*, the local rabbi, the communal leadership, or various factions within it.<sup>48</sup>

Can the *melammed* Abraham Cohen, the scribe Alter, and the anonymous slaughterer who ignited the conflagration (of whose fates we are told nothing) be considered a local Enlightenment cell, a group of *maskilim* rebelling against the “dark” perspective of the Hasidim? That seems unlikely. One gets the sense that the episode developed almost haphazardly out of a local dispute rather than as part of a deliberate, Enlightenment-inspired program to mount a challenge in principle to the standing of the sages of Israel. When all is said and done, the *melammed*, who saw himself as an inseparable part of the traditional community, speaks with great respect of the *zaddiq* of Stefanesti. He fears for his livelihood, to be sure, but he is no less troubled by the prospect of being denied the possibility of worshipping in the synagogue on the High Holidays. He does not protest being denied the right to freedom of thought; rather, he maintains that his views are grounded in the words of ancient authorities and entail no heresy. He attributes the accusation not to the *zaddiq*, high above the fray, but to his slanderous and contentious Hasidim, who had already sought, some years back, to cast aspersions on the community's rabbi and had charged him with defaming the exalted memory of the *zaddiq* R. Levi Isaac of Berditchev.<sup>49</sup>

What we seem to have here is an internal struggle that took place in 1865 within a rather remote traditional community. The manifest reasons for the quarrel with the slaughterer, the *melammed*, and the scribe were the accusations of heresy and of scorn for Torah scholars that had been leveled against them. The other, latent reasons, if any, are concealed and beyond our ken. It may be assumed that the *melammed* and his fellows did not intend, in the first instance, to open up a philosophical battle over the limits of tolerance or the right to freedom of thought; on the contrary, they said what they said from within a perfectly traditional world, free of any pro-Enlightenment agenda. Nor do the positions taken by the *zaddiq* and the halachic decisors consulted in the matter suggest any crystallized perspective regarding the continued existence and nature of the holy spirit in contemporary times, for, as we have seen, diverse and even contradictory opinions on the subject could be found even within the Orthodox camp, all of them considered legitimate.

The focus of our interest is the spontaneous, reckless reaction of the Hasidim of Siven—a reaction that reflects a mindset of religious zealotry that wells up “from below” but that is guided and legitimated by spiritual authorities “from above.” The mindset is one that means to rein in any expression, however innocent or indirect, that might be seen as undermining the traditional society’s leadership, as challenging the foundations of the existing social order, or as entailing apostasy.<sup>50</sup> The forceful action of the Siven Hasidim is a local reflection of the new tendencies, modes of thought, and styles of action adopted within Eastern European Jewish Orthodoxy in general—a world in which Hasidism, having by now donned a mantle of conservatism and zealotry, had become a central component.<sup>51</sup>

#### 6. REVERBERATIONS: THE HONOR OF THE *MISHNAH BERURAH*

Echoes of the *Or ha-ḥayyim* incident have continued to reverberate within modern Torah-related literature, for the ruling by R. Ḥayyim of Sanz, as we have seen, served as a solid precedent to be cited against any effort to belittle the great Torah scholars of the age or to challenge their authority. One example is the ruling issued by Rabbi Menasheh Klein, a famous Hasidic decisor in the United States, who adopted the soubriquet *Menasheh ha-qatan* (“Menasheh the lesser”). In 1976, R. Klein was asked about a slaughterer “who followed in all respects” the renowned and popular book *Qizzur shulḥan arukh* by R. Solomon Ganzfried<sup>52</sup> and thereby detracted from the honor of the *Mishnah berurah*. The latter book, a celebrated halachic work by R. Israel Me’ir ha-Kohen of Radin, Lithuania (1839–1933), explicates and provides practical halachic guidance with respect to the matters treated in the section of the *Shulḥan arukh* known as *Orah ḥayyim*. It was very quickly accepted as one of the principal halachic treatises relied on by Ashkenazi Haredi society—especially its Lithuanian segment—and is included in many editions of the *Shulḥan arukh* published since the early twentieth century. The book’s renown was based not only on its literary merit but also on the distinctive personality of its author, who also wrote *Hafez ḥayyim* and *Shemirat ha-lashon* and became a preeminently esteemed figure within scholarly circles.

Unlike R. Ḥayyim of Sanz, who was willing to rule in the *melamed’s* case (except with respect to his wages) on the basis of the accusation alone, Rabbi Klein emphasizes that his response is theoretical, for one cannot judge a man without first hearing what he has to say on his own behalf. Moreover, he notes that the questioner’s intent is not adequately clear. If he means that the slaughterer relies on the



*Qizzur shulḥan arukh*'s rulings, whether stringent or lenient, even if they diverge from those of the *Mishnah berurah*, there is nothing wrong with that. On the contrary; it is meritorious, for "he is following his local custom" (he is evidently referring to the Hungarian tradition) and "he is adhering to the ways of his ancestors." Taking account of historical reality, Klein continues: "In the previous generation, the *Mishnah berurah* was not widely known, especially outside of Lithuania, and it was almost unavailable. Some places followed the *Ḥayyei adam*<sup>53</sup> or the *Qizzur shulḥan arukh* in all respects . . . so myriads of Jews followed the author of the *Qizzur shulḥan arukh*, and in some places, the common folk in particular continue to follow him."

That said, when R. Klein assesses the other possibility—"that [the slaughterer] treats the honor of the *Mishnah berurah* lightly"—he assumes the posture of zealotry in its modern form. He quotes extensively from the responsum by R. Ḥayyim of Sanz regarding the *melammed*'s affront to *Or ha-ḥayyim* (accurately characterizing R. Ḥayyim's words as "fiery coals") and similarly reacts with full-blown severity to that dangerous possibility:

For if, Heaven forefend, he treats the *Mishnah berurah* lightly, he is within the class of those who do not believe in the words of our sages of blessed memory in each generation and do not believe that the sages of the time attain the holy spirit. And it is obvious that one not possessed of the holy spirit could not have written so holy a treatise as the *Mishnah berurah*, and if he does not believe that the *Mishnah berurah* was written with the holy spirit, he is within the class of heretics and those who deny God's Torah . . . Accordingly, I say, this slaughterer, too, if he does not believe that the author of the *Mishnah berurah* composed his book with the holy spirit and corresponds to the truth of the Torah, then this slaughterer is a heretic and an apostate. And not only he; anyone who does not so believe and yet slaughters an animal produces a non-kosher carcass (and, by reason of our many sins, many *melammedim* nowadays do not believe that still in our own times there are contemporary sages who are possessed of the holy spirit, who merit having their wisdom correspond to and agree with the truth of the Torah . . . and one who does not so believe is without doubt a heretic and an apostate; and if he studies with others, they too are drawn after him, by reason of our many sins).<sup>54</sup>

