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TWO TYPES OF PRAYER

Most of us are familiar with only one form of prayer (that which, whether intended as such or not, constitutes the halakhic variety). The fact is, however, there exist two types of prayer, which (for lack of better terminology) we shall term "halakhic" verses "kabbalistic" or "hasidic," roughly equivalent to "exoteric" and "esoteric." Though certainly much has already been written on the subject, I feel that at the present time we are in a unique position to sharpen the contrast between these different genres, thanks to the writings of two men: the Gaon Rav Yosef Dov Soloveitchik of Boston (1903–) and Moreinu Ha-Rav Yizhak Dov Schneerson of Liady (1826–1910).

One of the abiding concerns of Rav Soloveitchik's philosophy of halakha is the centrality of prayer in Judaism. This is the spiritual legacy of his illustrious grandfather, R. Hayyim Soloveitchik (1853–1918), who deemed *tefillah* a subject worthy of rigorous Brisker analysis. His unique contribution to the discussion is the underscoring of *bakkasha* or Petition as the essence of Jewish prayer. Though indisputably within the mainstream of halakha, this particular nuance is in part an outgrowth of Rav Soloveitchik's existentialist view of man.

R. Yizhak Dov Schneerson, author of the *Perush Maharid*, kabbalistic commentary to the *Alter Rebbe's* Siddur (published Berdichev, 1913) was raised in a very different milieu. His is the world of *Habad* Hasidism in the wake of the *Zemah Zedek*, R. Menahem Mendel of Lubavitch (1789–1866), whose forte was the interpenetration of *nigleh* and *nistar*. The prodigious literary output of the *Zemah Zedek* is most eloquent testimony to this bold and daring attempt to achieve a coherent synthesis of the seemingly disparate disciplines of Halakha and Kabbala. His grandson, R. Yizhak Dov (son of R. Hayyim Shneur Zalman of Liady), could not but have imbibed this spirit. Given his background, his analysis of the phenomenon of prayer must balance equally the halakhic and kabbalistic perspectives.

The departure point for any meaningful halakhic discussion of prayer must be the Maimonides-Nahmanides controversy. Maimonides¹ had

caused a minor revolution in Jewish law by categorizing prayer as a biblical commandment. Nahmanides² refuted this claim in a most thoroughgoing manner, though in another passage³ conceded that perhaps *ze'akah be'et zarah*, outcrying in time of communal catastrophe, could be considered *de-oraita* (of Torah origin). R. Hayyim Soloveitchik⁴ closed the gap between the two views by remarking that even according to those early authorities (Nahmanides *et al*) for whom the *hiyyuv*, the obligation of prayer is purely rabbinic in origin, the *kiyyum*, the fulfillment of prayer is nevertheless *de-oraita*, which is to say that the basic concept definitely exists in the Torah's lexicon. Rav Soloveitchik's own attempt at partial reconciliation is as follows: Both Maimonides and Nahmanides agree that prayer as defined by the Torah is man's response to crisis. The difference is, whereas according to Nahmanides, prayer is the response to a "surface crisis" of the community at large, a *zarat ha-zibbur*; according to Maimonides, the definition of *tefillah* (prayer) extends to a "depth crisis" of the individual, a *zarat ha-yahid*. Seen from Maimonides' perspective, life is an ongoing crisis.⁵ Rav Soloveitchik realizes full well that the halakhic conception of prayer as a statement of human needs, is at odds with the vision of classical mysticism, and he minces no words pointing out this conflict:

When we observe the formulae of the blessings, we see that the arrangers of the prayer were long on supplication and short on praise. Supplication is the backbone of "service of the heart." When praying during the week, if one uttered less than nineteen prayers, he did not fulfill his duty, for he did not express as proper the needs of individual and community. On the other hand, if one recited on Shabbat the weekday prayer, he is exempt (provided he mentioned Shabbat). Even the special prayers for Shabbat and Yom Tov are not devoid of expressions of supplication. True, Shabbat and Yom Tov preclude outcry, but, nevertheless, we request during them purity of heart and sanctification of man, through performance of commandments and study of Torah, also bestowal of good and the joy of salvation and complete peace, free of sorrow. The *Mussaf* prayer is an outpouring of the soul on account of Israel's exile and a plea to God for speedy deliverance. A silent sorrow permeates the prayer "*U'mipney hata'eynu*." There is no prayer without petition and supplication. The Halakha was opposed to all those views rooted in pantheistic mysticism which sought to delete supplication from prayer and to base worship solely on an esthetic-ecstatic foundation—the hymn.

