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TREE OF LIFE, TREE OF KNOWLEDGE: HALAKHA AND THEOLOGY IN *MA'OR VA-SHAMESH*

Rabbi Kalonymous Kalman Epstein of Krakow (1754-1823) lived and flourished at a critical juncture in the history of Hasidism.¹ As a disciple of Elimelekh of Lizhensk (d. 1717-1787) who was attracted to Hasidism in his youth, R. Epstein witnessed the transition of Hasidism from small circles of elites into an increasingly widespread and well-defined movement of renewal.² This growth was driven by a variety of distinctive spiritual leaders, each of whom saw his devotional path as directly linked to the legacy of the Baal Shem Tov (c. 1700-1760). The emphases of their religious visions and their specific concerns differed significantly. Some leaders emphasized the power of cerebral scholarship, while others underscored the importance of illuminated prayer; still others emphasized the mystical, magical and miraculous powers of the Hasidic *tsaddik* (or “holy man”).³ Reflecting on this outpouring of different Hasidic

¹ The interested reader is invited to turn to the expanded and more fully annotated Hebrew version of this article, to appear in the volume *Ma'or va-Shemesh: History, Philosophy, Lore and Legacy*, edited by Levi Cooper, Ariel Evan Mayse, and Zvi Mark (Ramat-Gan: Bar-Ilan University Press, forthcoming).

² See Gedalyah Nigal, “The Teachings of Hasidism in the Book *Ma'or va-Shemesh*,” *Sinai* 74-75 (1973-1974): 144-168 (Heb.); Nehemia Polen, “Miriam’s Dance: Radical Egalitarianism in Hasidic Thought,” *Modern Judaism* 12:1 (1992), 1-21; and Louis Jacobs, “The Mystical Accounts of Kalonymus Kalman Epstein of Cracow,” *Jewish Mystical Testimonies* (Schocken Books: New York, 1976), 217-223.

³ See Arthur Green, “Around the Maggid’s Table: *Tsaddik*, Leadership and Popularization in the Circle of Dov Baer of Miedzyrzec,” *Zion* 78 (2013): 73-106; idem, “Typologies of Leadership and the Hasidic Zaddiq,” *Jewish Spirituality II: From the Sixteenth-Century Revival to the Present*, ed. Arthur Green (New York: Continuum, 1987), 127-156.

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paths, R. Epstein's homilies are filled with appreciative descriptions of how many and various kinds of charismatic leadership may all be authentic representations of the spiritual journey. When read against this historical backdrop, his sermons are best seen as theological reflection on the changing social reality.⁴

Does R. Epstein's pronounced appreciation of creativity and multiple authentic paths to God extend equally to the realm of halakha? Do his teachings evince a similar consideration of divergent halakhic positions, or does R. Epstein demand legal conformity even though he lauds theological innovation? The present study takes up R. Epstein's teachings on the nature of halakha and the role of the mitsvot in the religious life, interrogating the extent to which his embrace of different theological and social teachings extends to the realm of Jewish law and practice.

Like many other Hasidic thinkers, R. Epstein struggled to balance the notion of a personal spiritual journey with the obligatory demands of halakha, which, like all legal structures, speaks the languages of communal norms. He often affirms that there are indeed a variety of different legal positions, reflecting distinct modes of worship, but R. Epstein also expresses sorrow at this legal diversity. He sees the multiplicity of halakha as rooted in doubt (*safek*), both in terms of specific confusion regarding the correct ruling but also the broader epistemic uncertainty that plagues after the Edenic fall. These homilies on doubt, I shall argue, may well represent philosophical ruminations on R. Epstein's historical situation as well as an attempt to grapple with the conceptual underpinnings of halakha.

Recent scholarship has argued for the need to engage with Hasidic teachings—including homilies—on the idea of halakha and its proper formulation.⁵ The strict bifurcation between law and theology often drawn by scholars and polemicists does not sit well with Hasidic piety, a movement of religious renewal in which *eros* and *nomos* are firmly intertwined. Rather than seeking to uproot the practices of rabbinic Judaism, Hasidism looked

⁴ *Ma'or va-Shemesh* (Jerusalem: 1992), vol. 2, *ma'amarim me-lukkatim*, 792; Ariel Evan Mayse, "The Ever-Changing Path: Visions of Legal Diversity in Hasidic Literature," *Conversations* 23 (2015): 87-88; and Shaul Magid, "The Intolerance of Tolerance: *Mahloket* (Controversy) and Redemption in Early Hasidism," *Jewish Studies Quarterly* 8:4 (2001): 326-368.

⁵ See also Levi Cooper, "Rabbanut, Halakha, ve-Lamdanut: Zaviv Nosefet be-Toledot R. Levi Yizhak mi-Berditchov," *Rabbi Levi Yitchak of Berdichev: History, Thought, Literature and Melody*, ed. Zvi Mark and Roi Horen (Rishon le-Zion: Sifre Hemed, 2017), 62-130; Maoz Kahana and Ariel Evan Mayse, "Hasidic Halakhah: Reappraising the Interface of Spirit and Law," *AJS Review* 41:2 (2017): 375-408, and the works cited therein.

to re-infuse these structures and rituals with devotional meaning. This meant using the classical mitzvot, with some variations, in order to cultivate and further the inner spiritual quest of the individual.

The power of the mitzvot is a key concern in R. Epstein's sermons, and his teachings on halakha are firmly intertwined with the devotional elements of his sermons.⁶ He offers Kabbalistic and spiritual explanations of halakhic precepts and select mitzvot and,⁷ in at least one case, he employs mystical theology and Hasidic custom to formulate—or at least, to justify—a legal ruling.⁸ R. Epstein's primary intellectual legacy is homiletic rather than jurisprudential, and there are limitations of reading his sermons for legal theory. But his homilies reveal sustained engagement with broader questions of law, devotion, and theology. These issues were of critical importance to his own theological project, and to his distinctive recasting of the blossoming of Hasidism into a multi-branched tree with roots in the spiritual legacy of the Baal Shem Tov.⁹

The framework of halakha, argues R. Epstein, guides the worshipper toward the heart of Torah and to the inner spiritual meaning of the mitzvot. The legal tenets of rabbinic Judaism thus play a crucial role in shaping religious experience, although observance of halakha itself is but a prerequisite for achieving these spiritual goals. Re-interpreting the famous rabbinic tradition of, “the blessed Holy One has only the four cubits of halakha in this world,”¹⁰ R. Epstein suggests that one must study Torah with no ulterior motivation (*lishma*), performing the commandments in order to become attached to the vital divine power within them and even to become united with God.¹¹ This is possible, argues R. Epstein throughout his sermons, because the blessed Holy One's presence inheres in each mitzva. The Torah was given to Israel solely to aid them in grasping God's unity, and it is through halakha that the worshipper comes to attain this vision.¹²

⁶ Daniel C. Matt, “The Mystic and the Mitzvot,” *Jewish Spirituality: From the Bible through the Middle Ages*, ed. Arthur Green (New York: Crossroad, 1988), 367-404.

⁷ *Ma'or va-Shamesh*, vol. 1, *va-yehi*, 145-146. Cf. *ibid.*, vol. 1, *shemini*, 319-320, noting that certain times of the year are optimal for studying halakha.

⁸ See *Ma'or va-Shamesh*, vol. 1, *mikets*, 121, for a ruling justified with Kabbalah but accepted in rabbinic circles even without mystical reasoning.

⁹ Tradition claims that R. Epstein kept up correspondence on legal matters with at least one rabbinic figure in the school of R. Elimelekh of Lizhensk, but this seems to be a retrojection; see *Sefer Chrzanow* (1989), 29-30.