#### 7. FROM EMUNAT HAKHAMIM ("BELIEF IN THE SAGES") TO DA'AT TORAH ("THE TORAH OPINION")

The complex encounter between the "old" Jewish world and the optimistic spirit of the "new times" was fraught with tension. Traditional Jewish society was characterized by esteem for the past, zealous defense of the existing order, and absolute obedience to time-honored

authorities—tendencies very much at odds with the self-confidence, the critical rationalism, the challenge to conventions, and the freedom of thought that marked modernity. The 1860s, during which the battles over religious reform emerged full-blown, saw new heights of tension in the relations between conservative Haredim and innovative Maskilim. Orthodoxy adopted a defensive posture, and its spokesmen for the most part manned the barricades, emphasizing the holiness and authoritativeness of “the great men of the generation” and waging an uncompromising struggle against anyone who might be regarded as breaching the walls of religion.<sup>55</sup>

The interpretation given to the “holy spirit”—that is, the voice of divine authority speaking from the throat of the religious-spiritual leadership—was assimilated into the old-new concept of *emunat hakhamim* (“belief in the sages”). As originally used in the Mishnah (*Avot* 6:5), the term meant belief in the authority of the sages and in the standing of the Oral Torah as equivalent in value and binding force to the Written Torah. For the most part, that remained its meaning through the ages.<sup>56</sup> With Hasidism’s spread during the nineteenth century, however, the term came to connote the distinctively Hasidic phenomenon that constituted the basis for adherence to the *zaddiq*. The presence or absence of *emunat hakhamim*—and *hakhamim* (“sages”) meant *zaddiqim*—became a social, religious, and spiritual characteristic that clearly distinguished Hasidim from Mitnagdim. Moreover, *emunat hakhamim* was understood to require not only belief in the content of the sages’ utterances but also belief in the *zaddiqim* themselves and their mystical standing as a distinctive human entity, the crown of creation. To cite one example, R. Nathan of Nemirov, an enthusiastic Hasid of R. Naḥman of Bratslav, tells of a debate held in Odessa in 1822 with emissaries from Vilna, members of “the sect of great opponents [Mitnagdim] of all Hasidim.” He was astonished, as he recounts, to find that they did not have this sort of belief even in their master and teacher, the Ga’on of Vilna:

And I began to speak with them of *emunat hakhamim*. And I was sure that, in any event, they would have some belief in the Ga’on of Vilna, their leader. But they immediately responded, with surprise, . . . “Should we believe in a human being, etc.?” . . . And I began to debate with them asking, “If so, what is *emunat hakhamim*?” But they paid me no heed whatever . . . And then I realized the divergence between Hasidim and Mitnagdim, for they have no belief even in their scholar [the Ga’on of Vilna], whom they regard as a great and pious scholar. After that, I said to them explicitly: “I was sure that while you had no belief in the great *zaddiqim* of the Hasidim, you nevertheless believed in your scholar, but now I see where you stand, for you have no belief at all . . . , **for *emunat hakhamim* is the foundation of holy belief, which is the foundation of the entire Torah.**”<sup>57</sup>

From here, it was only a short step to the extreme broadening of *emunat hakhamim* to encompass all aspects of life. For example, the *zaddiq* Solomon of Radomsk (1803–1866) cited that belief as the basis for obligating Hasidim to consult with the *zaddiq* even on commercial and economic matters.<sup>58</sup> The *maskilim* (Joseph Perl foremost among them) also noted this aspect of *emunat hakhamim* as a central component of the Hasidic experience and applied their best satirical talents to undercut and mock it. Yehuda Friedlander summed it up well: “This desire to mount a challenge was the primary motivator for Hebrew satire during the nineteenth century, and it brightly illuminates the radical reshuffling of Jewish existence . . . the irreconcilable conflict during the nineteenth century between a belief system and perspective inspired by the sages of the Talmud and their successors and a system of beliefs inspired by secular nineteenth-century European humanism.”<sup>59</sup>

Only at the end of the nineteenth century did the distinctively Hasidic quality of *emunat hakhamim* become blurred, as all segments of Haredi society united around a new understanding of the idea, this time patterned on a different concept—that of *da’at torah* (“the Torah opinion”).<sup>60</sup> This new interpretation assigned a more rational and easy-to-accept quality to the holy spirit that alighted upon the *zaddiq*. The obligation to heed *da’at torah*—that is, to believe, without reservation, in the words of those considered to be “the great ones of Israel,” even on everyday and non-halachic matters—was not attributed, in general, to the holy spirit having come to rest on these “great ones.” It was, rather, their insight, their profound Torah learning, their great dedication to God’s service, and their sense of responsibility for all of Israel that equipped them to discover the “true” viewpoint of the Torah, even on matters not treated in its sources. The concept of *da’at torah* flourished, becoming both a way of life and a political slogan in the battles waged by Haredi Orthodoxy during the twentieth century. “The Council of Torah Masters” (or “the Council of Torah Sages” in its Sephardi-Haredi version) is the established organizational expression, the last word for now, of all segments of the Haredi community, issuing regular pronouncements of *da’at torah*.

In Orthodox thought, and even more so in Orthodox life, the Hasidic concepts of “holy spirit” and *emunat hakhamim* significantly influenced the shaping of the concept of *da’at torah* as a pan-Haredi common denominator.<sup>61</sup> They reflect the mechanism through which the ultra-Orthodox leadership confronted erosive internal forces that no longer recognized, in all circumstances, an authority grounded in charisma, learning, religious authoritativeness, or genetic inheritance. As a practical matter, *da’at torah* is a conceptual variant of the “holy spirit,” conferred exclusively on the Torah leadership to be used to

convey the resistance of “faithful Judaism” to the challenges of modernity, secularization, and heresy. In that way, *da’at torah* became a powerful tool both for strengthening the overall moral and political, and even social and economic, authority of the leader and for suppressing efforts to criticize, debate, or challenge that authority.

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#### NOTES

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1. On the author and his book (both referred to by the name of the book, as is common in rabbinic literature), see Jacob Nacht, *Meqor ḥayyim* (Drohobycz, 1898); Reuben Margoliot, *Toledot rabbeinu ḥayyim ibn attar* [Life of Rabbi Ḥayyim ben Attar] (Lvov, 1925) (new edition in *Yad Or ha-ḥayyim ha-qadosh ve-toledotav* [Jerusalem, 1981]; Meir Benayahu, “*Le-toledot beit ha-midrash kenesset yisra’el bi-yerushalayim*” [On the history of the Knesset Israel study hall in Jerusalem], *Jerusalem* (quarterly) No. 2 (1949): 103–31; Benjamin Klahr, *R. ḥayyim ben attar: aliyato le-erez yisra’el* [R. Ḥayyim ben Attar: His immigration to the land of Israel] (Jerusalem, 1951); Elazar Toitu, *Rabbi ḥayyim ben attar u-peirusho Or ha-ḥayyim al ha-torah* [R. Ḥayyim ben Attar and his commentary *Or ha-ḥayyim* on the Torah] (Jerusalem, 1982)]. The attitude of the Hasidim toward the book is nicely reflected in the sources cited in *Yad or ha-ḥayyim*, pp. 44–45 (n. 78) and 326–7; Aaron Marcus, *Ha-ḥasidut* [Hasidism] (2nd ed., Benei Beraq, 1980), pp. 298–308; Yehoshua Mondshine, (ed.), *Shivḥei ha-besht* (Jerusalem, 1982), p. 251. See also Gedalyah Nigal, “*Shivḥei r. ḥayyim ben attar*” [In praise of R. Ḥayyim ben Attar] in *Qav le-qav: qovez meḥqarim al yahadut ha-magreb* (Jerusalem, 1983), pp. 73–93; Dan Manor, “*R. Ḥayyim ben attar be-mishnat ha-ḥasidut*” [R. Ḥayyim ben Attar in Hasidic teaching], *Pe’amim*, no. 20 (1984): 88–110.