Of course (as explained previously), prayer requires praise and thanksgiving as well, however the verve and vitality of prayer is petition. Halakha is interested in psychosomatic man, in his physical body. It does not take kindly to ecstatic divorce of soul from body at the time of prayer. The "service of the heart" proposes to offer up soul and body to the Lord. Furthermore, Halakha guarded vigilantly the exoteric character of prayer. The majority cannot extricate themselves from the shackles of mundane, petty needs, and any attempt to impose this upon them will backfire. Halakha is concerned with human beings who "dwell in darkness and the shadow of death," and are driven to crime for a crust of bread. Such people inhabit a world of venal and ludicrous drives. Just such an ineloquent and confused lot, the Halakha taught to pray, placing in their mouths a clear formula. The common man is commanded to pray for the sick in his household, for his wine which soured and his

crops which were ruined. The hymn, so rich in esthetic experience, is restricted to the realm of the elite and finds favor only in the eyes of antisocial mystics. Their existence is esoteric, they are delicate souls. Halakha cannot confine itself to lofty ascetics. Only supplication is capable of making prayer accessible to the masses.⁶

It is apparent from this citation that Rav Soloveitchik is eminently familiar with the other approach to prayer. What is harder to glean is exactly how he would be disposed to its utterance by the recondite elite to which he alludes. Would he consider this alternative approach to prayer the privilege of the kabbalist, a right earned after years of preparation and study? Or would he consider the very striving for that which is beyond the real limits of man's existential condition, misguided and inauthentic? [In view of what Rav Soloveitchik's ancestor, R. Hayyim of Volozhin wrote in his work *Nefesh ha-Hayyim*,⁷ one would suspect the former to be true.]

To be sure, in another piece (published almost concurrently), Rav Soloveitchik maintains the primacy of prayer *qua* plea, not as a concession to the masses, but rather as a matter of existential principle:

Judaism, in contradistinction to mystical quietism, which recommended toleration of pain, wants man to cry out aloud against any kind of pain, to react indignantly to all kinds of injustice or unfairness. For Judaism held that the individual who displays indifference to pain and suffering, who meekly reconciles himself to the ugly, disproportionate and unjust in life, is not capable of appreciating beauty and goodness. Whoever permits his legitimate needs to go unsatisfied will never be sympathetic to the crying needs of others. A human morality based on love and friendship, on sharing in the travail of others, cannot be practiced if the person's own need-awareness is dull, and he does not know what suffering is. Hence Judaism rejected models of existence which deny human need, such as the angelic or the monastic. For Judaism, need-awareness constitutes part of the definition of human existence. Need-awareness turns into a passional experience, into a suffering awareness. *Dolorem ferro, ergo sum*—I suffer, therefore I am—to paraphrase Descartes' *Cogito, ergo sum*. While the Cartesian *Cogito* would also apply to an angel or even to the devil, our inference is limited to man: neither angel nor devil knows suffering.

Therefore, prayer in Judaism, unlike the prayer of classical mysticism, is bound up with the human needs, wants, drives and urges, which make man suffer. Prayer is the doctrine of human needs. Prayer tells the individual, as well as the community, what his, or its, genuine needs are, what he should, or should not, petition God about. Of the nineteen benedictions in our *'Amidah*, thirteen are concerned with basic human needs, individual as well as social-national. [Vide Maimonides, *Hil. Tefillah* 1:4.] Even two of the last three benedictions ("*Rezeh*" and "*Sim Shalom*") are of a petitional nature. The person in need is summoned to prayer. Prayer and *zarah* (trouble) are inseparably linked. Who prays? Only the sufferer prays. [Vide Nahmanides, comments on Maimonides' *Sefer ha-Mizvot*, Positive Commandment 5.] If man does not find himself in narrow straits, if he is not troubled by anything, if he knows not what *zarah* is, then he need not pray. To a happy man, to contented man, the secret of prayer was not revealed. God needs neither thanks nor hymns. He wants to hear the outcry of man, confronted with a ruthless reality. He expects prayer to rise from a suffering world cognizant of its

genuine needs. In short, through prayer man finds himself. Prayer enlightens man about his needs.⁸

