

## RABBI HAYYIM OF VOLOZHIN'S POLEMIC WITH HASSIDISM<sup>1</sup>

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**Abstract:** R. Hayyim Volozhin, the main disciple of the Vilna Gaon, set up the Volozhin Yeshiva in 1802. Unlike his mentor, R. Hayyim was not interested in perpetuating the animosity between Hassidism and mirthnagdim, welcoming Hassidic students in his yeshiva. Despite this, R. Hayyim had a major ideological dispute with the Hassidic world. This is obvious from the collections of questions and answers we have from him, the *sheiltot*, in which he spells out his differences with Hassidism. His *Nefesh Ha-Hayyim*, his only autographic work published posthumously, was both a polemic on Hassidism as well as an alternative Judaic-Kabbalistic world view to Hassidism. R. Hayyim's polemic strengthens the point of view that the Vilna Gaon and his students were more ideologically than politically opposed to Hassidism.

Rabbi Hayyim Itzkovitz of Volozhin (1749–1821) was the main disciple of the Vilna Gaon (Elijah Ben Solomon Zalman 1720–1797).<sup>2</sup> He lived in the Lithuanian-Polish Empire until it was taken over by Russia in 1797. He is best known as the founder of the Volozhin Yeshiva in 1802, eventually called Etz Hayyim, in his memory, which became the prototype of all modern yeshivot up to the present day. Despite not publishing any works, he did write one book at the end of his life, namely *Nefesh Ha-Hayyim*, which was published posthumously in 1823. The work contains discussions on prayer, the study of the Torah and religious life based on kabbalistic ideas, but contains as well an ideological polemic with Hassidism both regarding Halakha as well as issues in kabbalistic theosophy. While Rabbi Hayyim was more inclusive than his predecessors

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<sup>1</sup> This article is based on a lecture addressing the 11<sup>th</sup> conference of the EAJS held at Jagellonian University in Cracow, on July 15<sup>th</sup>–19<sup>th</sup> 2018. My work on R. Hayyim of Volozhin is part of research team I established on the Kabbalistic Manuscripts of the Vilna Gaon and his students, through a grant from the Israel Science Foundation in 2016.

<sup>2</sup> The Vilna Gaon's sons refer to him at the 'prime student' (*rishon hatalmidim*). See the introduction of Avraham and Yehuda Leib, sons of the Gaon, to the Vilna Gaon's commentary on Shulkhan Arukh Orah Hayyim.

among the Mithnagdim by including Hassidic students in his yeshiva, he still argued against the Hassidic ideology. Understanding these arguments is important in understanding the ideological differences that stood between the Hassidic movement and the Mithnagdic thinkers.

There has been a tendency among historians of the Hassidic-Mithnagdic controversy to put the emphasis on political and social issues. While there is no doubt that these issues were a main factor in the rift between Hassidim and the *Mithnagdim*, it would be shallow and historically incorrect to overlook the ideological issues involved, especially in the first generation of Hassidism and their opponents among the *Mithnagdim*.

In a very insightful overview, Emanuel Etkes summed up the historical approaches concerning the Hassidic-Mithnagdic controversy which I will use as a stepping stone to our discussion.<sup>3</sup> Simon Dubnov described the controversy as a natural reaction of the Rabbinic authority against those who wanted to undermine the centrality of Torah study and place emotion and devotion in its place.<sup>4</sup> He also suggested that the Lithuanian Rabbis were afraid Frankism, which was born in the Ukraine near the centres of Hassidut, might enter their region.<sup>5</sup> Dubnov connects the fact that it took until 1772 for the Rabbinic authorities to react to Hassidism to the abolishing of the Council of the Four Lands in 1764 and the spreading of Hassidim towards Belarus and Lithuania. Jacob Katz claimed that Hassidism was both a religious and social phenomenon. From a religious point of view, the Hassidim presented a world view which centres on devotion through Mitzvot as opposed to just keeping the mitzvot, and from a social point of view they replaced the traditional rabbinic authority with the charismatic Zadik.<sup>6</sup> Katz saw the Vilna Gaon and the community leaders' opposition to Hassidut as one and the same, i.e. protecting the tradition and the traditional institutions of the Jewish communities. Hayyim Hillel Ben-Sasson was the first to argue that the Vilna Gaon acted out of ideological conviction, whereas the community leadership of Vilna acted out of opposition to a new communal and religious order.<sup>7</sup> Ben-Zion Katz suggested that the Vilna leadership instigated the struggle against Hassidism, which revolved around the question: who are the legitimate leaders of the Jewish people, the students of the Baal Shem Tov or the Students of the Gaon; however, the Gaon was more of figurehead than an actual participant in the debate. Gershon Scholem claimed that outside the Vilna leadership there existed opposition to Hassidism among certain pious circles, so that the *Mithnagdim* were not the only ones to oppose Hassidism.<sup>8</sup> Emanuel Etkes claimed that already in the winter of 1772 the Gaon was told of some unusual customs of the Hassidim, after which two Hassidic leaders from Belarus, Rabbi Menahem Mendel of Vitebsk and Rabbi Shneur Zalman of Liadi (Liyady) tried to arrange a meeting with the Gaon. The latter refused. Etkes claims that his refusal was due to his hearing that the Hassidim had belittled Torah scholars and had explained certain passages in the Zohar improperly, and that this