2. *Or ha-ḥayyim* was first printed in Venice, in 1742, and thereafter in Eastern Europe: Shklov, 1785 (on this printing see Ḥayyim Lieberman, *Ohel rahel*, Vol. 1 [New York, 1980], pp. 154–157) and Slavita, 1799 and 1805; Azulai evidently was referring to the latter two printings. According to a Hasidic tradition, R. Pinḥas of Koretz instructed his son and grandsons, the printers in Slavita, to issue a printing of *Or ha-ḥayyim* annually. See Yehoshua Mondshine, ed. *Sefer migdal oz* (Kefar Habad, 1980), p. 268.

3. Ḥayyim Joseph David Azulai, *Shem ha-gedolim va'ad ḥakhamim* (Vilna, 1853), *ma'arekhet sefarim*, letter A, no. 54; cf. letter D, no. 62. Azulai evidently heard this from or in the name of the Besht's brother-in-law, R. Abraham Gershon of Kutov. In fact, the Besht's view of ben Attar's greatness is mentioned as well in a letter sent (in 1748?) by R. Abraham Gershon to the Besht: "You mentioned to me once that you see in a vision that a certain sage came to Jerusalem from the Maghreb and he is a flickering of the Messiah, though he himself does not know it. He has great wisdom in matters revealed and concealed and is tearful... And when I arrived here, I looked into the matter and they told me the most wondrous things about this man. His name was R. Ḥayyim ben Attar, a very pious man, sharp and erudite in matters revealed and concealed, and all the sages of Israel compared to him were as a monkey compared to a man... And life had departed from this man some four years ago at the time you told me, and I told the sages what you had told me about him and they were terrified to hear" (Jacob Barnai (ed.), *Iggerot ḥasidim mei-erez yisra'el* [Hasidic letters from the land of Israel] [Jerusalem, 1980], pp. 39–40.)

4. David Solomon Eibeschutz, *Arvei naḥal* (Sadlikov, 1835), beginning of *parashat aḥarei*, 24b.

5. Isaac Judah Jehiel Safrin, *Netiv mizvotekha* (Lemberg, 1858), *netiv emunah, shevil* 1, sec. 9; cf. id., *shevil* 4, sec. 5. Interestingly, this *zaddiq* commented that "R. Simeon bar Yoḥai and the Besht had a genuine degree of the holy spirit," but "our rabbi Elimelekh [of Lyzknisk was] below that, for in these matters there are varying degrees" (id., *shevil* 5, sec. 4).

6. *Ḥamishah ḥumshei torah* [Pentateuch]... with the commentary of Rashi and the commentary *Or ha-ḥayyim* (Czernowitz, 1850). The approbation by R. Israel, who was then residing in Sadigura, appears at the beginning of Part 5 (Deuteronomy), evidently the first part to be printed. (The approbation was reprinted in Dov Ber Rabinowitz (ed.), *Iggerot ha-rahaq mei-ruzhin u-vanav* [Letters of the holy rabbi of Ruzhin and his sons], Vol. 2 [Jerusalem, 2003], pp. 130–1, 362.)

7. Israel Rapoport, *Divrei david* (Hosyatín, 1904), p. 44.

8. Yizḥaq Even, *Fun'm rebin's hoyf, zikhroynes un mayses* [From the Rebbe's Court] (New York, 1922). On the merit of studying *Or ha-ḥayyim* rather than the *Zohar*, see the comments attributed to R. Menaḥem Naḥum of Stefanesti, in Abraham Stern, *Qevuḏat kitvei aggadah* [Collected legends] (Montreal, 1947), p. 207. For more on the Ruzhin dynasty's attitude toward the work, see *Tiferet yisra'el le-ḥasidei beit ruzhin*, no. 32 (1994): 32–3, 57.

9. Abraham Ber Gottlober, *Zikhronot u-masa'ot* [Memoirs and journeys], (ed.) Reuben Goldberg, Vol. 1 (Jerusalem, 1976), pp. 76, 126.

10. Moses Goldstein, *Sefer mase'ot yerushalayim* [Jerusalem journeys] (Jerusalem, 1963), p. 95. The book describes the renowned visit of the *admor* of Munkacz, R. Ḥayyim Elazar Shapira to the land of Israel in 1930. On the Munkaczer rebbe's pilgrimage to ben Attar's grave, see pp. 91–5.

11. Hayyim Halberstam of Sanz, *Responsa divrei hayyim*, vol. 2 (Lvov, 1875), *Yoreh de'ah*, sec. 105. (A *melammed* is a teacher, typically of young boys in a *heder* [Jewish primary school].)

12. See “*Divrei ha-magihim* [proofreaders’ remarks] prefaced to *Responsa divrei hayyim* (above, n. 11), Vol. 1. Cf. Haym Soloveitchik, *Sh.u.t. ke-maqor histori* [Responsa as a historical source] (Jerusalem, 1991), p. 51: “Whenever the data in a question are precisely those that are relevant to the answer, there is reason to believe the question has been edited.”

13. The attitude of Jewish sages at various periods to the diverse revelations of the holy spirit has been treated in the literature and need not be considered here. See, e.g., E. E. Urbach, *Mei’olamam shel hakhamim* [*The World of the Sages*] (Jerusalem, 1988), pp. 21–49 (on the holy spirit in “New Hasidism,” see id., pp. 42–3, n. 189); Abraham Joshua Heschel, “*Al ruah ha-godesh bi-yemei ha-beinayim (ad zeman shel ha-rambam)*” [On the holy spirit in the Middle Ages (until the time of Maimonides)], in *Sefer ha-yovel li-khevod aleksander marqs* [Festschrift for Alexander Marx] (New York, 1950), pp. 175–208 (and see the note by Isaiah Tishby, *Hiqrei qabbalah u-shehuhotehah: mehqarim u-meqorot* [Studies in Kabbalah and its offshoots], Vol. 3 (Jerusalem, 1993), p. 863); Israel Ta-Shma, *She’elot u-teshuvot min ha-shamayyim: ha-qovez ve-tosfotav* [“Queries and Responses from Heaven”: the collection and its supplements], *Tarbiz* 57 (1988): 51–66; see also the sources cited by Reuben Margoliot in his introduction to *She’elot u-teshuvot min ha-shamayyim* (Jerusalem, reprinted 1988), pp. 25–7; Isaac Alfasi, *Bi-sedeh ha-hasidut* [In the fields of Hasidism] (Jerusalem, 1987), p. 188 et seq.