At the opposite end of the spectrum, we have the teachings of the Maggid of Mezhiroch, R. Dov Baer, disciple of R. Israel Ba'al Shem Tov, founder of modern Hasidism. The most salient feature of the Maggid's teaching is the theory of self-annihilation (*bittul ha-yesh*).⁹ Needless to say, a philosophy which places breakdown of the ego at the top of its agenda, must envision prayer in a way diametrically opposed to that of Rav Soloveitchik. As the scholar Rivka Schatz-Uffenheimer has already devoted the sixth chapter of her book *Quietistic Elements in 18th Century Hasidic Thought* (Jerusalem, 1968) to the theme "Prayer: In Its Simple Sense, and Its Place in Hasidism," I shall not belabor the point. Here are some passages from *Maggid Devarav le-Ya'akov*, an authoritative collection of the Maggid's aphorisms:

When one must ask something of the Creator, one should think that his soul is a limb of the *Shekhina*, like a drop of the ocean. And he should ask for the *Shekhina* which is lacking that thing. . . .¹⁰

. . . a world as immense as this—one should be ashamed and not pray for that which his body lacks, but rather meditate that he is part and parcel of divinity, and since that part (of divinity) is lacking, he is praying. If he prays thus, though his petition might not be granted in the corporeal world, nevertheless, that aspect of divinity benefits on high. This is what is meant by "Seek not greatness for thy sake." Not for yourself, for that is ulterior. This is pure motivation. . . .¹¹

Man must consider himself as naught, and forget himself completely, and throughout his prayer plea for the *Shekhina*. . . .¹²

When a man prays, let him not put his heart in that physical thing which he asks for, for there is no more ulterior motivation than this. Rather, let him consider that "More than the calf desires to suck, the cow desires to give suck" (Pesahim 112a), i.e., God desires to bestow even more than we desire to receive. God has great pleasure bestowing goodness on his creatures—more than the creatures who receive. . . .¹³

The will of his fearers he does (Psalms 145:19). God *makes* (*ya'aseh*) the will of his fearers. Prayer is called "will," and God longs for the prayer of *zaddikim*. God puts in the righteous man's mind to pray for something. A God-fearing man truly desires nothing, as he feels he lacks nothing, and is satisfied with whatever God gives him. Therefore, God must implant in his mind some end for which to pray, in order to receive his prayer.¹⁴

In contradistinction to some truly antinomian movements, Hasidism would not even contemplate abridging the Siddur. Heaven forbid! Nevertheless, the reader senses that the given formulae of the prayers, so laden with wants and desires of an egoic nature, stuck in the Great Maggid's throat as a bone. The solution was to reify the many *bakkashot*. The petitions were to be spiritualized. Man is not to ask for himself but for the

suffering *Shekhina*. Earthly wants are of no import, only heavenly goals. And if the ego's craving cannot be put off, it being too permanent a fixture in human life, then it is to be indulged, with the intention that it too, in the final analysis, is a *divine* desire. [One is reminded of the two schools of Mussar. One held that taste should be obliterated; its followers would salt their food so heavily that no enjoyment would be derived therefrom. The other school came to terms with taste, advocating that the only realistic solution to the problem would be to consecrate taste itself "for the sake of heaven."]