¹⁰ *Berakhot* 8a.

¹¹ *Ma'or va-Shamesh*, vol. 1, *shir ha-shirim*, 347-348.

¹² *Ma'or va-Shamesh*, vol. 1, *aharei mot*, 357, discussed below.

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There are sermons in *Ma'or va-Shamesh* that reveal a deep spiritual longing that reaches beyond the halakha. R. Epstein's struggles with the limits of piety grounded in law and the urge to go beyond the letter of the law (*lifnim mi-shurat ha-din*) are found, inter alia, in his teachings on the rabbinic legends of the biblical patriarchs fulfilling the Torah before Sinai. His teachings on the limits of halakha do not portray the law or its commanded actions as fundamentally inhospitable to the spirit, nor do his homilies suggest that spiritual devotion requires passive resignation of the mitzvot.¹³ Halakha is an instrument whose goal is to shape and structure one's religious experience and enable the worshipper to become united with the infinite Divine. This understanding of the law as a means to an end (rather than a self-sufficient goal) is characteristically Hasidic. In most cases—and for most people—the halakha is a necessary precondition for spiritual devotion, although just performing the commandments will not generate religious uplift. But, as we shall see, R. Epstein raises the possibility of moments in which the mitzvot are no longer necessary to shepherd the worshipper into the presence of the Endless One.

“THESE AND THOSE ARE THE LIVING WORDS”

The pluralistic vision in which different religious paths are upheld as authentic may rightly be described as one of R. Epstein's primary foci. “Each and every *tsaddik* holds fast to a path in the service of God according to his understanding (*ke-fi sikhlo*),” he claims. “The deeds of the *tsaddikim* are not identical to one another. Some serve God in this way, and others worship in a different manner.”¹⁴ Modesty leads the worshipper to acknowledge the validity of other approaches, although only in the messianic age will individuals realize the full truth of all ways of serving God—including one's own. Then it will become clear that divergent spiritual paths are like the points along the circumference of a circle; every charismatic leader, though so different from all the others, is equidistant to the divinity at the core.

The embrace of multiple opinions in regard to the halakha is a well-documented, though complicated and often controversial, aspect of the

¹³ See Rivka Schatz-Uffenheimer, *Hasidism as Mysticism: Quiestistic Elements in Eighteenth Century Hasidic Thought*, trans. Jonathan Chipman (Princeton: Princeton University Press, 1993), 111-143.

¹⁴ *Ma'or va-Shemes*, vol. 2, *ma'amarim me-lukkatim*, 792.

legacy of Talmudic discourse and its medieval commentators.¹⁵ Several of R. Epstein's homilies build upon this, emphasizing that cultivating humility is critical for understanding the plurality of different legal rulings. For example, R. Epstein cites his teacher R. Elimelekh of Lizhensk as having taught the rebellion of "Korah and his community" (*Korah va-edato*) was thusly named because the participants all hated and undercut one another. Disagreeing over how best to usurp Moses' power, every rebel thought his model of leadership was the only authentic substitute for the prophet's ministry.¹⁶ R. Epstein then extends the discussion to the realm of halakha:

Shammai and Hillel disagreed precisely for the sake of heaven. One argued that the halakha is this way—the adornments of the bride must be thus. The other said, it is not so! The halakha is that way, and the bride's adornments must be like this. Their intentions included no ulterior motivations... But their disciples, meaning Beit Hillel and Beit Shammai, were different. Some of them were driven by personal interest, saying, "My teacher is greater and more godly..." [Their disagreement] was mixed up with pride, arrogance, and other such selfish motivations.¹⁷

The disciples of Shammai and Hillel, claims R. Epstein, were caught up in factional infighting over the power of their exalted teachers. The phrase "my teacher (*rebbe*) is greater and more godly" likely gestures toward the competition—and conflict—that broke out between rival Hasidic leaders in the decades after the death of the Maggid. This reading seems all the more likely when one considers the original Yiddish that surely lies behind this Hebraic formulation: "*mayn rebbe iz greser vi dayn.*" These disagreements between Hasidic *tsaddikim* were rooted in a range of ideological as well as socio-economic factors, and they became quite fierce. R. Epstein suggests that the key to overcoming this morass lies in appreciating the differences between each style of leadership.¹⁸

Disagreements that emerge from intellectual matters rather than prideful conceit are particularly worthy. Hillel and Shammai offered variant legal rulings, but these divergences are to be celebrated rather than mourned. R. Epstein's description of their equally-valid halakhic positions

¹⁵ See Avi Sagi, *Elu va-Elu: A Study on the Meaning of Halakhic Discourse* (Tel Aviv: ha-Kibuts ha-Me'uhad, 1996) (Heb.).

¹⁶ See *Avot* 5:13. R. Elimelekh's reading of Korah and his followers may have been a complaint against how diverse and divisive Hasidism had already become even in his day.

¹⁷ *Ma'or va-Shemesh*, vol. 2, *korah*, 432-433.

¹⁸ See his formulation of this point in *Ma'or va-Shemesh*, vol. 2, *balak*, 474.

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as beautiful “adornments of the bride” (*takhshitei kalla*) is redolent of earlier Hasidic formulations in which opposing points of view are aesthetically pleasing decorations of *shekhina*.¹⁹ When not bound up with competition or deleterious self-interest, variant interpretations of the law are radiantly beautiful. This appreciation of different halakhic positions seems retrospective, an attempt to explain why halakha has been interpreted differently by sages across the generations in addition to R. Epstein’s own generation. This approach dovetails with the account of each *tsaddik* forging a creative path of renewal by “holding fast to his own path,” but we should note that it does not necessarily provide an engine for legal innovation in the present.

Other sermons in *Ma’or va-Shemesh* evince far less tolerance for dissent and disagreement. R. Epstein frequently turns to a tradition claiming that differences of opinions in legal texts stem from Moses having struck the rock rather than speaking to it. The plurality of voices and positions that characterizes the Oral Torah was produced by that fateful misdeed:

Had Moses not hit the rock, there would have been no disagreements or discord among the Tannaim or Amoraim. Each would have been able to immediately attain the truth and the clear and pure law (*halakha berura ve-tselula*) without any sophistry (*pilpul*). Disagreement and sophistry increased because Moses struck the rock, but diligent analysis (*iiyun heitev*) will bring forth the proper ruling.²⁰

Though cited by R. Epstein as a Midrash, this teaching seems to be based on a teaching in the *Tikkunei Zohar*. That passage claims that “water,” associated with the Oral Torah and *shekhina* in the symbolic vocabulary of medieval Kabbala, should have gushed forth from the rock had Moses “spoken” to it.²¹ The streams of legal interpretation are muddied with division and forgetfulness because of Moses’s impatient indiscretion. R. Epstein is also drawing upon a version of this tradition found in the seventeenth-century *Megaleh Amukot* by the noted Krakow scholar and Kabbalist, R. Natan Note ben Shlomo Spira.²² That source claims that Moses would have entered the land of Israel and thus linked the original

¹⁹ *Maggid Devarav le-Ya’akov*, ed. Rivka Schatz-Uffenheimer (Jerusalem: Magnes Press, 1976), no. 58, 86–87; discussed in Kahana and Mayse, “Hasidic Halakhah,” 398–400. See also *Ketubot* 17a.

²⁰ *Ma’or va-Shemesh*, vol. 2, *hukkat*, 460.

²¹ *Tikkunei Zohar*, *tikkuna* 21, 44a. Cf. *Maggid Devarav le-Ya’akov*, no. 84, 146–147. See also the extended discussion of Moses and the rock in the prior Hasidic generation in Green, “Around the Maggid’s Table,” 73–106.