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<sup>3</sup> Etkes 1998: 84.

<sup>4</sup> Dubnov 1960: 108, 111.

<sup>5</sup> *Ibid.*: 111. For more on the Frankist movement of Jacob Frank see: Kraushar 2000; Maciejko 2011.

<sup>6</sup> Katz 1958: 280.

<sup>7</sup> Sasson 1966: 204–206.

<sup>8</sup> Scholem 1949: 228–240.

explanation was received through a revelation from Elijah.<sup>9</sup> Etkes came to three conclusions: 1. The Gaon considered the Hassidim as heretics. 2. The lay leadership of Vilna relied on the Gaon's opinion. 3. As long as the Gaon was alive there was no way to end the controversy.

It is unfortunate that there were few attempts to understand the ideological issues that stood between the Gaon and the Hassidic leaders. In an unpublished article I wrote based on a lecture given in Ben Gurion University in 2008, I attempted to explain the ideological problems the Gaon had with Hassidut.<sup>10</sup> Many of the sources concerning the Gaon and Hassidut we received from R. Hayyim of Volozhin. This of course begs the question of how much of this was R. Hayyim's views and how much was the Gaon's. In this article I will continue the discussion and attempt to understand R. Hayyim's ideological issues with Hassidut. I will quote as well sources he brings concerning the Gaon, since this adds to our understanding of how he saw the controversy.

## **R. Hayyim and Hassidism**

It is known that R. Hayyim took a tolerant stance towards those who inclined towards a Hassidic lifestyle, even if he personally disagreed with this ideology. He fought the Hassidic ideology but was not against Hassidic individuals. He never signed any ban against them,<sup>11</sup> and seemed to allow the Hassidim to follow their practice of slaughtering with specially sharpened knives.<sup>12</sup> As Shaul Stampfer put it: "We must differentiate between R. Hayyim's relationship to Hassidism [as an ideology] and his relationship to Hassidim [as individuals]".<sup>13</sup> In addition, Aaron Rakefet wrote:

Unlike the Vilna Gaon who opposed Hassidus on the social and intellectual levels, Reb Chayim practiced a dual approach. In the social sphere he was on friendly and amicable terms with them [...]. Never the less on a philosophical level Reb Chayim totally negated much of the Chassidic ideology.<sup>14</sup>

An interesting example of both R. Hayyim's tolerance to Hassidism and his argument against it can be found in his responsa called the 'Sheiltot'.<sup>15</sup>

Our Rabbi said to a family member who was inclined towards the Hassidim of our times [Sheiltot – the group 'kat' of Hassidim], to Keep at least these three things: 1. to study the gemarrah and its commentaries, and this should be the main service of God in your eyes,

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<sup>9</sup> Etkes 1998, note 2: 93–94.

<sup>10</sup> Shuchat, "Madua Hitnaged Hagra mi-Vilna La-Hassidut: Masa ahar Ha-Vikuah ha-Haguti".

<sup>11</sup> Stampfer 1995: 32.

<sup>12</sup> This is mentioned in a letter of R. Shneur Zalman of Liadi from 1811. See Hillman 1953: 205.

<sup>13</sup> Stampfer 1995: 34–35.

<sup>14</sup> Rakefet 1981: 54.

<sup>15</sup> I am presently working on a critical edition of these questions and answers in a volume entitled: Conversation with R. Hayyim of Volozhin.