Perhaps the chasm which lies between Rav Soloveitchik's conception of prayer and that of the Hasidic masters is not unbridgeable. The early Hasidim too recognized the validity of the prayer of the simple masses, while advocating altruistic prayer for the elite. R. Nahman of Kossov, companion to the Ba'al Shem Tov, said: "Spiritual men benefit from the prayer of the common man. The masses pray for this world, while men of spirit pray only for the spiritual. Through the prayer of materialistic men, God bestows material bounty on the men of spirit."¹⁵ Also, not all early Hasidic masters were in accord with the Maggid. R. Pinehas of Korets was a dissenting voice: "He used to admonish to pray for a livelihood and other needs, and to believe that God will certainly fulfill his request, and it is a great *mizvah*, for through this the *Shekhina* rises up."¹⁶ Yet no matter how one looks at it, Hasidic prayer is certainly a far cry from Halakhic prayer. Wading through the pages of material Schatz-Uffenheimer has assembled (much of it still in manuscript in Jerusalem), one receives the impression that the early teachers of Hasidism may not have been fully sensitive to the acuity of the problem (or at least they did not express their qualms in writing). While they realized that the prayers were replete with petitions, they did not address the crux of the problem, which is that halakhically speaking, *bakkasha* is the very essence of prayer. This finely-honed statement of the problem would have to await Rav Schneerson.

הסמ"ג והרשב"ץ העלו התפלה בכל יום ונוסח התפלה הוא מצוה דרבנן אך מדאורייתא הוא המצוה שיתפלל האדם ויבקש בעת מן העתים אשר יצטרך לדבר מן הדברים כמו בעת צרה וכיוצא (כמ"ש יענך ה' ביום צרה) או היא מ"ע דאורייתא שצונו השי"ת בזה שיבקש האדם זה ממנו ית' לבדו שישעו ע"ז . . . מחויב באו"א לבקש בקשתו בתפלה על רחמינות ועל גשמיות כמ"ש (דברים ד' ל') בצר לך ומצאוך שאו התפלה מדאורייתא שהתפלה נמשך ע"פ התורה וכשאינו מבקש כלל ויתפלל רק ע"ד רגילותו ולא יודש בה דבר אוי התפלה מדרבנן אך ערבים עלי ד"ס (ע"ז ל"ח א') והיינו שהתפלה יהיה רק לייחד אלקות בנפשו ולא יהיה לו שום רצון כלל כמ"ש (תלים ע"ג כ"ז) מי ל' בשמימי וינמן ל' א' ויצונו שאנו וזנפלו וזנפלו מאו' [טו' ד' ונפלו ע"פ נוסח האריז"ל, כפי אשר יסד ר' שניאור זלמן מלאדי, עם פירוש מהרי"ד (ברד"צ, תרע"ג) חלק ראשון, קיג, ביקד"א]

SeMaG [SeMaQ]¹⁷ and RaSHBaZ¹⁸ concluded that prayer on a daily basis and the wording of the prayer is a rabbinic command (*mizvah de-rabbanan*). However *mi-de-oraita* (from the Torah) man is commanded to pray in times of need, for instance

in a time of trouble (as it says, “The Lord will answer you in a time of trouble”¹⁹). Then prayer is a positive commandment, for God commanded that man ask only Him for deliverance.²⁰ . . . Each and every one is obligated to request in prayer the mundane and the spiritual, as it says, “When you are in tribulation and all these things have overtaken you, etc.”²¹ Then prayer is *mi-de-oraita* and proceeds according to Torah. If one requests nothing, and prays by rote, without innovation, the prayer is *mi-de-rabbanan*. However, “delicious to me are the precepts of Sages”²²—this is prayer which exists only for the sake of communing with the Almighty (*le-yahed elohut be-nafsho*), devoid of all other desire, as it says, “Whom have I in heaven and beside you I desire nothing upon earth.”²³ Such a prayer is most exalted. [*Seder Tefillah* of R. Shneur Zalman of Liady with *Perush Maharid*, I, 113b–114a]