14. Quoted from Nahmanides’ commentary on *Bava batra* 12; see *Hiddushei ha-ramban*, Vol. 2 (Jerusalem, 1962), 5d. It may be noted as well that in some accounts in *Sefer shivhei ha-besht* [In praise of the Besht] of actions having a magical or miraculous quality—such as clairvoyance or foretelling the future—the Hebrew version (Kopost, 1815) says simply “he saw” or “he saw with his mind’s eye,” but the Yiddish version (Koretz, 1816) adds “with the holy spirit.” See Abraham Rubinstein (ed.), *Shivhei ha-besht* [annotated edition] (Jerusalem, 1992), p. 107 (“the Besht saw”), 148 (“our rabbi [the *Maggid* of Mezhrich] sees with his mind’s eye . . . and sees that there are mighty accusers”).

15. Interestingly, ben Attar himself laments the absence of the holy spirit in his time: “When the Temple was destroyed, visions were closed off, but some aspects of the holy spirit remained. But since the eyes of Israel were closed, we lack anyone who can attain [even] the holy scent—and, it goes without saying, the holy spirit—and that is a misfortune of the House of Israel than which there is no greater” (*Or ha-hayyim* on Gen. 6:3). Hasidic writers also took positions not too different from the *melammed*’s “heretical” opinion, limiting the quality or scope of the holy spirit as manifested in their time. For example, the *zaddiq* R. Israel Dov of Viletnik (d. 1850), a disciple of R. Mordecai of Chernobyl, offered the following interesting remarks: “He said in the name of the Besht that all the

treatises written until and including that of Maharsha [R. Shmuel Eliezer Halevi Eidels, 1555–1631] were [written] with the holy spirit, and since they were with the holy spirit, they were Torah itself. But he said that only the revelation was through the holy spirit, but once it was revealed and became Torah, Torah itself in truth is higher than the holy spirit. As for the treatises after Maharsha, **there are some that are [written] with the holy spirit and some that are not [written] with the holy spirit**. But in any event, once the treatise has been accepted among the Jews, . . . they draw the force of the holy spirit into the treatise” (*She’eirit yisra’el* [Brooklyn, 1985], *sha’ar ha-zemanim*, 6b); and see Mendel Piekarcz, *Ḥasidut polin: megamot ra’ayoniyot bein shetei ha-milḥamot u-vi-gezeirot 5700–5705 (ha-sho’ah)* [Polish Hasidism: intellectual trends between the wars and during the Holocaust], p. 86. Similarly, in extending the chronological boundaries of the Besht’s generation, R. Shalom Perlow of Koidanov wrote, “You may find that all the great ones who possessed the holy spirit, such as my holy grandfather [R. Mordecai] of Lechwitz and others like him, were born during the lifetime of the Besht” (*Divrei shalom*, [Vilna, 1882], p. 11). More explicitly “heretical” remarks can be found in the Hasidic work *Zikaron tov* (Piotrkov, 1892), p. 16, par. 18: “Our master [the *zaddiq* Isaac of Nashkiz] recounted in the name of an earlier holy one, who said: **now the holy spirit is not to be found among us**, except in the rabbi [Levi Isaac] of Berditchev, who when he concludes the *qedushah* [prayer that begins with the word] *keter* then attains a bit of it.”

16. The reference, evidently, is to the interval during which he was banned from teaching. A *melammed’s* wages were generally set at the beginning of each school term; see below, text at n. 36.

17. On the applicability of the term “great leaders of the time” not only to Torah scholars but to *zaddiqim* who were not necessarily scholars, see the interesting polemic of the Hasidic writer Israel Berger, *Eser orot* (Piotrkov, 1907), pp. 13–4. (Id. at p. 11, Berger speaks of the *Or ha-ḥayyim* incident). That said, R. Ḥayyim of Sanz himself knew how to distinguish between *zaddiqim* who attained the holy spirit and those who lacked it. He wrote as follows in his responsum on the leadership succession of the Hasidim of Stratyn: “For [R. Judah Tzvi of Stratyn and his son R. Abraham] were possessed of the holy spirit, and their prayers and holy words bore fruit, **and what shall we do if those who succeed them are not possessed of that sanctity?**” (*Responsa Divrei ḥayyim* [above, n. 11], Vol. 2, *Hoshen mishpat*, sec. 32).

18. “It therefore is impossible for the leader of a generation to be appointed by a human, but only by God, may He be blessed, who is the source of all sources. . . . And therefore, You, God, must designate and appoint this person in accord with the [needs of the] generation, a man to be over the assembly” (*Degel mahaneh efrayim* [Koretz, 1809?], p. 21, *parashat pinḥas*, s.v. *yifqod adonai*). More explicit are the words of the *zaddiq* Judah Tzvi Eichenstein of Dolina (1858–1909) in his introduction to a book by his uncle, the Galician *zaddiq* Moses of Sambor: “And he served 120 [*zaddiqim*] possessed of the holy spirit, and all of them attested

that the *shekhinah* was speaking from his throat; and from the heavens he was appointed to be the leader of the holy flock of Israel” (*Tefillah le-mosheh* [Lemberg, 1893], unnumbered tenth page). See also Mendel Piekarz, *Ha-hanhagah ha-ḥasidit: samkhut ve-’emunat zaddiqim be-’aspaqlariyat sifrutah shel ha-ḥasidut* [Hasidic leadership: authority and faith in the *zaddiqim* as reflected in Hasidic literature] (Jerusalem, 1999), pp. 15–59, esp. pp. 16–18, on the demands of the *zaddiqim* to be recognized as possessed of the holy spirit.

19. Mordecai Wilensky, *Ḥasidim u-mitnaggedim* [Hasidim and Mitnagdim], Vol. 2 (Jerusalem, 1970), p. 166; cf. Solomon Maimon, “On a Secret Society,” in Gershon D. Hundert, ed., *Essential Papers on Hasidism: Origins to Present* (New York, 1991), pp. 18–9. In criticizing the Hasidic claim that the holy spirit alighted on the *zaddiq*, the Mitnagdim (opponents of Hasidism within the European Jewish communities) had in mind not only the question of whether it was now possible to attain the holy spirit but also the fundamental question of whether it could ever be attained in the Diaspora. The Hasidic position was shaped, it appears, by a conclusion reached by R. Dov Ber, the *maggid* of Mezhrich: “Today, in the time of the Diaspora, it is easier to attain the holy spirit than it was in the time of the Temple” (*Maggid devarav le-ya’aqov*, (ed.) Rivka Shatz-Uffenheimer [Jerusalem, 1976], p. 70). The Mitnagdim took the opposite position, maintaining that the holy spirit was a phenomenon of ancient history and could be attained only in the Land of Israel. A debate over this question between R. Aaron Etinga of Raysha (Rzeszów) and R. Elimelekh of Lyzhansk is attested to by the author of the anti-Hasidic broadside *Shever poshe’im*. See Wilensky, id., pp. 175–6.

20. *No’am megadim u-khevod ha-torah* (Lemberg, 1807), *parashat zav*, 58b; see also Gedalia Nigal, “*Rabbi. eli’ezer mi-tarnogrod u-sefarav*” [R. Eliezer of Tarnogrod and his works], *Sinai*, Vol. 73 (1973), pp. 72–78.

21. Some aspects of this subject are treated in Mendel Piekarz, *Ḥasidut polin* (above, n. 15), pp. 81–96; on *Or ha-ḥayyim*, see id., p. 82.