²² *Megaleh Amukot* (Krakow: 1637), *ofan* 74, fol. 35a–36a.

theophany at Sinai to the Oral Torah. His failure to speak to the rock, claims R. Spira, irreparably obscured all later streams of *halakha*.

Such homilies suggest that disputation and dissent have beleaguered the development of halakha since time immemorial. This multiplicity, though unavoidable, can scarcely be applauded. And given the many distributaries of the law, how is a scholar to render a verdict regarding a legal matter that has been the subject of much disagreement? R. Epstein struggles with this question as well, arguing that it requires significant concentration to discern the proper halakha. His recommended tools for distilling the law are characteristically Hasidic: impassioned prayer and, by extension, song.²³ These practices open the mind and the heart when accompanied penetrating introspection, allowing one to reclaim the truth by peeling away layers of indecision or disagreement that clutter the legal discourse. Such techniques are also highly personal, and this tradition may be subtly reinforcing the notion that no one *halakhic* ruling accords for all people in a particular case—just as Hillel and Shammai disagreed over the adornments of *shekhina* without depreciating the beauty of each other's ideas.²⁴

In some situations, one may achieve the insight necessary in order to make a decision through inner reflection. However, in a very different homily from the same *parasha* R. Epstein suggests that most individuals must also experience the charismatic presence of the *tsaddik* in order to discern the correct halakha. This encounter sets the introspective process in motion and helps the worshipper clarify the law:

The blessed Holy one gave us a method (*etsah*) for attaining the truth of the matter even after Moses struck the rock: when one strives for total repentance (*teshuva sheleima*), truly accepting the yoke of Torah and Heaven, praying with great intention and studying Torah for its own sake—through this he shall immediately attain clarity and the truth of Torah. How does one become connected to such repentance? Through relying upon the *tsaddik*... becoming bound to the *tsaddik* of the generation and thus being aroused to perfect repentance.²⁵

Relying on the *tsaddik* enables the individual to overcome the epistemic doubts that characterize legal discourse. R. Epstein's frequent encomia to

²³ *Ma'or va-Shamesh*, vol. 2, *hukkat*, 464.

²⁴ On the Kabbalistic background of this stance, see Gershom Scholem, "Revelation and Tradition as Religious Categories in Judaism," *The Messianic Idea in Judaism and Other Essays on Jewish Spirituality* (New York: Schocken Books, 1971), 300-303.

²⁵ *Ma'or va-Shamesh*, vol. 2, *hukkat*, 460.

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the power of spiritual fellowship are well-known,²⁶ but many of his sermons also highlight the transformative power of stepping into the presence of the *tsaddik*.²⁷ In the present homily R. Epstein describes the refined halakha as emerging from the sacred communion between the worshipper and the *tsaddik*. Prepared for the meeting by prayer and repentant introspection, the individual is aroused to a new—and purified—understanding of the law. Indeed, *teshuva* is defined in this passage as an act of coming close to the “*tsaddik ha-dor*,” the righteous leader whose sanctity surpasses that of all others of his generation.²⁸

It is noteworthy that, in this case, R. Epstein does not suggest that the leader will explicitly command the student regarding the proper course of action. Nor does he suggest that the student will alight upon the correct path just by mimicking the *tsaddik*, since any attempt to imitate the deeds of a *tsaddik* is doomed to meaninglessness and vapidty.²⁹ The *tsaddik*, claims R. Epstein, stirs the worshipper to repent—to rethink his approach to inner service as well as religious praxis—but the leader neither dictates the specific answer nor accomplishes the disciple’s journey by proxy.³⁰ In engaging with the *tsaddik*, either through hearing his words or simply by gazing upon his sacred countenance, the layers of disagreement and confusion that surround the halakha fall away and the proper path is unveiled.

TREES OF DOUBT

Several of R. Epstein’s most significant discussions of the nature of halakha are rooted in his recasting of the myth of the Tree of Life and Tree of Knowledge. Kabbalistic literature, long interested in the relationship between these verdant symbols, suggests that there was only one tree in the primordial garden.³¹ This Janus-faced image became a mystical symbol

²⁶ See esp. *Ma’or va-Shamesh*, vol. 1, *kedoshim*, 363-365.

²⁷ See *Ma’or va-Shamesh*, vol. 1, *va-yiggash*, 127.

²⁸ Unlike R. Nahman of Bratslav’s common use of the phrase “*tsaddik ha-dor*” in regard to his own unique status, it is difficult to know for certain to whom he may be referring.

²⁹ See also *Ma’or va-Shamesh*, vol. 1, *lekh lekha*, 35.

³⁰ On this point, see the crucial corrective in Ebn Leader, “Leadership as Individual Relationships,” *Be-Ron Yabad: Studies in Jewish Law and Theology in Honor of Nehemia Polen* (Boston: Academic Studies Press, forthcoming).

³¹ Zohar 1:11a, and cf. 1:8a, 18a, 35a, and 53b. See Gershom Scholem, *Major Trends in Jewish Mysticism* (New York: Schocken Books, 1995), 232; Elliot R. Wolfson, “The Tree That Is All: Jewish-Christian Roots of a Kabbalistic Symbol in

for two different very different—but intertwined—modalities of Torah. The Tree of Life came to represent the pre-existent Torah, the radiant divine Sophia beyond all temporal limitation. The Tree of Knowledge, by contrast, represents the exilic teaching, a Scripture and legal tradition filled with strict dichotomies between permitted and forbidden. These two trees and their complex interface, which appear often in kabbalistic discourse, were important Sabbatean symbols as well.³² Shabbatai Tsevi justified his strange actions at odds with standard rabbinic practice by claiming that the Torah—the Tree of Life—had been revealed directly to him.

Explicit references to Shabbatai Tsevi in Hasidic literature are quite rare, and for this reason R. Epstein's direct polemic against this messianic figure is worthy of attention.³³ He claims that Shabbatai Tsevi and his followers became “heretics” (*apikorsim*) because they studied Kabbala without the necessary pietistic practices that must accompany such investigation—namely, frequent immersion in a ritual bath.³⁴ Their blasphemy laid waste to the world, says R. Epstein, and only the advent of Hasidism could repair the damage.³⁵ This presentation of their heresy underscores the capacity of Kabbala to lead one astray if not coupled with the correct obligatory—or perhaps supererogatory—scaffolding.³⁶

The Hasidim of Krakow were formally banned by the local scholar R. Yitshak ha-Levi in 1785.³⁷ His polemic employs considerable vitriol and rancor, claiming that the Hasidim pray loudly, form their own prayer quorums and do not study the Talmud with assiduity, but he does not accuse them of being hidden Sabbateans or flagrantly ignoring the

Sefer ha-Bahir,” *Journal of Jewish Thought and Philosophy* 3 (1993): 31-76; and Rivka Horwitz, “Kafka and the Crisis in Jewish Religious Thought,” *Modern Judaism* 15:1 (1995): 21-33.

³² Gershom Scholem, *Sabbatai Sevi: The Mystical Messiah, 1626-1676* (Princeton: Princeton University Press, 1973), 11-12, 319-323; and David Leyb Zinz, *Gedulat Yehonatan* (Piotrkow: 1930), 129-135.