2. to keep the laws [dinim] of the gemarrah, 3. [sheiltot – ‘For heaven’s sake’] Not to speak about our Rabbi, the Gra.<sup>16</sup>

R. Hayyim had a relative who was inclined towards Hassidism. He did not attempt to dissuade him from his decision, only to give him some advice. This family member might have spoken with R. Hayyim to ask his advice, possibly due to parental pressure. We do not know. However, R. Hayyim’s answer is interesting. Through it, we see his reservations about Hassidut. By telling this person to keep the laws of the Talmud we see he felt there was some bending of Talmudic rules in Hassidut. By his saying that the study of Talmud should be the main service of God, we can see he felt that Hassidism did not put enough emphasis on Torah study and possibly put more emphasis on prayer or devotion. However, we are still unclear concerning the ideological issues at hand.

In his magnum opus, *Nefesh Ha-Hayyim*, R. Hayyim mentions that the Hassidim were lax on the issue of prayer at its appropriate time. However, the mention of this particular issue is only symptomatic of a greater problem. As he writes there:

Let no one try to act smart [*lehithakem*], no matter how great their perception, to say that they can see the secret meanings of the mitzvot in the upper worlds, that according to the root of my soul, or the root of other’s souls, that they must transgress a mitzvah heaven forbid, or even to postpone a mitzvah or to do it in a lesser way even to compromise on a rabbinic edict or even to change its time [...] for our holy torah comes from above all human perception, so how can this be subject to human perception to change its time or laws based on human reason?<sup>17</sup>

R. Hayyim is criticising individuals who claim to possess spiritual powers or sensitivities which enable them to perceive the spiritual cosmic needs of the moment or of an individual’s soul. These are individuals who claim that they receive revelation or insights from above and therefore need to compromise on certain mitzvot due to their understanding. H.H. Ben-Sasson refers to this as R. Hayyim’s rejection of personal charisma and supernatural powers as reflected in the Hassidic tales.<sup>18</sup> This is a major issue in understanding the ideological difference between R. Hayyim and the Hassidism of his day. We must understand this in historical perspective.

The Talmud claims that a prophet is entitled to temporarily suspend a negative Torah command if the situation calls for this. This is why Elijah the Prophet was allowed to build an altar to God on Mount Carmel despite the fact that all the altars (Bamot) were prohibited as soon as Jerusalem was established as the central and sole place of sacrificial service.<sup>19</sup> As Maimonides writes:

If a prophet who is known to be a prophet told us to transgress a mitzvah of the Torah or multiple mitzvot of the Torah whether light or severe, if this is a temporary measure [lefi

<sup>16</sup> Podro-London Mss. 8800 paragraph 44, Sheiltot 88.

<sup>17</sup> Itskovitz 1973, Chapter 1, 32.

<sup>18</sup> Ben Sasson 1973: 126.

<sup>19</sup> Yevamot 90b.

Sha'ah], then it is a mitzvah to listen to him. [...] just like Elijah on Mount Carmel; listen to him except in the case of idolatry. But this must be a temporary measure [Horaat Shaah] as with Elijah on Mount Carmel who offered a sacrifice outside of Jerusalem which is [normally] punishable by cutting off [Karet]. However, since he is a prophet, we listen to him, as the Torah says: 'To him do you listen' [Deut. 18, 16].<sup>20</sup>

The idea of a temporary measure, *Horaat Shaah*, is a privilege granted only to a known prophet. R. Hayyim argues that this privilege is not granted to anyone but a prophet, no matter how great their spiritual perception. In an attempt to justify the legal right of a higher spiritual perception, early Hassidism used another Talmudic source:

R. Nahman b. Isaac said: A transgression performed with good intention [*aveirah lishmah*] is better than a precept performed with evil intention. But has not Rav Judah, citing Rab, said: A man should always occupy himself with the Torah and [its] precepts, even though it be for some ulterior motive, for the result will be that he will eventually do them without ulterior motive? – Read then: [A transgression performed with good intention is] as good as a precept performed for an ulterior motive, as it is written, 'Blessed above women shall Jael be, the wife of Heber the Kenite. Above women in the tent shall she be blessed', and by 'women in the tent', Sarah, Rebecca, Rachel and Leah are meant.<sup>21</sup>

This source talks of a transgression done for heaven's sake. Yael the Kenite was a friend of the Israelites and when she saw Sisrah the Cananite General running from the battle she tricked him into entering her tent and killed him.<sup>22</sup> In Deborah's song she says about Yael: "Between her legs did he bend and fall and sleep, between her legs did he fall".<sup>23</sup> The Talmud understands that Yael slept with Sisrah in order to trick him into entering the tent to kill him. About this action the Talmud says that greater is a transgression for heaven's sake (since Yael was a married women and so was Sisrah a married man) than is a mitzvah not for the sake of heaven. In this particular case it appears as if the end justifies the means, but can one use this as a general principle? Can one say that by using their spiritual or intellectual insight they may suspend a law of the Torah since the end can justify the means? This became a major controversy between R. Hayyim and the first generation of Hassidic Rabbis.