22. *Ma’avar yaboq* is a book of customs, counsel, prayers, and laws related to illness, death, and mourning; it was written by the kabbalist R. Aaron Berakhiah ben Moses of Modena (d. 1639). First printed in Mantua in 1626, the book circulated widely, was reprinted often, and gave rise to a wide variety of abridgements. On the author and his book, see Tishby, *Ḥiqrei qabbalah* (above, n. 13), Vol. 1, pp. 177–254; Ze’ev Gries, *Sifrut ha-hanhagut* [Hasidic conduct literature] (Jerusalem, 1990), pp. 63–70; Avriel Bar-Levav, “*Rabbi aharon berakhiah mi-modina ve-rabbi naftali ha-kohen kaz: Avot ha-mehabberim sifrei ḥolim ve-meitim*” [R. Aaron Berakhiah of Modena and R. Naftali ha-Kohen Katz: The first writers of books on illness and death], *Asupot* 9 (1995): 189–234. The word *katshelabnik* (from “goose leg” in Hungarian) was used by Yiddish speakers as a disparaging term for a Hasid; see, e.g., Alexander Harkavy, *Yiddish-English-Hebrew Dictionary* (New York, 1928), p. 438. It is worth noting Jekutiel Judah Grünwald’s comment (in *Ha-shoḥet ve-ha-sheḥitah ba-sifrut ha-rabbanit* [Slaughterers and kosher slaughter in rabbinic



literature] [New York, 1955], p. 114) that he heard of the term being used against one suspected of making empty, hair-splitting arguments or of secret Sabbatianism. (The latter association is based on the folk etymology that derives the word from *kat-shel-lieb*, “the sect of Lieb,” taken as a reference to the Sabbatian prophet Liebele Prostitz.)

23. *Responsa naharei afarsemon* (Paks, 1898), *Orah hayyim*, end of resp. 14. R. Jacob Tannenbaum corresponded with R. Hayyim of Sanz and presumably saw himself as subject to the latter’s direction. See Joseph David Weisberg, *Rabbeinu ha-qadosh mi-zanz, ba’al divrei hayyim* [Our holy rabbi of Sanz, the author of *Divrei hayyim*, Vol. 3 (Jerusalem, 1980)], pp. 209–10; Jekutiel Judah Grünwald, *Pe’eirei hakhmei medinateinu* [The glories of our land’s sages] (Sighet, 1910), p. 89, sec. 137. His brother, R. Shraga Zevi Tannenbaum, was asked as well about the same incident. See *Responsa neta’ soreq* (Munkacz, 1899), *Yoreh de’ah*, sec. 4.

24. On Drimer, see Meir Wunder, *Me’orei galiziyah: Inziqlopediyah le-hakhmei galiziyah* [The luminaries of Galicia: Encyclopedia of the Galician sages], vol. 1 (Jerusalem, 1977), pp. 833–4; Weisberg, *Rabbeinu ha-qadosh* (above, n. 23), Vol. 3, pp. 104–5.

25. *Responsa beit shelomoh* (Lemberg, 1878), Vol. 1, *Orah hayyim*, sec. 112.

26. On the Siven community, see *Pinqas ha-qehillot, romaniyah* [Encyclopedia of Jewish Communities—Romania] (Jerusalem 1970), Vol. 1, p. 183.

27. Evidence on the low self-regard of the rabbis in these areas appears in the comments of R. Shalom Taubes, then rabbi of Botoshan, on the regulations for writing of a bill of divorce: “All of that pertains to the lands of Poland and similar places, where great scholars of the generation have always been found even in small towns . . . Not so in our lands, where the religious leaders have always been men of limited knowledge, especially in the small towns, and the reason for their refraining [from writing bills of divorce] is certainly their lack of knowledge” (*Responsa she’eilat shalom*, first series [Zolkiew 1869], sec. 31). Cf. the polemic against the *zaddiqim* of Sadigura at the time of the struggle waged against them by R. Hayyim of Sanz: “Have you ever heard of someone from the lands of Galicia or Germany falling into their net? Only among the beasts of Moldova do they trawl; can you acquire Torah and wisdom from their mouths or from the mouths of the scholars of Bukovina, a land bereft of all wisdom and knowledge?” (*Yalqut ha-ro’im* [Odessa, 1870], p. 47).

28. Ms. Columbia University, New York, X893.19 K71, no. 169 (Jewish National and University Library, Manuscript Photocopy Institute, Jerusalem, film no. 16504). Another letter from the same ms., also sent to Solomon Kluger, was discussed and published in my book *Ne’ehaz ba-sevakh* (above, [Juresalem, 2006]), pp. 200 n. 64, 222–8.

29. Despite R. Solomon Kluger’s impressive literary output (traditionally, some 160 volumes, perhaps even more, most still in ms.) and his unique rabbinic and communal stature, he has not yet been the subject

of a critical biography. His life was chronicled by his grandson, Judah Aaron Kluger, *Toledot shelomoh* (Lemberg, 1888); see also Wunder, *Me'orei galiziyah* (above, n. 24), Vol. 4, pp. 478–509; Ḥayyim Gartner, *Rabbanut va-ḥasidut be-galiziyyah ba-me'ah ha-19: rabbi shelomoh kluger ve-ha-ḥasidut* [The rabbinate and Hasidism in 19th-century Galicia: Rabbi Solomon Kluger and Hasidism], in Immanuel Etkes, et al. (eds.), *Be-ma'agalei ḥasidim: qovez mehqarim le-zikhro shel profesor mordechai vilenski* [Collected essays in memory of Prof. Mordecai Wilensky] (Jerusalem, 2000), pp. 51–74; id., *Rabbanut ve-dayyanut be-galiziyyah ba-mahazat ha-rishonah shel ha-me'ah ha-19: tipologiyah shel hanhagah mesoratit be-mashber* [Rabbis and rabbinical judges in Galicia in the first half of the nineteenth century: A typology of traditional leadership in crisis], doctoral dissertation, Hebrew University of Jerusalem, 2004, pp. 132–42, 145–69.

30. R. Menaḥem Naḥum settled in Stefanesti, in northern Moldova, in 1852. Regarding him and his dynasty, see Samuel Abba Horodezky, *Ha-ḥasidut ve-ha-ḥasidim* [Hasidism and Hasidim], Vol. 4 (Berlin, 1922), pp. 158–60; David Assaf, *Derekh ha-malkhut: R. yisra'el mi-ruzhin u-mekomo be-toldot ha-khasidut* [The Regal Way: The Life and Times of Rabbi Israel of Ruzhin], (Jerusalem, 1997), pp. 460–1; id., *Ne'eḥaz ba-sevakh* (above n. \*), p. 285. Reports of drunken Hasidim in the court of Stefanesti are cited in the Yiddish memoir of the Ḥabad Ḥasid Pinḥas Dov Goldenstein, *Mein lebensgeschikhte*, Vol. 2 (Petah-Tiqvah, 1929), pp. 162–3. On Stefanesti, see *Pinqas ha-qehillot, romaniah* (above, n. 26), Vol. 1, pp. 255–7; Judah Evron-Nachberg, *Mi-stefanesti le-erez yisra'el* [From Stefanesti to the Land of Israel] (Beersheba, 1989); Ghitta Sternberg, *Ṣ tefānes, ti: Portrait of a Romanian Shtetl* (Oxford, 1984).