³³ The well-known passage in *Shivhei ha-BeSHT* is one of the rare exceptions. See *In Praise of the Baal Shem Tov [Shivhei ha-Besht]: The Earliest Collection of Legends about the Founder of Hasidism*, trans. Dan Ben-Amos and Jerome R. Mintz (Northvale: Jason Aronson, Inc. 1993), no. 66, 86-87. See also Yehuda Liebes, “Hadashot le-

Inyan ha-BeSHT ve-Shabbatai Tsevi,” *Sod ha-Emunah ha-Shabta'it* (Jerusalem: Mossad Bialik, 1995), 262-263.

³⁴ *Ma'or va-Shamesh*, vol. 1, *emor*, 370. See also *Berakhot* 22a.

³⁵ See Tsippi Kauffman, “Ritual Immersion at the Beginning of Hasidism,” *Tarbiz* 80:3 (2012): 409-425 (Heb.).

³⁶ Cf. *Kuntres Sefer ha-Zikbronot* (Jerusalem: 2002), *mitsva shelishit*.

³⁷ *Luhot Zikaron* (Frankfurt am Main: 1904), 39-40.

law—claims found in several earlier anti-Hasidic bans.³⁸ Sabbateanism was by no means unknown in Krakow, and R. Epstein’s tenure in that city coincided with the Emden-Eybeschütz controversy.³⁹ Though it is difficult to know how much interaction he had with living Sabbateans, Sabbateanism could not have remained purely an abstract issue for R. Epstein.

The teachings on the Tree of Life and the Tree of Knowledge in *Ma’or va-Shamesh* consistently underscore the central importance of the mitzvot in one’s spiritual journey. The Sabbatean background of this symbol makes this uniform emphasis on the primacy of law all the more striking. He suggests that humanity fell from after eating of the Tree of Knowledge, and the ensuing tragedy—the shattering of the vessels and the dispersal of the sacred sparks—can only be repaired through the commandments.⁴⁰ Though he does not say so explicitly, R. Epstein implies that the work of extracting the holy sparks from the “husks” (*kelippot*) in which they are imprisoned necessitates adherence to the classical halakha. But he notes elsewhere that legal strictures were irrelevant in the time of the Tree of Life; there were no strictly dyadic categories such as prohibited and permitted, or sacred and profane. Only after the fall was the Torah made “corporeal” (*nitgashem*) and “cloaked” (*nitlabsha*) in edicts demanding how one must uplift and heal the coarsened world.⁴¹

But for R. Epstein the primordial sin had another catastrophic consequence, one with unmistakable Maimonidean echoes: the individual’s vision of the world is now plagued by uncertainty.⁴² The halakha meant to lead Israel toward the redemption is riven with dissent, disagreement, and doubt (*safek*). This term has a negative connotation in early Hasidism, continuing the kabbalistic associations of doubt with the realm of the “husks.”⁴³ According to R. Epstein, overcoming this comprehensive state

³⁸ See Mordecai Wilensky, *Hasidim and Mitnaggedim* (Jerusalem: Mossad Bialik, 1990), vol. 1, 66-67, 240.

³⁹ *Sefer Krakow*, ed. Aryeh Bauminger (Jerusalem: Mossad ha-Rav Kook 1959), 24, 33. See Pawel Maciejkow, *The Mixed Multitude: Jacob Frank and the Frankist Movement, 1755-1816* (Philadelphia: University of Pennsylvania Press, 2011), 121, 158, 184. That R. Yonatan Eybeschütz was born in the city Krakow made it all the more significant in that debate.

⁴⁰ *Ma’or va-Shamesh*, vol. 2, *ekev*, 565-566. See also *ibid.*, vol. 1, *mishpatim*, 238-240.

⁴¹ *Ma’or va-Shamesh*, vol. 2, *hukkat*, 448; see also *ibid.*, 445, 460.

⁴² See his introduction to *Moreh ha-Nevukhim*.

⁴³ See *Toldeot Ya’akov Yosef* (Jerusalem: 2011), vol. 1, *va-yishlah*, 195; and *Tsofnat Pane’ah* (Jerusalem: 2011), vol. 2, *terumah*, 503.

of doubt—and restoring the link between the Tree of Knowledge and the Tree of Life—hinges upon the power of charismatic leadership.⁴⁴

In a homily on the description of biblical jurisprudence in Deut. 17:8-11, R. Epstein questions why the Torah commands that one seek wisdom from a Priest if he is concomitantly enjoined to ask a judge about unclear points of law. R. Epstein explains:

Legal doubts (*ha-sefekot de-dina*) exist because of the Tree of Knowledge from which Adam ate [the fruit]. He had been connected to the Tree of Life, but, after eating from Tree of Knowledge of Good and Evil, thoughts became all mixed up and doubts were introduced. This is why there are cases of legal doubt and disagreements among the Tannaim in the Babylonian Talmud.⁴⁵

The primordial sin sundered the link between the two Edenic trees and plunged the Oral Torah into doubt and uncertainty. For this reason, claims R. Epstein, the Babylonian Talmud—the central locus Oral Torah—offers more divergent opinions and enduring cases of doubt than clearly-defined precedent. These disagreements are intensified in the Babylonian Talmud but they cut across all strata of rabbinic law, and few understand how to properly formulate the halakha in light of this systemic doubt.

We noted earlier that song, prayer, and the inner repentance inspired by the *tsaddik* may vanquish the individual's doubt or indecision. In the present sermon, R. Epstein raises the issue from the leader's perspective: "When a righteous person connects himself to the blessed One, cleaving to the Tree of Life, then the font of wisdom (*mekor ha-hokhma*) and supernal secrets of Torah are revealed to him without any doubt—all are clear and defined laws (*halakhot berurot u-pesukot*). The *tsaddik* may access the deepest font of the halakha, a reservoir attained by becoming attached the Tree of life and stepping beyond the post-Edenic nomian discourse. King David appears elsewhere in the Hasidic imagination as the ideal legal scholar because of his association with the *sefira malkhut*. Since all streams of halakha converge in his mind, King David is the portal through which the law is reinterpreted and reconstructed."⁴⁶

The presentation in R. Epstein's homily differs significantly from this earlier Hasidic interpretation. His description of King David as eternally connected to the Tree of Life roots the latter's legal authority in his

⁴⁴ See *Ma'or va-Shamesh*, vol. 2, *pinhas*, 492.

⁴⁵ *Ma'or va-Shamesh*, vol. 2, *shoftim*, 594.

⁴⁶ *Maggid Devarav le-Ya'akov*, no. 189, 291; Kahana and Mayse, "Hasidic Halakhah," 400-402.

charismatic connection to the Divine. Rather than a nexus through which various rivulets of halakha flow into the world, R. Epstein's described the biblical monarch as one who transcends all doubts stemming from the Tree of Knowledge. The power of King David, surely a stand-in for the Hasidic *tsaddik*, is grounded in the vital trunk of the law itself; it is the upshot of his intimate and immediate link to the living and infinite God.

There is, I believe, a startling similarity between this vision of the law rooted in the charismatic leader and the theology of Sabbateanism, although R. Epstein undoubtedly saw the role of the *tsaddik* as guiding his followers to the correct halakha within the world of traditional positions. The recent scholarship of Pawel Maciejko and Maoz Kahana has shown that Shabbatai Tsevi's "strange deeds" (*ma'asim zarim*) and his attempt to fulfill the messianic halakha should be seen as distinct from the outright anarchy of Frankism.⁴⁷ Shabbatai Tsevi's actions "emerged," argues Maciejko, "seamlessly from the messiah's existential proximity to the Creator, who was inaccessible and inconceivable to anyone but Sabbatai himself."⁴⁸ Both R. Epstein's *tsaddik* and Shabbatai Tsevi derive legal authority from the immediate and highly-personal connection with God rather than scholarship, precedent, or tradition. The implications of this vis-à-vis the classical rabbinic mitsvot is, of course, quite different, but the similarity between their theoretical constructs is striking.