My first source will be the writings of the famous Rabbi Elimelech of Lizhensk (Lezajsk, 1717–1787) a disciple of the Magid Dov Ber Of Mezeritch (Mezhirichi):

The Zaddik has to connect to the collective of Israel to help them. So how does he connect to the sinner? For even the sinner needs his influence and vitality. So the Talmud says that 'greater is a transgression for the sake of heaven', for the Zaddik also does transgressions, but just for the sake of heaven, and through this he can connect even to the sinner, to help him.<sup>24</sup>

<sup>20</sup> Maimonides, *Mishneh Torah*, Mada, Yesodei Hatorah, 9, 3.

<sup>21</sup> *Nazir* 23b.

<sup>22</sup> *Judges* 4, 18–21.

<sup>23</sup> *Judges* 5, 26.

<sup>24</sup> R. Elimelech of Lizhensk (1989), *Pericope Naso*, 70a.

R. Elimeleh explains that the Zaddik has a collective soul, meaning he has to relate to all Jews. So how does he possibly relate to the sinner? This because he too sins sometimes, even if it is for heaven's sake. This statement understands *Aveirah Lishmah* almost as a norm. A disciple of R. Elimeleh, R. Yaakov Yitzhak (1745–1815) known as the Seer [*Hoze'h*] of Lublin, says:

For hassidut is love and it is with all of one's soul. Therefore one should not worry about the shma or about prayer even if it is recited after its [proper] time, for this is out of the love of God, for one does this to get a better connection or in order to praise better, or even if he thinks that this will be better in God's eyes not to recite the shma or prayers [now]. Even if his evil inclination tells him this is wrong, he should not worry about any punishment for an act done out of the love of God to do His will, for God wants the heart and 'greater is a transgression for the sake of heaven'.<sup>25</sup>

The Seer of Lublin demonstrates practical implications of this concept, that one may pray past the designated time if one feels that they do not as yet have the appropriate intention or some other spiritual reason. He goes as far as claiming that he who follows the strict letter of the law and refuses to allow themselves to pray later is actually following their own evil inclination.

Rabbi Mordecai Yosef Leiner of Izbica (1801–1854), a disciple of R. Simha Bunim Bonhart of Pshisha (Przysucha) and R. Menahem Mendel Morgensztern of Kotzk (Kock) (both disciples of the Seer of Lublin) writes:

One who guards themselves from the evil inclination and guards themselves from sin with all their might, to such an extent that it is impossible to guard oneself any more than they already do, and despite this the evil inclination pushes them to do a [wrong] act, this must have been God's will.<sup>26</sup>

This statement goes further than the first two quotes by claiming that sometimes one is pushed into a situation of wrong-doing since this is the Divine will. In this statement R. Leiner is saying something very bold. The first two statements given mean that a wrong action done for the right reasons can be seen as something positive. This is an idea discussed in Hassidic research.<sup>27</sup> R. Leiner is taking the issue a step further by saying that a wrong action done for the wrong reasons could also possibly be seen as a good deed. This is a much more extreme argument.<sup>28</sup> Since R. Leiner lived after R. Hayyim

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<sup>25</sup> Horovitz 2015: 337.

<sup>26</sup> Leiner 1995: 145.

<sup>27</sup> Hefter 2013: 47–50; Magid 2003: 201–248. See also Mondshine 1996: 301–320; Kahana and Mayse 2017: 377.

<sup>28</sup> "The Legitimacy of extra-halachic behavior in Izbica-Radzin is not simply to 'permit the forbidden', a concept popularized by the Sabbateans in the 17<sup>th</sup> century, as much as it is to legitimate and even sanctify the tension of living simultaneously inside and outside the law. This tension however, is not purely theoretical even though the literature never provides any concrete examples of sanctified transgression in their contemporary world... What is significant here is that even as the tension between conformity to both a normative system and pious desire may sometimes mandate acting outside the system, it never normalizes extra-halachic behaviour"; Magid 2003: 206.