The above passage requires considerable unpacking. To begin with, the author (who has excerpted *Zemah Zedek*, see *Notes*) situates us within the tradition of Nahmanides, who, as stated earlier, viewed prayer as biblically mandated only in times of communal disaster, though on closer examination, *Zemah Zedek* (somewhat reminiscent of R. Hayyim) is, so to speak, reading between the lines of Nahmanides. Not just the appeal at times of national emergency is to be reckoned as *de-oraita*, but the ongoing dialogue with God, born of life’s everyday woes and challenges, constitutes a *mizvat ’asseh min ha-torah* (positive commandment). (I think it would be fair to say that *Zemah Zedek* construes Nahmanides’ doctrine much as Rav Soloveitchik portrayed Maimonides’.) What halakhic justification can there be then for the prayer of the lovesick acosmic mystic who, along with the Alter Rebbe (R. Shneur Zalman of Liady), calls out: “*Mi li va-shamayim ve’imkha lo hafazti va-arez—Ich vill zhe gornisht, Ich vill nit dayn Gan Eden, Ich vill nit dayn Olom Habo, Ich vill nit mehr az dich alein!* (I desire nothing, I don’t want Your Paradise, I don’t want Your World to Come, I want only You!)”²⁴?

At this critical juncture, Rav Schneerson conjures the passage in *Avoda Zara*: “What does it mean, *For your love is more delicious than wine?*²⁵ *Said Israel before God: ‘The words of your beloved (Sages) are more delicious to me than the wine of Torah (the Written Law).’*”

One could argue (à la R. Hayyim) that since in the case of *tefillah*, we are not dealing with a *hiyyuv de-oraita* (a Torah obligation), but rather with an attempt to maximalize one’s *kiyyum* or performance, in a sense, Rav Schneerson’s mystical option, invoking the saying of the rabbis in Tractate *Avoda Zara*, is every much as valid as the exoteric route which aims to achieve a *kiyyum de-oraita*.²⁶ True, viewed parochially, the failure to achieve “need awareness” (to use Rav Soloveitchik’s phrase) deprives one’s prayer of biblical tenor and reduces it to the level of a rabbinic injunction, nevertheless, in the overall scheme, the interests of prayer, and ultimately, even of Halakha itself, might best be served by just such a rabbinic rite.

NOTES

I would like to express my gratitude to the Mendel Gottesman Library of Yeshiva University (specifically Mr. Zevi Erenyi) for making available to me its copy of the *Siddur Maharid* (as it is commonly referred to), one of the few extant. In general, I was encouraged in my research of *Habad* Hasidism by my dear friend Zalman Alpert, librarian at that institution.

1. *Sefer ha-Mizvot*, Positive Commandment 5; *Yad, Hil. Tefillah* 1:1.
2. *Sefer ha-Mizvot*, first *shoresh*.
3. *Ibid.*, Positive Commandment 5.
4. *Hiddushei Rabbenu Hayyim ha-Levi, Hil. Tefillah* 4:1.
5. See Abraham R. Besdin, *Reflections of the Rav* (Jerusalem, 1979), pp. 79–82.
6. Translated from “*R’ayonot ’al ha-Tefillah*,” *Ha-Darom*, Tishri, 5739 (Tonya Soloveitchik Memorial Issue), pp. 101–102.
7. Gate II (especially Chapters 10–12, 14).
8. “Redemption, Prayer, Talmud Torah,” *Tradition*, Spring 1978 (Special Issue), pp. 65–66.
9. Cf. Solomon Maimon, *An Autobiography*, edited and with a preface by Moses Hadas (New York, 1967), pp. 50–51, 54.
10. R. Dov Baer of Mezhirech, *Maggid Devarav le-Ya’akov*, critical edition by Rivka Schatz-Uffenheimer (Jerusalem, 1976), Chapt. 32.
11. *Ibid.*, Chapt. 105.
12. *Ibid.*, Chapt. 110.
13. *Ibid.*, Chapt. 129.
14. *Ibid.*, Chapt. 161.
15. Cited by R. Ya’akov Yosef ha-Kohen of Polenoye (also spelled *Polonnoye* and *Polna*), *Ben Porat Yosef* (Brooklyn, 5736) 27b–c.

It would be too much of a digression at this time to elaborate on the teachings of the Ba’al Shem Tov’s disciple and amanuensis, R. Ya’akov Yosef ha-Kohen of Polenoye. Specifically, I have in mind his theory of society, in which the two classes, *anshei zurah* (“men of form”) and *anshei homer* (“men of matter”) are mutually complementary; more to the point, how these classes supply each other’s needs vis-à-vis prayer. Instead, I must refer the reader to several passages in his works. See *Ktoneth Passim*, critical edition by Gedalyah Nigal (Jerusalem, 1985), pp. 172–173, 303, 311 [old pagination: 25a-b, 44a-b, 45c] and *Toledot Ya’akov Yosef, Behar* 109d.