Earlier Hasidic sources, such as the homilies R. Levi Yitshak of Barditschey, emphasize that the seemingly-unlimited power of *tsaddikim* to reinterpret the Torah in a manner befitting their own time and place: "The Oral Torah was so given that whatever the righteous of a particular generation were to say would indeed come to pass. This is the great power that the blessed Creator gave to us, out of His love for His chosen people Israel."⁴⁹ Such claims to the unmitigated authority of the *tsaddik* present a possible antithesis of the relative pluralism within halakha that R. Epstein was celebrated. But they also return us to the relationship between R. Epstein's anti-Sabbateanism and his insistence that true *teshuva* is generated by—and perhaps equated with—attachment to *tsaddikim*, and to

⁴⁷ Pawel Maciejko, *Sabbatian Heresy: Writings on Mysticism, Messianism, and the Origins of Jewish Modernity* (Waltham: Brandeis University Press, 2017), xxvi-xxvii; Maoz Kahana, "Shabtai Zvi: Ish ha-halakha," *Zion* 81:3/4 (2016): 391-433. Cf. Schatz-Uffenheimer, *Hasidism as Mysticism*, 254.

⁴⁸ Maciejko, *Sabbatian Heresy*, xxvi. See also Menachem Lorberbaum and Omer Michaelis, "Then Came Sabbatai Sevi: Sabtaean Discourse in the Beshtian Circle," *Kabbalah* 37 (2017): 251-270 (Heb.).

⁴⁹ As cited in Arthur Green, "Hasidism and Its Response to Change," *Jewish History* 27, no. 2-4 (2013), 332.

the *tsaddik ba-dor* in particular. Such a figure may well represent the antidote to Shabbatai Tsevi, a charismatic leader whose proximity to the Tree of Life serves to reinforce traditional structures and to infuse the performance of halakha with new meaning and inspiration.

In the conclusion of his sermon on Deut. 17:8-11, R. Epstein trains his sights upon the mystified student who has turned to the leader for clarification: “Through becoming attached to *tsaddikim*—which arouse one to strive for true repentance—one’s self, spirit, soul, and thought are connected to the Infinite One. Then clarified laws, with no doubts whatsoever, are revealed to him.” The disciple’s encounter with the *tsaddik* inspires him to repent. Such dependence on the leader is arousing spiritual growth, but, in the next, clause, R. Epstein suggests that it represents a limited stage in the disciples attempt to clarify the true halakha. The journey of the individual Hasid is sparked through his connection to the *tsaddik*, yet it leads to a personal and seemingly-direct experience of cleaving to God. Through this immediate bond with the Divine, the worshipper comes to understand the law without any of the doubt-ridden dross and uncertainty.

This homily presents a relatively simple model for attaining an unambiguous vision of the correct halakha. Reaching this stage requires great spiritual energy, but it seems to demand little kabbalistic speculation or formal legal reasoning. This immediate link to the Divine—intense, empowering, and revelatory—seems universally accessible. To anyone, that is, who is attached to the *tsaddik*.⁵⁰ This point is key to answering why the Torah refers to both the Judge and the priest as critical figures in resolving legal doubt. A bewildered seeker must first journey to a religious leader who inspire inner transformation, leading the once-confused worshipper to cleave to the Tree of Life rather than the Tree of Knowledge.

The open-hearted change in perspective and the accompanying inner work, catalyzed by the religious leader’s wisdom, primes the student to understand the judge’s particularly legal ruling. Without this first step of spiritual inspiration, “the doubts have not been uprooted from his heart,” and the worshipper will hear the judge’s words as full of disagreement and discord.⁵¹ After meeting the *tsaddik*, however, the words of halakha shimmer with divine meaning and crystalline clarity. That the Hasid must go first to the spiritual leader, and only then to the legal authority, may also reflect R. Epstein’s social reality. In the late eighteenth- and early

⁵⁰ See also *Ma’or va-Shamesh*, vol. 2, *shoftim*, 594-595, on the *tsaddik*’s singular ability to reconnect the worshipper’s soul to its root on high.

⁵¹ See also *Ma’or va-Shamesh*, vol. 2, *shoftim*, 596-597.

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nineteenth-century Hasidic world, it was by no means the rule for a *tsaddik* to function as a traditional legal authority as well as a charismatic teacher.⁵² In this homily, the roles of these two types of leaders are maintained as essentially distinct.

We should also note that R. Epstein's sermon leaves open the questions as to whether or not the clarified law would be identical for all worshippers. In fact, the formulation of "clarified laws, with no doubts whatsoever, are revealed to him" might be read as suggesting a highly-person and individual tenor to this ultimate halakha. No single nomian structure can be universally applied, perhaps, precisely because of the very existence of endemic doubt; each worshipper's journey to attain a clarified vision is a unique quest. Elsewhere R. Epstein's argues that the rupture caused by the Tree of Knowledge lies in the way that people seek to depreciate the worth of others in this post-Edenic world.⁵³ Connection to the Tree of Life, the once and future source of life accessible to select individuals even in this world, allows one to appreciate one's strengths without having to bolster his self-confidence by denigrating others. Such reflections return us to the appreciation of unique spiritual paths and multiple roads to the Divine, a critical theme at the core of the theology of *Ma'or va-Shamesh*.

DEVOTION BEYOND THE LAW

At this point my argument will pivot slightly, taking up two closely related—but distinct—questions regarding the purpose of halakha: Do R. Epstein's sermons describe fulfilling the law as the ultimate telos of the religious life, or are the *mitsvot* simply a practical means by which one accomplishes a spiritual goal of greater importance? And, is following the dictates of the law a sufficient measure of devotion, or should the individual seek out additional avenues of serving God that complement the preexistent norms of legal observance? R. Epstein's sermons evince a range of different approaches to these issues, leaving a significant degree of unresolved tension regarding the limitations of halakha.

Rabbinic literature employs a variety of terms to denote supererogatory devotion, including observance of a "pious quality" (*middat hasidut*) or going "beyond the letter of the law" (*lifnim mi-shurat ha-din*). It is telling that these particular phrases are quite rare *Ma'or va-Shamesh*.

⁵² R. Levi Yitshak of Barditchev and R. Uziel Maisels were very much the exception rather than the rule.

⁵³ *Ma'or va-Shamesh*, vol. 1, *bereshit*, 12.

R. Epstein notes that his teacher R. Elimelekh forbade people of his generation to fast more often than demanded by halakha, suggesting that striving for piety beyond the dictates of the law is unnecessary.⁵⁴ But R. Epstein also claims one who is lenient about any matter, even a pietistic custom that is not even described as a “stringency” (*humra be-alma*), will suffer the spiritual consequence of being “unable to attain the highest and correct [rung of] sanctity.”⁵⁵ Only by keeping far away from anything suspect can one grasp the depths of Torah, restoring and expanding the soul through such piety.⁵⁶ In this context R. Epstein invokes the Tree of Life once more, describing the yearning to serve God through an ever-expanding arrange of practices as a journey to reclaim the original Edenic tree.⁵⁷ The impetus to cleave to God beyond the letter of the law is evidently quite alive and well in the homilies of the *Ma’or va-Shamesh*.