I will discuss the argument of R. Hayyim with the first two sources. R. Hayyim was obviously aware of the argument of a transgression for heaven's sake, (*Aveira Lishma*) which he openly addresses in the Sheiltot:

[Concerning] a transgression for heaven's sake: He said that this was allowed only before the Torah was given. Concerning the known group [Hakat Hayadua – the hassidim] they claim that all is just a transgression for the sake of heaven. However if this were so, then why do we need six hundred and thirteen commandments, one will do whatever they think is right in heaven's eyes even concerning mitzvot. But the truth is that after the giving of the torah one cannot change the mitzvot of the torah or the rabbinic ordinances and one should not rest on the advice of the [evil] inclination. We found in the midrash that Hanoah used to fix shoes and have lofty thoughts of the upper worlds while doing this. So too the patriarchs knew to make their everyday actions pleasing to God. However, this was before the torah was given. Today a son of Noah [i.e. a non Jew] can also worship God in the way he sees fit, except for the seven Noachide laws which he must follow. However, for the children of Israel, the torah gave guidelines and fences in every action with a command and a warning. The command we do for God's sake and real piety [*hassidut*] is to be scrupulous about these commands... So if Jacob married two sisters this was before the giving of the Torah. Also Amram marrying his Aunt was prior to the giving of the Torah. However from the time Moses received the Torah at Sinai one cannot change or stray from it, Heaven forbid, even if one perceives that this might be helpful to the root of their soul, in the service [of God]. How much more so [does this apply] to us who are lacking in perception, as our understanding is just vanity. That which that Rabbis stated 'Greater is a transgression for heaven's sake', this is according to what we said [that it was before Sinai] or referring to Yael the wife of Hever the Kenite [who was not Jewish] as was explained by the Arizal that she was a reincarnation.<sup>29</sup>

R. Hayyim is taking an unequivocal position on this issue. The Talmudic dictum of *Aveirah Lishmah* is only referring to those who lived before the giving of the Torah at Sinai or to non-Jews who are not obligated to keep the Torah, but for those obligated to keep the Torah this is a non-issue which lost its validity millennia ago. Basically, R. Hayyim is taking a tough stance disqualifying any possible allowance to spiritual intuition concerning the Halakha. R. Hayyim reiterates this point in his *Nefesh Ha-Hayyim*:

There are those who say that the main service is for the sake of heaven and therefore even a sin or transgression can be considered a mitzvah if it's done for the sake of heaven to rectify something, for, 'God desires the heart', and 'greater is a transgression for the sake of Heaven', and other proofs of this type. Therefore even if he transgresses a mitzvah of the torah, it is to mend something in the upper worlds [...]. This type of service was allowed only before the giving of the Torah. [...] Now we are forbidden to change anything in the torah [...]. So we cannot change a mitzvah, heaven forbid, even for heaven's sake, or even if one perceives that doing this mitzvah will bring about damage in some way. Not even passively [is this allowed].<sup>30</sup>

<sup>29</sup> Sheiltot 71. The Ari actually writes that Yael was reincarnated into Eli the high priest of Samuel 1. See Vital, introduction 36, 1978: 118.

<sup>30</sup> Itskovitz 1973, middle chapter (between 3 and 4), chapter 7: 3b–2a.

This is a position found as well in the writings of another student of the Gaon, R. Menahem Mendel of Shklov: “For a mitzvah can never become a transgression... and a transgression can never become a mitzvah, even if one should have the best of intentions”.<sup>31</sup>

In all fairness it should be stated that the Hassidic writers mentioned above were not the first to employ *aveirah lishma* as a lacuna in Halakha allowing or possibly justifying a certain bending of the law for important reasons. The Tosafists in the 12<sup>th</sup> century suggested that Yael’s transgression for the sake of heaven was allowed since she derived no pleasure from it and did it to save the Jewish people.<sup>32</sup> Even though R. Hayyim could answer that the example is Yael, who is a non-Jew, the principle of the Tosafists seems to apply even to Jews. R. Moses Hayyim Luzzatto (Ramhal) argues from the two examples of a ‘transgression for heaven’s sake’, Yael in the book of Judges and Esther who was taken by Ahashverosh, that the issue of *aveirah lishma* applies only to women in a sexual context and only as a temporary measure for the Jewish people or to save themselves.<sup>33</sup> There are others like R. Hayyim who argue that the Talmudic idea of *aveirah lishmah* is not a practical suggestion or a call to action but rather a theoretical and ideological evaluation of the act.<sup>34</sup> It is not necessary at this point to delve further into the meaning of *aveirah lishma* since it is obvious that for the Hassidic thinkers mentioned above, the concept of *aveirah lishma* is utilized to allow flexibility in Halakhic deeds in certain areas where spiritual insight are used. R. Hayyim is unequivocally opposed to such thinking.<sup>35</sup>