31. Some of R. Ḥayyim of Sanz's responsa deal with “the sect of innovators.” See., e.g., *Responsa divrei ḥayyim* (above, n. 11), vol. 2, *Orah ḥayyim*, sec. 17 (proposing to remove a cantor attempting to introduce a choir in a Hasidic synagogue, on the grounds that a choir is the way of the “innovators” who act in synagogue as if they are in a theater); *Yoreh de'ah*, sec. 13; *Even ha'ezer*, sec. 152. On his struggle against the Enlightenment and Reform, see Weisberg, *Rabbeinu ha-qadosh mi-zanz* (above, n. 23), vol. 1 (Jerusalem 1976), pp. 183–6; Iris Brown (Hoizman), *R. ḥayyim mi-zanz: darkhei pesiqato 'al reqa 'olamo ha-ra'ayoni ve-etgarei zemano* [R. Ḥayyim of Sanz: His halakhic ruling in view of his intellectual world and the challenges of his time] (doctoral dissertation, Bar-Ilan University, Ramat-Gan, 2004), pp. 224–44. It is important to note that the event we are considering here took place three or four years before the outbreak of the great dispute between R. Ḥayyim of Sanz and the sons of R. Israel of Ruzhin. Even before then, R. Ḥayyim's relations with the *zaddiqim* of Sadigura were not good, and it may be that he was not made aware of the *zaddiq* of Stefanesti's involvement in the incident.

32. An allusion to the use of alcohol by the Hasidim, accompanied by merrymaking and frivolity.

33. The reference is to the dispute that arose between God and His heavenly tribunal regarding the impurity of certain skin lesions; to decide

the matter, God required a ruling by a human being, the talmudic sage Rabbah bar Nahmani. See *Bava Mezi'a* 86a.

34. See *Shneim asar derushim le-ha-rav rabbeinu nissim* [Twelve sermons by Rabbenu Nissim] (Jerusalem, 1959), fifth sermon, pp. 36–7.

35. Quoted from *Sefer ha-hinukh*, (ed.) Hayyim Dov Chavel (Jerusalem, 1968), p. 550, *mizvat birkat ha-mazon* (428).

36. Here the petitioner is alluding to the teaching wages that were withheld from him.

37. He was, evidently, a professional scribe. (*Setam* is an acronym for *sefarim* [scrolls] *tefillin*, *mezuzot*—the ritual objects that can be produced only by one with the requisite scribal expertise.)

38. The Hebrew sentence is obscure, but the context suggests that the scribe's livelihood also was impaired.

39. Here he alludes to his being removed from his job as a *melammed* and to the prohibition on children coming to be taught by him.

40. R. Levi Isaac (1740?–1809), author of *Qedushat levi* (Slavita, 1798), served as head of the rabbinical court in Pinsk but was removed under pressure from the Mitnagdim. From 1785 until his death he was active in Berdichev and an esteemed Hasidic leader.

41. Although the writer mentions a letter of support sent by R. Solomon Kluger to the community rabbi, I have been unable to locate it. The rabbi in Siven at the time was R. Moses Lahr of Brody, and we have two responsa that R. Solomon Kluger sent to him (*Tuv ta'am va-da'at*, second series, [New York, 1964], *qunteres aharon*, responsum 41 [sent to Siven but with no mention of Lahr's name]; *Qin'at soferim* [Lemberg, 1861], p. 79, responsum 27). For a few particulars about R. Moses Lahr, see Wunder, *Me'orei galiziyah* (above, n. 24), Vol. 3 (Jerusalem 1986), p. 372 (and, in addition to the sources cited there, see *Responsa beit shelomoh* [Lemberg, 1878], Vol. 1, *Orah hayyim*, sec. 13).

42. See Brown, *R. hayyim mi-zanz* (above, n. 31), pp. 188–92.

43. Solomon Judah Rapoport, *Nahalat yehudah* (Krakow, 1868), p. 19.

44. It is not surprising that the role of the *melammedim* figured prominently in the bans issued against the Hasidim as well. See, for example, Wilensky, *Hasidim u-mitnaggedim* (above, n. 19), Vol. 1, pp. 152, 158. Covert Frankists, such as Lieb Melammed of Brody, no doubt contributed to these suspicions.

45. S. Y. Agnon, *A Guest for the Night*, trans. from the Hebrew by Misha Louvish (New York, 1968), p. 197.

46. It is worth noting a few examples of intra-Hasidic disputes over kosher slaughter. An intense struggle was waged between R. Menahem Mendel of Kosov (d. 1826) and several *zaddiqim*, led by R. Isaac of Radwil (Radziwiłów) and R. Abraham Joshua Heschel of Apt, over R. Menahem Mendel's insistence that all the slaughterers in the area be subject to his authority. See Hayyim Kahana, *Even shetiyah* (Munkacz, 1930), pp. 23–7; *Iggerot ha-'ohav yisra'el* (new edition, Jerusalem, 2000), pp. 89–90. In 1835, the *zaddiq* Moses Zevi of Savran forbade any reliance on slaughterers and *melammedim* who were Bratslav Hasidim, and in 1865—the year of the

incident we are here examining—R. Isaac of Skvira invalidated the slaughtering performed by a Bratslav Hasid who refused to commit himself to stop reading R. Nahman of Bratslav's *Liqqutei moharan*. See *Ne'eḥaz basevakh* (above, n.\*), pp. 199–208. The most important step in R. Ḥayyim of Sanz's battle against the *zaddiqim* of Sadigura (in 1869) was his invalidation of their slaughterers and his ban on employing *melammedim* having pro-Sadigura leanings (id., p. 206 n 79). The memoirs of the Ḥabad slaughterer Pinḥas Dov Goldenstein (above, n. 30), especially Part 2, are rife with reports of intra-Hasidic conflict over kosher slaughter. A dispute between slaughterers in Buczacz, against the background of Hasidism's spread, is depicted by S. Y. Agnon in "*Shalom shalom ve'ein shalom*," in *Ir u-melo'ah* (Jerusalem, 1973), pp. 642–3. For additional examples, see Assaf, *The Regal Way* (above, n. 30), pp. 182–3. R. Solomon Kluger's critical observation on all of this, offered in response to one of his questioners, seems appropriate: "Regarding the frequency these days of disparaging remarks about slaughterers, I know even more than [you]. And if I look to the past, and see that Rashba wrote . . . that lies are in their right hand, what more shall we say, in these times, when Torah is marginalized and everyone looks only to his rabbi—he to this *rebbe*, and he to that *rebbe*; he invalidates this *rebbe*, and he invalidates that *rebbe*; he says I am a *zaddiq*, and he says I am a *zaddiq*. And what they all share is the resolution of issues in the manner that seems best in their eyes, with no regard to the *Gemara* and the *Shulḥan Arukh*. And we are a minority of a minority, a remnant that sustains our Torah, and we shall remain steadfast, [acting] in accord only with the Talmud and the *Shulḥan Arukh*, and with faith in the sages [*emunat ḥakhamim*] who rule in accord with the Torah" (*Tuv ta'am va-da'at* [above, n. 41], responsum 78.)