Several of R. Epstein’s sermons on the boundaries of halakha examine the rabbinic tradition of Abraham performing the Torah before it was given. Like other early Hasidic thinkers, R. Epstein suggests that the biblical patriarch attained a measure of revelation through his own inner contemplation, and for this reason he could observe the Torah in a spiritual manner long before Sinai.⁵⁸ This was achieved, at least in part, as Abraham developed new practices or “techniques” (*tabbulot*) with which to grasp the divine unity. Scripture was given to Israel because most people cannot rely on spontaneous devotion alone, but, claims R. Epstein, this un-commanded mode of service remains accessible to the contemporary worshipper:

One who wishes to grasp and recognize the Creator must be diligent indeed, totally diverting his mind from this world. Day and night, he must long only for God with passion, and his thoughts must be trained upon strategies (*tabbulot*)—I shall do such-and-such, for perhaps through this I shall grasp His blessed unity, and I shall guard myself from doing other things.⁵⁹

⁵⁴ *Ma’or va-Shamesh*, vol. 2. *haftarat shabbat shuva*, 670. This tradition is in some ways quite surprising, as R. Elimelekh’s own homilies suggest that he was quite drawn to asceticism; see, inter alia, *No’am Elimelekh*, ed. Gedalyah Nigal (Jerusalem: Mossad Harav Kook, 1978), vol. 1, *va-yehi*, 144-145; *bo*, 192; and *ibid*, vol. 2, 516-517.

⁵⁵ *Ma’or va-Shamesh*, vol. 1, *shemini*, 320-321.

⁵⁶ *Ma’or va-Shamesh*, vol. 1, *tazri’a*, 324.

⁵⁷ *Ma’or va-Shamesh*, vol. 1, *lekh lekha*, 29.

⁵⁸ Arthur Green, *Devotion and Commandment: The Figure of Abraham in the Hasidic Imagination* (Pittsburgh: Hebrew Union College Press, 2015), 12-16; and Jerome Gellman, “The Figure of Abraham in Hasidic Literature,” *The Harvard Theological Review* 91:3 (1998): 279-300.

⁵⁹ *Ma’or va-Shamesh*, vol. 1, *yitro*, 220.

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R. Epstein notes that present-day individuals may emulate Abraham's quest by developing new strategies or practices in the service of God. These complement the Torah without replacing the normative demands of Jewish law, of course, for he notes that one must not depart even a tiny iota from the halakha. But his retelling of Abraham's journey highlights the value of extemporaneous and highly-personal devotion for a contemporary Hasidic audience.

Several of R. Epstein's homilies on Abraham fulfilling the spiritual essence of the commandments are even more daring, gesturing toward a fundamental mode of piety that is entirely beyond the law.⁶⁰ One of these, highlighted some years ago by Arthur Green, is about the discussion of the holiday of Sukkot and the biblical commandment to dwell in *sukkot* for seven days each year (Lev. 23:43). R. Epstein begins by recalling the Talmudic debate over whether the sukkah must have two full walls according to their legal requirements (*shtayim ke-bilkhatan*), plus a small extension of a third (*afilu tefah*), or if it requires three full walls together with a fourth partial addition.⁶¹ Both opinions are the "words of the living God," claims R. Epstein, and offer contemporary readers a devotional lesson.

R. Epstein then invokes a Lurianic tradition about three different kinds or rungs of sukkot, attained by the worshipper according to his spiritual readiness. The lowest and most fundamental is the sukkah of *malkhut*, grasped by one who accepts the yoke of heaven (*ol malkhut shamayim*) and fulfills the obligatory *mitsvot* without sensing their inner sweetness. The second level requires the worshipper to reach higher, treating prayer as a mirror in which his spiritual shortcomings are reflected. Awareness of these deficiencies will allow him to repair the seven inner qualities (*middot*) and thus becoming surrounded by the sukkah of *ze'ir anpin*.⁶²

This second rung, though potent indeed, serves to prepare the worshipper for an even higher degree of spiritual uplift. In this highest stage, all veils separating the worshipper from God are swept away by the power of the mind: "Thus one ascends the rungs to cleave to his Creator at all times, even when performing physical tasks such as eating, drinking, and walking. His mind is bound to the Infinite One, dwelling in the world of

⁶⁰ Green, *Devotion and Commandment*, 13-14.

⁶¹ *Sukka* 6b. The debate is linked to the spelling of the word sukkot in this verse, which appears twice without a second *vav* and once with it.

⁶² This term refers to the lower *sefirot* between *hesed* and *malkhut* that is also the realm of the *middot*.

thought (*olam ha-mahshava*) and drawing down the supernal *sukkah*.”⁶³ One who has reached this stage steps into the *sukkah* of *binah*, a contemplative focus that binds the worshipper to the Infinite.⁶⁴ This mode, claims R. Epstein, represents the “complete *sukkah*” (*sukkat shalem*)—a fully-developed and all-encompassing approach to worship in which every deed testifies to the individual’s intimate and enduring link to the Divine. It would therefore seem that one who has attained the uppermost level of service should perform the normative mitzvot; even ordinary deeds like eating and drinking, and all the more so traditionally-defined commandments, are transformed into activities filled with religious significance.⁶⁵ The accent is placed upon the power of thought, but there is no suggestion of a binary between spiritual contemplation and fulfillment of the halakha.

The next stage of the sermon, however, changes the thrust of R. Epstein’s message quite significantly. He notes that only an individual who remains in the lower *sukkot*—who has not attained the state of contemplative illumination—must continue refining his deeds and following the path of halakha with extreme diligence: “he must weigh his deeds with an unerring scale, not departing from the path of halakha even one hairsbreadth.” There are others, says R. Epstein, before whom a very different path rises up:

When a *tsaddik* that arrives at communion with the Infinite One, connected in his thoughts at all times, then the essence of his service is in the mind. This is as the sages have taught: “Abraham fulfilled the Torah before it was given.”⁶⁶ Now, we do not find that he really performed any of the physical commandments, such as laying *tefillin* or making a *sukkah*, and so forth. But, nevertheless, he drew forth the inner sanctity to which these deeds allude through his holy mind, which was connected to the Infinite One.⁶⁷

Abraham performed the commandments through contemplative awareness and devotional passion alone because all religious deeds gesture toward a sacred inwardness (“inner sanctity”). The *mitzvot* seem to be little more than a particular means of tapping into this reservoir of divine

⁶³ *Ma’or va-Shamesh*, vol. 2, *rimzei sukkot*, 694.

⁶⁴ The *sefirah* of *binah* linked to “thought” in earlier Kabbalah and Hasidism.

⁶⁵ See Tsippi Kauffman, *In all Your Ways Know Him: The Concept of God and Avodah be-Gashmiyut in the Early Stages of Hasidism* (Ramat-Gan: Bar Ilan University Press, 2009) (Heb.).

⁶⁶ *Kiddushin* 4:14.

⁶⁷ *Ma’or va-Shamesh*, vol. 2, *rimzei sukkot*, 694.

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vitality, suggesting that one who can reach the banks of this sacred inner pool without commandments has no need to perform the commandments. Confirming this point and extending his vision transcending the *mitsvot* into the contemporary world, R. Epstein continues:

If one has attained only the two sukkot mentioned above, meaning the sukkah of *mal'khut* and the sukkah of *ze'ir anpin*, then he must truly perform the physical commandments. He has not yet arrived at service through the “mystery of thought” (*vaza de-mahshava*).