## Revelations and Angelic Beings

R. Hayyim’s opposition was not only to spiritual intuition in Halakhic issues but to any form of revelation not received directly through Torah study. The examples are abundant:

I heard from Him that what people [lit. The world, ha-olam] say on the sabbath eve [to the angels] ‘bless me in peace’, and also [in the selihot service] ‘angels of mercy’ [should be ‘messengers of mercy’], he disagreed with this. He said: I do not comprehend asking things of angels. They have no power and do not possess free will that one can ask something of them. They are forced to do things. For if a man is meritorious they have to bless him. If he is bad they have to curse him. So even if the verse says: ‘Even If there is only one defending angel’,

<sup>31</sup> See Menahem Mendel of Shklov 1987: 88. See also another thinker close to the Gaon’s circle, Pinhas of Polotzk 1803, commentary on proverbs 3, 7: 6.

<sup>32</sup> Ketuboth 3b, Tosafot beginning with: “velidrosh lehu”.

<sup>33</sup> Luzzatto 1980: 96–98.

<sup>34</sup> R. Hayyim Al-Gazi, Baneu Hayei, 188A, as well as R. Yitzhak Minkovsky in his Keren Orah, Nazir 23b. See Lichtenshtein 2016: 168–169. For an overview of the Concept see Lichtenshtien 2016: 163–191.

<sup>35</sup> Dresner argues that Aveirah lishma, from the writings of R. Yaakov Yosef of Polonne, allows bending the law only in the cases of temporary neglect of Torah study (bitul torah), praying later than its prescribed time, idle talk, anger, pride and falsehood. See Dresner 1974.

this is according to a person's deeds. If he does a good deed an angel is created to defend him, and if the opposite then the opposite. He said that from an early age he never said any of these [prayers]. Instead he inserted: 'Patriarchs of the world, beloved about, beseech on behalf of those'... but he never rebuked those who did say it.<sup>36</sup>

R. Hayyim was opposed even to turning to angels in prayer. They are beings devoid of free will and therefore cannot help us, so what is the point, he argued. He was opposed to the prayer asking the angels to bless us on Friday night as he was opposed to the prayer in the penitential (*slihot*) service, "mahnisei Rahamim", messengers of mercy. R. Hayyim goes as far as to state that the Vilna Gaon was approached on numerous occasions by angelic beings (*Maggidim*) and shooed them away stating that he wanted to come to Torah insights himself without their help.<sup>37</sup> In another interesting quote, R. Hayyim claims that his older brother Shlomo Zalman was a saintly scholar who was also approached by angelic beings (*Maggidim*). Upon asking the Gaon if his brother could listen to these beings the Gaon answered:

Even though our master the Beit Yosef [Joseph Caro] had a *maggid*, this was 200 years ago when the generations were regular and he was in the Holy Land. However now with all the evil especially in the diaspora, this is no way for everything to be in holiness without a mixture [of impurity].<sup>38</sup>

In general R. Hayyim saw the human desire for the supra natural or for angelic or spiritual beings as a sort of modern idolatry. It is of interest that all the stories concerning the Vilna Gaon's rejection of people with unusual spiritual powers are all related to us through R. Hayyim and his students:

He [the Gaon] said about the Prophet of Kovna [Kaunas] that it is a small demon [that has possessed him] and with the threat of excommunication he prohibited him from telling any more wondrous things. So he [the demon] was quiet for some weeks and then began to speak again. So the Gaon decreed that no one would listen to him, and immediately the spirit left him.<sup>39</sup>

For the Gaon, as told by R. Hayyim, if someone is revealing wondrous things about the future or about people's lives, then they are either a charlatan or possessed by a demon, i.e. a power of impurity. In another more amusing source, R. Hayyim relates an additional story about the Gaon:

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<sup>36</sup> Sheiltot 140.