47. In his memoirs of the years we are considering, Yekhezkel Kotik tells how his father removed him from the care of his uncle, a *melammed* suspected of pro-Enlightenment tendencies: "He regretted having sent me to study under Uncle Ephraim, who was a Mitnagged and a 'philosopher' to boot, and most likely a heretic at heart . . . He was afraid that my uncle would turn me, heaven forbid, into a heretic as well" (David Assaf, (ed.), *Journey to a Nineteenth-Century Shtetl: The Memoirs of Yekhezkel Kotik* [Detroit, 2002], p. 317). Another *melammed*, who taught him to write literary Hebrew, was expelled by his father from the town: "He at once saw to it that no one within the family continued learning with that teacher. The rumor that he was turning all the children into heretics spread like wildfire throughout Kamenets, and he was promptly driven out of the township" (id., p. 337).

48. The manifestations of this phenomenon, beginning in the nineteenth century, have not yet been systematically studied. Numerous sources are cited by Grünwald, *Ha-shoḥet ve-ha-sheḥitah* (above, n. 22) and in Jeremiah Joseph Berman, *Shehitah: A Study in the Social and Cultural Life of the Jewish People* (New York, 1941) See also Isaac Ze'ev Kahana, *Mehqarim be-sifrut ha-teshuvot* [Studies in the responsa literature] (Jerusalem, 1973), pp. 416–8; Mondshine, ed., *Migdal oz* (above, n. 2),

pp. 462–70. (See especially *id.*, p. 466: “In one instance, a slaughterer was removed from his position only because he acted ‘in a modern way’ and wore galoshes on his feet.” That case, incidentally, arose in the town of Vishogrod in the Polotsk province; see the notice of it in *Ha-meiliz*, October 5, 1885, p. 1142; Aaron Wertheim, *Law and Custom in Hasidism*, trans. from the Hebrew by Shmuel Himelstein (Hoboken NJ, 1992), pp. 302–15; Joseph J. Cohen, *Hakhmei transilvaniyah* [The sages of Transylvania] (Jerusalem, 1989), pp. 134–5, 161–9; David Assaf, *The Regal Way: The Life and Times of Rabbi Israel of Ruzhin*, trans. from the Hebrew by David Louvish (Stanford, 2002), pp. 181–4.) On the conflict over a slaughterer who studied Maimonides’ *Guide of the Perplexed* and read the newspaper *Ha-shahar*, see the satire “*Ḥazon be-haqiz*” [A vision while awake], in Abraham Jacob Rosenfeld, *Ha-zofeh le-veit ya’aqov o mishpat ha-arez* (Warsaw, 1883), pp. 170–84.

49. A similar instance in which a local *maskil* was banned, denied participation in High Holiday prayers, and accused of heresy and of scorning *zaddiqim*, both living and dead, is reported to have occurred later, in the town of Chmelnik, Poland. A town resident recounts the following events that took place in 1882: “The rabbi of our town (also a ‘half-*zaddiq*’) issued an order that the *maskil* R. Elimelekh Glicksman not be called to the Torah on the days of awe because he was ‘*deutsch*.’ The *gabbai* followed the ruling. On the day after Yom Kippur, Elimelekh called a meeting at the rabbi’s house, [urging] that the *gabbai* be fined or removed from office because he had disgraced him. When the leaders of the town gathered, two witnesses testified against [Glicksman] that he had spoken evil of the late *zaddiq* R. Elimelekh of Lyzensk and had denied that Torah had been given from the heavens. The rabbi then rose and said ‘You *Berlintschik*, you made my father . . . a by-word of mockery! What do you have in common with the Torah if you speak so harshly against God and His anointed—that is, my father? I admonish you to repent. I can decree a ban against you, and by law that is what you deserve, but I do not want to do so, for I believe you can still return if you take upon yourself penance and self-mortification from the *zaddiqim* of our generation. The *maskil* returned to his home greatly disturbed.” (*Ha-meiliz*, November 21, 1882, pp. 864–5). The rabbi making the pronouncement seems to have been R. Aryeh Leib Epstein of Ozharuv (Ożarów) (1837–1903). See *Ha-meiliz*, August 22, 1882, p. 631.

50. A later echo of the incident can be seen in the tradition attributing the following remark to Rabbi Issachar Dov Rokeach of Belz (1854–1926): “If one does not believe that the holy rabbi R. Mordecai of Chernobyl sustained the thirty-six righteous ones of his generation, he is a heretic.” In his reasoning, he explicitly relied on the ruling by R. Ḥayyim of Sanz in our incident. See Israel Klapholz and Nathan Ortner, *Seder haggadah shel pesah ’im midrash be-ḥiddush . . .* [Passover haggadah . . .] (Benei-Beraq, 1965), p. 20.

51. The accepted view traces the initial growth of organized Jewish Orthodoxy in Eastern Europe to the 1840s, as a reaction to the attempts of the Russian government, together with Jewish *maskilim*, to compel

reforms in traditional Jewish education. See Immanuel Etkes, “*Parashat ‘ha-haskalah mi-ta’am’ ve-ha-temurah be-ma’amad tenu’at ha-haskalah be-rusiyah*” [The episode of “Enlightenment by government decree” and the changed status of the Enlightenment movement in Russia], in id., (ed.), *Ha-dat ve-ha-hayyim: tenu’at ha-haskalah ha-yehudit be-mizrah airoph* (Jerusalem, 1993), pp. 167–216. The recent literature on Orthodoxy in general, its sources, and its historical evolution, is abundant and comprehensive. As a small sampling, see Menaḥem Friedman, *Ha-ḥevrah ha-ḥareidit: meqorot, megamot, ve-tahalikhim* [Haredi society: sources, trends, process] (Jerusalem, 1991); Jacob Katz, *Ha-halakhah be-meizar: mikhsolim be-derekh ha-ortodoqsiyah be-hithavutah* [Halakhah in straits] (Jerusalem, 1992), pp. 7–20; Michael K. Silber, “The Emergence of Ultra-Orthodoxy: The Invention of a Tradition,” in Jack Wertheimer, ed., *The Uses of Tradition: Jewish Continuity in the Modern Era* (New York, 1992), pp. 23–84; Moshe Samet, *Ḥadash asur min ha-torah: Peraqim be-toledot ha-ortodoqsiyah* [The new is forbidden by the Torah: chapters in the history of Orthodoxy] (Jerusalem, 2005); Yosef Salmon, Aviezer Ravitzky and Adam S. Ferziger, eds. *Ortodoxsiyah yehudit: hebetim ḥadashim* [Jewish orthodoxy: new aspects] (Jerusalem, 2006).

52. The *Qizḥur shulḥan arukh* by Rabbi Solomon Ganzfried of Ungvar, Hungary (1804–1886) was first printed in 1864 and went on to attain a vast distribution through dozens of editions; it was accepted as one of the authoritative halachic works within Ashkenazi Jewry. See Judah Rubenstein, “*Toledot ha-ga’on rabbi shelomoh ganzfrid z.z.l u-bibliyografiyah shel sefarav*” [Life of the scholar Rabbi Solomon Ganzfried, of blessed memory and bibliography of his works], *Ha-ma’ayan*, Vol. 11, No. 3 (1971), pp. 1–13 and id., Vol. 11, No. 4, pp. 61–78; Jack E. Friedman, *Rabbi Shlomo Ganzfried: His Kitzur and His Life* (Northvale NJ, 2000).