“The third [wall] may be even a *tefah*”—one who also reaches the third *sukkah* fulfills the commandments more fully (*be-yoter*) through thought and becoming connected to the supernal light. This can only be grasped as a saturated, fluid [reservoir of vitality]; it is like something so wet that it comes to saturate other things.⁶⁸

This is meaning of what is said in the Talmud: the one who argues that the fourth wall may be even a *tefah* [claims] that even one who has ascended to the highest and most complete sukkah must still perform the commandments.⁶⁹

A worshipper who cannot grasp the inner essence of the commandments must fulfill them according to legal definition, but an individual who attains the mysterious heights of contemplative awareness—the sukkah of *binah*, called the “mystery of thought”—will indeed leave the *mitsvot* behind. This formulation seems to permit omission of positive commandments rather than the commission of sins, but its radical message is quite unequivocal. R. Epstein’s homily echoes of the instrumentalist reading of the Maimonidean tradition, in which the reason for being of the commandments is rooted in their spiritual and intellectual aim. One who can achieve the same goals through a different means, suggests, R. Epstein, has no need to observe the normative behaviors or legal dictates of halakha.

This point returns R. Epstein to the rabbinic disagreement noted at the beginning of the homily. The two lower levels of sukkot, of serving God through observing the obligatory commandments and refining one’s inner qualities, correlated with the two “walls” defined as *shtayim ke-hilkhatan* in the Talmudic debate.⁷⁰ Individuals who have achieved

⁶⁸ See below.

⁶⁹ *Ma’or va-Shamesh*, vol. 2, *rimzei sukkot*, 695.

⁷⁰ R. Epstein explains that the biblical spellings of sukkot referring to these rungs are *haser* (lacking the second *vav*) because these lower levels of piety are insufficient; they lack the spiritual uplift that makes the physical *mitsvot* a second-order priority.

only one of these two levels must comport themselves with structures of halakha; the legal norms provide a framing “walls” that guide their spiritual growth. Interpreting the phrase *aflu tefah* in light of the rabbinic term for something so thoroughly drenched that it dampens anything with which it comes into contact (*tofah al menat le-batfi’ah*),⁷¹ R. Epstein claims one who has become totally saturated with divinity has no need for the commandments. The other rabbinic opinion, which demands that a sukkah must have three full walls (*ke-bilkhatan*), suggests that the physical performance of the mitzvot is still relevant—even to one who has achieved the highest and most complete sukkah of *binah*: “he must perform the comments in essence through deeds.” But even this more conservative position leaves room for a spiritual “fourth wall” in which the *mitzvot* are transcended, a rung that is grasped when the worshipper achieves total unity with God.

This homily thus reframes the Talmudic disagreement as a startlingly debate over the relationship between religious inspiration and nomian praxis. If one becomes saturated with the spirit of holiness and divinity in the mind, then the physical practices of the mitzvot fall away. It is possible that the sermon was intended to be more aspirational than descriptive, but it is worth noting that rabbinic halakha follows the opinion that only two full walls are needed in order to construct a legally-valid sukkah. It is all the more remarkable that R. Epstein accepts that present-day worshippers may attain the level of Abraham in serving God beyond the commandments. Muted echoes of this approach emerge in later Polish Hasidism—beyond the well-known and controversial teachings of the Izhbits school—but rarely do we find a Hasidic source so audaciously reflecting on the limits of the mitzvot.⁷² Such meditations are particularly striking the work of an early-nineteenth century Hasidic *tsaddik* who flourished in Krakow at the same time that a fiercely anti-modern stance was emerging in Hasidic Galicia.

The homilies in *Ma’or va-Shamesh* reveal some inconsistency on this imaginative vision of the mitzvot falling away in moments of spiritual accomplishment. Many other sermons stake out a more guarded approach to transcending the mitzvot.⁷³ R. Epstein often warns against considering

⁷¹ *Tahorot* 3:1, R. Ovadia Bartenura’s comments ad loc; and Rashi to *Avoda Zara* 72a.

⁷² *Divrei Elimelekh* (Warsaw: 1890), 176b.

⁷³ It is interesting that it in discussing this modality of service, he makes no mention of the Tree of Life or the Tree of Knowledge--perhaps because of their Sabbatean associations.

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oneself to be a tsaddik or emulating the actions of great spiritual leaders.⁷⁴ He also notes that an individual should not shunt aside the demands of the halakha in the service of a different religious value. R. Epstein claims, for example, that one must not pray after the traditionally-appointed hour—even such a such delay might deepen one’s concentration:

One of the fundamental conditions of pure service (*ha-avoda ha-temima*) is not straying, even by hairsbreadth, from the injunctions of the Torah, of the rabbis, and of the late codes of law, whose words fill the face of the world as a set table. One who separates from them, separates from his life. Individuals who grant themselves permission to ignore the words of the *posekim*, thinking that their worship will be of a higher grade if they do not pray by the appointed hour, and so forth—such service is worthless and vain.⁷⁵

R. Epstein’s use of the phrase “a set table” (*be-shulhan asher arkhu*) recalls the classical sixteenth-century code of Jewish law, suggesting that any deviation from the halakha in the name of a higher spiritual purpose, even a minor one, has a negative consequence. But the reading of the mitsvot as instruments of devotion, rather than a self-justified mode of service, is fully compatible with one of his constant theological refrains: The Torah was given to enable the human being to know God’s essence.

The commandments, like the letters of Scripture, render the infinite Divine within the threshold of human sensitivity.⁷⁶ Summing up the reason for the commandments, a subject given voluminous accounting in medieval kabbalistic literature, R. Epstein groups them all in a single devotional thrust: through the mitsvot, the worshipper grasps the fullness of God’s infinite majesty through the power of finite deeds. Somehow the connection between halakha and *halikhab*, often drawn in Hasidic texts, has been left out of the written account of the sermon, but this homiletical flourish must surely have been present in the oral sermon.

The commandments inspire a flow of vitality and reconnect to the elements of Torah that have grown distant in the post-Edenic world.⁷⁷

⁷⁴ *Ma’or va-Shamesh*, vol. 1, *lekh lekha*, 35; see also *ibid*, vol. 2, *va-ethanan*, 552; and *ekiv*, 568-569.

⁷⁵ *Ma’or va-Shamesh*, vol. 2, *nitsavim*, 646-647. Cf. the accusatory remarks in *Lubot Zikaron*, 39-40. Such admonitions may have been an inward-facing polemic against the Peshiskhe school of Polish Hasidism and the latter’s alleged laxity in observing the times of prayer; cf. *Ma’or va-Shamesh*, vol. 2, *beha’alotkha*, 419; and *ibid*, vol. 2, *sukkot*, 700.

⁷⁶ *Ma’or va-Shamesh*, vol. 1, *aharei mot*, 356-357.

⁷⁷ *Ma’or va-Shamesh*, vol. 2, *ve-zot ha-berakhab*, 736.

But R. Epstein notes that one should not become focused on this lofty goal, arguing instead that the ordinary worshipper must perform the commandments simply because they are the will of God.⁷⁸ He claims that following the halakha because its dictates are rational produces a religious observance that is static, bound to the strictures of reason. Performing the mitsvot must be a dynamic journey, claims R. Epstein a quest for the Divine characterized by growth and a sense of renewal and adventure. Spurred on by ever greater spiritual attainments, one's performance of the commandments constantly increases in intensity and depth.