<sup>37</sup> R. Hayyim's introduction to the Vilna Gaon's commentary to *Safra de-Zniuta*.

<sup>38</sup> R. Hayyim's introduction to the Vilna Gaon's commentary on *Safra Detzniuta*. For the English version see Fraenkel 2015, vol. 2: 471–517. Our issue is there on page 503.

<sup>39</sup> Sheiltot 124.

A young woman did wondrous acts and taught profound ideas and studied zohar with other students. [Upon telling this to the Gaon] the Gaon said: When she will get married, the spirit will leave her, and this is what happened.<sup>40</sup>

Even this young woman whose spiritual powers seemed genuine and positive since she was teaching the Torah and the Zohar, was seen by the Gaon according to R. Hayyim as being possessed by some sort of negative spirit. It seems that even the Torah is negative if it is not reached through one's own efforts.

There seems to be a fine line connecting R. Hayyim's aversion to spiritual intuition concerning Halakhic matters, asking angels to bless us, or being possessed by higher spirits. R. Hayyim believes that after the giving of the Torah at Sinai some 3,500 years ago, the Torah is the main or even the sole way for a Jew to connect to spirituality. It is a route protected from the pitfalls of unbridled spirituality. For R. Hayyim any revelation not through the Torah, even if revealed to the greatest and most pious saint, is held under suspicion. For this reason R. Hayyim, who held the Zoharic literature in high regard, claimed that it never conflicted with Talmudic law. For if this were the case, it would be an example of a revelation to an individual (in this case to R. Shimon Bar Yohai) who uses this revelation to make adjustments to Halakha.<sup>41</sup> It is of interest that R. Hayyim does not take the position of the 16<sup>th</sup> century R. Shlomo Luria of Lublin (Maharsha) that the Zohar is irrelevant in matters of Halakha,<sup>42</sup> but that there are no contradictions between Halakha and the Zohar and if there seem to be, those who thought so did so due to a lack of understanding either in the Zohar or in Halakha:

I heard from him [R. Hayyim] that the Gaon said that the Zohar never differs with the Gemarah. But they [who think it does] do not know the meaning of the zoharic text or of the Talmudic text therefore they claim it differs. With the exception of one halakha, he does not follow the Zohar, which is, to keep a distance of four cubits around one who prays [shmone esre] whereas the gemarah mentions only in front of him. Then our Rabbi [R. Hayyim] asked him [the Gaon]: Don't they differ [in the law] of placing one's bed between north and south [whereas the zohar says between East and West]? He [the Gaon] answered: There is no argument. The Zohar is discussing something else. Then he told him the meaning of the Zoharic passage. From the day our Rabbi heard this, he said that this matter is correct [according to the Gaon] beyond any doubt.<sup>43</sup>

Since the Torah as represented in the halakhic discussions of the Talmud is the sole venue for the spiritual path, even legitimate spiritual texts like the Zohar are bound by the framework and rules of the Talmudic development of the oral Torah.

Therefore, R. Hayyim claims that if one has a need for direct spiritual encounter, the only legitimate way to do this is through Torah study itself. For this he actually gives an example:

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<sup>40</sup> Sheiltot 122.

<sup>41</sup> For an extensive discussion on this matter see Shuchat 2007: 449–486.

<sup>42</sup> Responsa of Maharsha 98, see my article in the previous note. *Ibid.*: 452.

<sup>43</sup> Sheiltot 66.

Our Rabbi [R. Hayyim] said: To take advice [lit. To receive advice, meaning esoteric advice from above] from the Torah; that happens when one studies with enthusiasm and feels that they have learned [Torah] for its sake (and the meaning of 'for its sake' is explained in *Nefesh Ha-Hayyim*), at that point, focus on your request, whether to do it or not to do, and whatever comes to mind [at that moment], this you shall do and succeed.<sup>44</sup>

This is a fascinating quotation. R. Hayyim is allowing one to use the Torah as a way of asking questions and hopefully receiving answers.<sup>45</sup> Is this a concession to those who need some way to satisfy their curiosity for the occult or is this normative Judaism? It seems that for R. Hayyim as long as the question is asked while studying the Torah, the answer is legitimate and should be considered.