As an interesting aside, the *Toledot*’s own attempt to reconcile the opinions of Maimonides and Nahmanides is as follows: Prayer uttered without intention is invalid (*Eruvin* 65a; Maimon. *Hil. Tefillah* 4:1). Only prior to the destruction of the Temple was intention possible (*Eruvin* *ibid.*). After the destruction, intention is an impossibility; for this reason, at present, prayer is reduced to a rabbinic obligation. Maimonides refers to ideal prayer uttered with intention; he therefore rules that prayer is *de-oraita*. The rabbinic prayer of which Nahmanides finds evidence in the sources, is a result of the destruction. Alternatively, the *Toledot* suggests Nahmanides refers to the prayer of the masses which, as a result of their complete immersion in the vicissitudes of life, is lacking intention, restricted to the “body” of the prayer and therefore assumes a merely rabbinic character. Maimonides, on the other hand, who declares prayer a Torah obligation, has in mind the prayer of the elite, whose attachment to Torah study frees them of this material bondage and allows them to concentrate on the “soul” of the prayer [*Toledot Ya’akov Yosef* (Jerusalem, 5733) *Yitro* 190b–191a]. Only when *anshei homer* join together with *anshei zurah*, does their joint prayer assume the Torah dimensions referred to by Maimonides [*Ibid.*, *Pekudey* 261b–262b].

16. Unpublished manuscript (Ms. Jerusalem 3759, p. 123a) cited by Schatz-Uffenheimer in *Quietistic Elements*, p. 95.
17. Acronym for *Sefer Mizvot Qatan* (by R. Isaac of Corbeil).
18. Acronym for R. Shimon ben Zemah Duran of Algiers. The reference is to his work *Zohar ha-Raki’a*.
19. Psalms 20:2.
20. This segment of the text of *Perush Maharid* has clearly been excerpted from *Zemah Zedek*’s work, *Derekh Mizvotekha*, beg. *Shoresh Mizvat Tefillah*. [In fact, the very beginning of *Shoresh Mizvat Tefillah* is itself based on an earlier writing of R. Shneur Zalman (the Alter Rebbe) still

extant in manuscript. See *Yagdil Torah* (Brooklyn, NY) Tammuz 5738, “*Tefillah mi-de-oraita o mi-de-rabbanan*,” note 3]. The version in *Derekh Mizvotekha* reads: “SeMaQ, RaSHBaZ (and so too Nahmanides, cited in *Sefer ha-Hinukh*, commandment 433).” This is the correct reading, our SeMaG obviously being a scribal error. That SeMaQ and not SeMaG is intended, is further borne out by the fact that in the following segment (not to be found in *Derekh Mizvotekha*) there is adduced the very proof-text cited by the SeMaQ, commandment 11. I quote the passage in the SeMaQ: “Though the institution of prayer is rabbinic, nevertheless there is a prayer which is biblical, as it is written (Deut. 4:29), *You will seek from there the Lord your God and you will find (Him) if you apply to Him with all your heart and with all your soul.*” [In this connection it is interesting to note the gloss of R. Perez of Corbeil to the SeMaQ *ad locum*: “Since he (= SeMaQ) reckons it as a positive commandment, it is apparent that Prayer is from the Torah at times, in a time of trouble that it be averted or that God extricate us from difficulty.” What remains unclear in this reader’s mind, is whether in the SeMaQ we truly have a conceptual breakthrough or merely a rehashing of Nahmanides’ opinion. Of course, crucial to our discussion is whether the verse in Deut. 4:29 is addressed to community or to individual. The first word of the verse, “*u-vikashtem*” is plural, whereas the remainder is written in the singular form (“*tidreshenu*,” etc.). The Biblical commentaries [Ibn Ezra, *Zeror ha-Mor*, *Ha’amek Davar*, *Bet Aharon* (by R. Aharon Cohen, late Rosh Yeshiva of Hevron-Jerusalem)] reflect this ambiguity. If we should be able to prove that SeMaQ understood the verse to include the private plea of an individual experiencing personal crisis (it would seem that *Zemah Zedek* interpreted SeMaQ in just such a manner), then he certainly will have surpassed the strict bounds set by Nahmanides.]