53. *Ḥayyei adam*, by Rabbi Abraham Danzig of Vilna (1748–1820) was first printed in 1810 and reprinted innumerable times. In contrast to the *Qizḥur shulḥan arukh*, it provides a concise restatement only of the laws appearing in two of the four sections of the *Shulḥan arukh—Orah ḥayyim* and *Yoreh de’ah*.

54. Menasheh Klein, *Responsa mishneh halakhot*, Vol. 7 (Brooklyn NY, 1977), sec. 160.

55. On the crisis of the 1860s and 1870s and the polemic over religious reform, see Gideon Katznelson, *Ha-milḥamah ha-sifrutit bein ha-ḥareidim ve-ha-maskilim* [The literary war between Haredim and *maskilim*] (Tel-Aviv, 1954); Ehud Luz, *Parallels Meet: Religion and Nationalism in the Early Zionist Movement (1882–1904)*, trans. from the Hebrew by Lenn J. Schramm (Philadelphia, 1988), pp. 13–25.

56. See Shalom Rosenberg, “*Emunat Ḥakhamim*,” in Isadore Twersky and Bernard Septimus (eds.), *Jewish Thought in the Seventeenth Century* (Cambridge MA, 1987), pp. 285–341.

57. *Yemei Maharant* [Journal of our teacher R. Nathan] (Benei-Beraq, 1956), Vol. 2, secs. 77–78. On the paradoxical meaning of *emunat ḥakhamim* in Bratslav Hasidism, see *Liqqutei moharan* [Collected words

of our teacher, R. Naḥman] (New York, 1958), *torah* 57; Mendel Piekarz, *Ḥasidut Braslav: peraḳim be-hayyei meḥollelah, bi-khetavehah u-vi-sefiḥehah* [Braslav Hasidism: chapters in the life of its founder, its writings, and its branches], 2nd expanded edition (Jerusalem, 1996), pp. 196–8. On the use made of this source in a contemporary polemic, see Yehoshua Mondshine, ed., *Kerem ḥabad* [Ḥabad's vineyard], Vol. 4 (1992), p. 161. Interestingly, Hasidic *emunat ḥakhamim* (that is, belief in the *zaddiqim*) turns out to be a marker for distinguishing not only Hasidim from Mitnagdim but also Ashkenazi Hasidim from Sephardim. According to the *zaddiq* David Moses of Czortkov's devoted beadle, his master asked an emissary from the Land of Israel "whether the Sephardim ("frenken") have *emunat ḥakhamim*. He replied that they know nothing of belief in *zaddiqim*; they believe only in the Holy Ari [R. Isaac Luria]... and they cling, with great enthusiasm, to R. Simeon bar Yoḥai... The *admor* answered: Fools! But if they believe that R. Simeon bar Yoḥai was born of a woman, how can they not believe in *zaddiqim*, for today, too, there is a *zaddiq* like R. Simeon bar Yoḥai." (Rapoport, *Divrei david* (above, n. 7), p. 57. It may be that it was these notions of "*emunat ḥakhamim*," which were abroad "in these times," that R. Solomon Kluger set out to combat. In his view (quoted above, n. 46), the term denotes the belief in the quality and authority of the halachic decisions issued by the "minority of a minority"; that is, those who rule in accord with the decisional principles set forth in the Gemara and the *Shulḥan Arukh* rather than "in the manner that seems best in their eyes."

58. See Mendel Piekarz, *Bein idi'ologiyah u-mezi'ut: 'anavah, 'ayin, bittul mi-mezi'ut u-deveiqut be-maḥshavtam shel rashei ha-ḥasidut* [Between ideology and reality: humility, nothingness, self-negation and communion with God in Hasidic thought] (Jerusalem, 1994), p. 209; id., "*Ha-ḥasidut be-'aspaqlariyat Tiferet shelomoh le-rabbi shelomo mi-radomsk*" [Hasidism through the lens of *Tiferet shelomoh* by R. Solomon of Radomsk], *Gal-Ed: On the History of the Jews in Poland*, Vol. 14 (1995): 37–58.

59. Yehuda Friedlander, *Bein halakhah le-haskalah* (Jerusalem, 2004), p. 139.

60. For a useful collection of articles on the subject of *da'at torah*, see Ze'ev Safrai and Avi Sagi (eds.), *Bein samkhut le-'otonomiyah be-masoret yisra'el* [Between authority and autonomy in the Jewish tradition] (Tel-Aviv, 1997). For a summary article, see Benjamin Brown, "*Doqtrinat da'at torah: sheloshah shelavim*" [The doctrine of *da'at torah*: three stages], in *Derekh ha-ruah: sefer ha-yovel le-Eli'zer Shveid* [Eliezer Schweid jubilee volume], Vol. 2 (Jerusalem 2005), pp. 537–600. Uses of *da'at torah* in its modern sense begin to appear as early as the late 1860s, for example, in the controversy between the Sanz and Sadigura Hasidim (see *Shever poshe'im* [Lemberg, 1869], p. 6) or the struggle over religious reform (see Moses Leib Lilienblum, *Ketavim 'otobiografyim* [Autobiographical writings] vol. 1 (Jerusalem, 1970), p. 185. The organized political use of the term came later, however, and is characteristic of the twentieth century.

See Gershon C. Bacon, *The Politics of Tradition: Agudat Yisrael in Poland, 1916–1939* (Jerusalem, 1996), pp. 47–69.

61. A typical example of the blurring of the concepts can be found in a Hasidic book published about a decade ago: *Sefer emunat ḥakhamim bo yevo'ar hashra'at ruah ha-qodesh ve-gilui nevu'ah la-zaddiqim va-ḥakhamim she-be-khol dor...* [The book *'Emunat Hakhamim*, in which is explained the alighting of the holy spirit on, and the revelation of prophecy to, the *Zaddiqim* and sages in every generation]... edited and collected by Elijah ben Shalom Bokobza (Aubervilliers, France, 1993). The author, a Ḥabad Ḥasid, collected numerous texts dealing with the matter and analyzed them in the usual rabbinic fashion. His declared goal is “to exclude the influence of the scoffers who argue that revelation of the holy spirit does not apply in our generation,” yet most of his interest is directed toward the messianic awakening surrounding the rabbi Menahem Mendel Schneerson of Lubavitch. The author sees a link between “the renewal of prophecy and the preparation for the coming of the Messiah”; and in his view, the Ḥabad *zaddiq*, “**who is without doubt** a prophet... for everything he prophesied for several decades has come to pass” (emphasis in the original, pp. 3–4; cf. his remarks in his “General Summary,” p. 95). He also relies, albeit marginally, on the responsum of R. Ḥayyim of Sanz with respect to *Or ha-ḥayyim* (which he consistently corrupts into *Orah ḥayyim*; see pp. 80–1).