The teachings of R. Epstein on halakha occupy an interesting place in the history of Hasidism. Perhaps alert to the heresies of Shabbatai Tsevi and Jacob Frank, elements of his teachings dance dangerously close to the ethos of Sabbateanism. R. Epstein's homilies consistently reify the power of the law, while simultaneously acknowledging the limitations of halakha in the devotional life. Tradition alleges that Moses Mendelssohn's works were publicly burned in Krakow, but R. Epstein seems to have been relatively unthreatened by encroachments of early modernity in Congress Poland.⁷⁹ In the 1810's, R. Moses Sofer of Pressburg (the *Hatam Sofer*) argued that Jews must not change their language, their dress or their names, citing a Midrash that were redeemed from Egypt because they preserved these three things.⁸⁰ Though he may not have known of the Hatam Sofer's ruling, R. Epstein marshals the very same midrash in order to make the opposite point: holy speech is a matter of devotional attunement, for one can speak any language—be it Yiddish, Hebrew, or even Polish—and sanctify it through inner devotion.⁸¹

There may be another way of understanding the internal tension in *Ma'or va-Shamesh* on the question of halakha and the mitsvot. The sermon about moving beyond the mitsvot appears in a different section of *Ma'or va-Shamesh*, a series of homilies on the holidays that are generally longer, more technically complicated and full of kabbalistic terms. It is possible that these sources were addressed to a different audience—either as homilies for one-time listeners, or as literary works intended for a select

⁷⁸ *Ma'or va-Shamesh*, vol. 1, *mishpatim*, 244. f. *ibid*, vol. 1, *va-yakhel*, 292.

⁷⁹ The editor of *Sefer Krakow*, 33, claims that there Mendelssohn's works were publicly burned.

⁸⁰ See Michael K. Silber, "The Emergence of Ultra-Orthodoxy: The Invention of a Tradition," *The Uses of Tradition: Jewish Continuity in the Modern Era*, ed. Jack Wertheimer (New York: Jewish Theological Seminary of America, 1992), 23–84.

⁸¹ See *Ma'or va-Shamesh*, vol. 1, *rimzei pesah*, 332–334.

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readership.⁸² The devotional path put forward in these homilies may have been calibrated more for the spiritually-accomplished *tsaddik* than the Hasid. If this is true, then *Ma'or va-Shamesh* may include a dual-layered spiritual teaching: one that addresses the religious needs of the ordinary Hasid, but has something to say to the *tsaddik* whose spiritual aspirations lead him toward the innermost depths of the Divine.

CONCLUDING THOUGHTS: MASTERS, DISCIPLES, AND DEEDS

These reflections on the power of the *mitsvot* are interconnected with R. Epstein's teachings on the bond between students and their teacher. One cannot learn how to properly fulfill the commandments from a book, says R. Epstein, since religious is generated by connection living embodiments of piety. Identifying a proper master is no simple task, and, citing a tradition from his own teacher, R. Epstein offers the following litmus test:

This is the essential point. Although one can study the entire Torah and learn all the holy books and our sages' words, this will be of no avail in effecting true repentance and bringing one to rend the veils that [stand between him and God] if he does not become connected to the *tsaddikim* of the generation, holy people devoted to God. I heard from my saintly teacher Rabbi Elimelekh [of Lizhensk] that one must choose a *tsaddik* to become his teacher. Whom should he choose as his teacher and master? When one sees a *tsaddik* whose every action, when entering and exiting, is in accord with the holy Torah, one who is not lenient in any matter at all—God forbid, whether of biblical or rabbinic origin—whose heart burns with a sacred fire of intention and whose mind is revealed through his deeds—such an individual should be chosen as one's master!⁸³

An individual who fulfills all biblical and rabbinic precepts without fail, whose every deed represents the power of Torah, is fitting to become one's master. Following the edicts of halakha is a prerequisite, it seems, but the locus of legal authority is ultimately grounded in the charismatic talent – and ritual performances – of the *tsaddik* rather than his intellectual mettle or scholarship.

⁸² An oral tradition suggests that the latter sections of the *Ma'or va-Shemesb* were written by R. Epstein's disciples. See *Yad Ma'or va-Shamesh*, ed. Eli Chaim Carlebach (Hillsdale: Zecher Naftali, 1976), 335.

⁸³ *Ma'or va-Shamesh*, vol. 2, *sboftim*, 595. Cf. *ibid*, vol. 1, *aharei mot*, 356.

The encounter between master and the disciple may include verbal instruction, but such explicit communication of information does not define the power of their connection. In some cases, argues R. Epstein, the student may be set aflame with spiritual passion simply by watching a righteous individual, even if the master is performing seemingly mundane tasks.⁸⁴ The *tsaddik's* inner fire, which reaches outward and becomes visible through his every deed, draws in the student and inspires him to higher levels of devotion. Part of the inspiration generated just by witnessing the *tsaddik* is the result of the near-extreme piety adopted by many Hasidic figures.⁸⁵

Stories about R. Epstein taking care to fulfill the commandments far beyond the letter of the law have indeed been passed down.⁸⁶ Though perhaps hagiographical, such tales offer a window into how his religious personality has been preserved and shaped in the decades following his death. These traditions or teachings about the merits of supererogatory piety exist alongside homilies that deride individuals described as “*frum*.”⁸⁷ Such people are given to melancholy and anger, seeing only shortcoming and sin—in others, and in themselves. Rather than a burdensome yoke, R. Epstein describes the *tsaddik* as performing inspiring others through performing the mitsvot and because such deeds shimmer with a radiant piety that emerges from his innermost contemplative being.

In R. Epstein's teachings on halakha, we meet a complicated Hasidic master whose works are bold and daring, an individual fiercely invested in tradition but also relatively unthreatened by innovation or theological radicalism. His homilies belie the simplistic categorizations of religious thinkers in early modernity as either Orthodox, conservative, and traditionalist on one hand, or radical, novel, and creative on the other. Such categories may indeed be useful in charting social or political phenomena, but they offer little insight for thinkers like R. Epstein.

He argues that the mitsvot remain, for most worshippers, necessary for achieving spiritual uplift; even indiscretions committed for a higher purpose sever the individual's connection with God.⁸⁸ But halakha is not

⁸⁴ *Ma'or va-Shamesh*, vol. 1, *shir ha-shirim*, 347.

⁸⁵ *Or Yitshak* (Jerusalem: 1996), *ekev*, 188.

⁸⁶ *Yad Ma'or va-Shamesh*, ed. Carlebach, 297. Cf. *Ma'or Va-Shamesh*, vol. 1, *terumah*, 254.

⁸⁷ *Ma'or va-Shamesh*, vol. 1, *va-yehi*, 141.

⁸⁸ This trepidation vis-à-vis sin for a higher purpose may reflect R. Kalonymous Kalman's emphasis on the necessity of looking to other people—both ordinary

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independently sufficient for drawing near to the Divine, a goal reachable only through heartfelt contemplation of the mitsvot and a journey toward the spiritual vitality that lies within them. Such inner contemplative work allows one to become joined with the font of inspiration that undergirds and sustains the nomian discourse, and without it even the living example of the *tsaddik*'s piety or his religious instruction will fall on deaf ears. This inward quest, says R. Epstein, cannot be accomplished in a vacuum without relying upon the wisdom of his teachers. Although these spiritual exemplars may not dictate the student's every move, attachment to such individuals is essential to one's spiritual life in an ongoing way. Their deeds reveal how to move beyond the strict bifurcations of the Tree of Knowledge and reclaim the connection between the mitsvot and the Tree of Life.

worshippers and exceptional individuals—for spiritual guidance. Given this belief in the mutual role-modeling of religious seekers, it is unsurprising that the notion of *aveira lishma* is nearly absent from his sermons. See *Ma'or va-Shemesh*, vol. 2, *be-har*, 474. My thanks to Dena Weiss for helping me formulate this point. Cf. the homily by R. Elimelekh of Lizhensk, the teacher of R. Epstein, translated in Arthur Green, *Speaking Torah: Spiritual Teachings from Around the Maggid's Table*, with Ebn Leader, Ariel Evan Mayse, and Or N. Rose (Woodstock: Jewish Lights, 2013), vol. 2, 12-14.