At this point we can now return to the source in which R. Hayyim told a family member inclined towards Hassidism his three conditions, let us reconsider the first two: "1. to study the gemarrah and its commentaries, and this should be the main service of God in your eyes, 2. to keep the laws [dinim] of the gemarrah".<sup>46</sup> The idea of not deviating from the laws of the Talmud stems from R. Hayyim's concern about the Hassidic leniency in matters which they consider *aveirah lishmah*. One cannot bend Talmudic laws even for the noblest considerations. The first idea, that the real service of God is through Torah study is a major motif in R. Hayyim's thinking. Torah study is the sole way to reach God in this world, i.e. through the Word of God in His Torah. After prophecy ended, there is no other route to go. This is the way to real clinging, '*Devekut*' even justifying using the moment to receive insights from above.

## Rav Hayyim's Polemic with Hassidism and *Nefesh Ha-Hayyim*

From the Sheiltot literature we see that R. Hayyim had two main issues with Hassidism: one was not to deviate from Halakha even for a good cause or some spiritual insight and the second was not to consider anything but Torah study as the main service of God. *Nefesh Ha-Hayyim* is the only autograph of R. Hayyim which he wrote towards the end of his life. It was published posthumously by his son Yitzhak in 1823. It has been said in the past that this book was R. Hayyim's response to the book of Tanya of R. Shneur Zalman of Liadi and that the book was written as a polemic against Hassidism.<sup>47</sup> Eisenman claims that there are three main issues in the *Nefesh Ha-Hayyim*, i.e. chapter one the mitzvot, chapter two prayer, and chapter four Torah study, and these represent three main arguments with Hassidism.<sup>48</sup> I would go a step further and argue that all four chapters represent arguments with Hassidism. This means that *Nefesh Ha-Hayyim* is both a polemic with Hassidism and an alternative Kabbalistic and

<sup>44</sup> Sheiltot 8.

<sup>45</sup> This is reminiscent of the literature of asking questions to be answered in dreams or by scripture. Concerning The Lots of the Vilna Gaon see Raz 1976: 162–170.

<sup>46</sup> See above note 15.

<sup>47</sup> See Gross 1988: 121–160; Eisenman: 189–194.

<sup>48</sup> Eisenman: 189.

Torah-based view of Judaism. This is a matter which I intend to delve into in the future but to make the point, I will illustrate in brief detail.

Chapter one of *Nefesh Ha-Hayyim* deals with the mitzvot. Chapter two deals with prayer and blessings, chapter three deals with God's relationship to the world (transcendence and immanence) and chapter four deals with the idea of Torah learning for its own sake. These four chapters are based on a Kabbalistic conceptual model which is: body, *nefesh*, *ruah*, *neshamah*, also represented by the four elements: earth, water, air and fire as well as the four levels in the soul of nefesh: actions (*maaseh*), speech (*dibur*), analytical thought (*hirhur*) and intuitive thought (*nahshavah*). All this is mentioned in the first note that R. Hayyim added to part one chapter one discussing the Zelem. This footnote describes what the structure of the book will be.

Part one discusses the action of the commandments and therefore parallels 'body' as well as 'action' and 'earth'.

Part two discusses prayer and blessings paralleling – *nefesh*, or speech or water.

Part three discusses the metaphysical understanding of the interaction between God and the world (the 'Zimzim') which parallels Ruah, or analytical thought (*mahshah*), or air.

Part four discusses Torah study for its own sake, which is clinging to God through thought which parallels Neshamah, or intuitive thought through clinging (*devekut*), or fire.

Each section has its own polemic with Hassidism:

Part one, chapter 22 argues against the Hassidic idea that spiritual insight can allow one to change or compromise in the action of a mitzvah.

Part two, chapter 13 argues against using the Kabbalistic intentions '*kavvanot*' of Lurianic Kabbalah and suggests meditating on the letters and words of the '*amidah*' prayer.

Part three, chapter three argues against the notion Hassidism promotes that God is everywhere and in everything equally since this destroys the hierarchy of Halakha that there are holy, profane and impure places. This R. Hayyim develops into his theology in chapter four of perceiving the world from 'our perspective' versus 'God's perspective'.

Part four, introductory chapters are a polemic against the Hassidic idea of developing the intent over the study or the action. This is an introduction to R. Hayyim's understanding of studying the Torah for its own sake in part four.

In short, the *Nefesh Ha-Hayyim* appears to be not only a polemic against Hassidism but an alternative Kabbalistic approach to Judaism and the world.

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