Cf. too *Zemah Zedek*’s glosses to Maimonides, *Hil. Tefillah* 1:1 (printed in *Zemah Zedek—Piskei Dinim*) wherein it is stated that his grandfather in *Shulhan Arukh ha-Rav*, Chapt. 106, ruled (as did the *Sha’agat Aryeh*) in favor of Nahmanides, against Maimonides. See too *Likkutey Torah, Balak*, 70c–71b, where R. Shneur Zalman states explicitly that prayer is a rabbinic, not a Torah obligation.

21. Deut. 4:30.

22. *Avoda Zara* 35a. Rabbenu Hananel *ad locum* cites the parallel passage in the *Yerushalmi (Avoda Zara 2:7)*:

The words of Sages are more beloved than the words of Torah. If Rabbi Tarfon would have neglected to recite *Shem’a* altogether, he would have violated but a positive commandment—but since he countermanded the words of Bet Hillel, he deserved death (*Berakhot* 1:3), for it says (Eccles. 10:8) *He who breaks down a fence, a serpent will bite him.* A sage who denies altogether the commandment of *Tefillin* is exempt; one who claims there are five compartments in the *Tefillin* (denying the Rabbinic tradition of four compartments) is guilty (*Sanhedrin* 11:3).

It is clear from the context of both the *Bavli* and the *Yerushalmi*, that the dictum Maharid invokes, despite its positive language (“delicious” or “beloved”) was always employed in a negative sense to underscore the severity of the crime of abrogating rabbinic law. Certainly it was never used within the canons of halakha to justify opting for a rabbinic fulfillment of a positive commandment as opposed to a Torah fulfillment. To the best of my knowledge, its use in this respect is truly unique. [See further *Maggid Mishneh*, end *Hil. Shekhenim*.]

However, within Habad philosophy there is certainly well established precedent for such thinking. R. Shneur Zalman, the “Alter Rebbe” (“Old Rabbi”), explains at great length the superiority 1) of negative precepts over positive commandments, and 2) of Rabbinic law over Torah law, for only in Rabbinic commandments may the negative find positive expression. What we have in R. Shneur Zalman’s system, is the “synapse” of three traditions within Judaism: the Philosophy of Maimonides (the so-called “via negativa” or theory of negative divine attributes), the Kabbala of the *Zohar* (I, 24a and 253a; III, 110b, 222b, 228b, 273b, 278b, and Introduction to *Tikkuney Zohar*, 10a–b) and R. Isaac Luria (see R. Hayyim Vital’s *Likkutey Torah*, Introduction to *Ta’amei ha-Mizvot*), and the Halakha which stated so boldly, “The words of sages are more delicious to me than the wine of Torah.” See R. Shneur Zalman’s *Likkutey Torah, Pekudey*, 6b–7a and *Shir ha-Shirim*, s.v. *Shehorah ani ve-navah* (II), 7a–b, 10a–11b.

23. Psalms 73:25.

24. Psalms 73:25, followed by Yiddish paraphrase of Alter Rebbe. His grandson (R. Menahem Mendel, the *Zemah Zedek*) relates that he would be heard uttering these words at times of intense rapture [*Derekh Mizvotekha, Shores Mizvat Tefillah*, chapt. 40].

25. Song of Songs 1:2.
26. Cf. Bezalel Naor, *Ba-Yam Derekh* (Jerusalem, 1984) p. 105, where I interpreted Maimonides' words in *Hil. Zizit* 3:2 and 3:11, 12 to allow for wearing a *tallit katan* of material other than wool or linen. Since our custom of donning a *tallit katan* is no biblical injunction, but rather an expression of our punctiliousness in observing the *mizvah* of *zizit*, that end is served equally well by observing rabbinic law.