

Review Essay

On Etkes' *Ba'al Ha-Tanya**

Levi Cooper

Immanuel Etkes, *Ba'al Ha-Tanya: Rabbi Shneur Zalman of Liady and the Origins of Habad Hasidism*. Jerusalem: The Zalman Shazar Center for Jewish History, 2011. 495 pages, Hebrew.

The Chabad Bookcase and Immanuel Etkes

The literature produced by the Chabad school is unique in the annals of Hasidism. In 1995, Rabbi Yochanan Gurary, Ashkenazi Chief Rabbi of Holon and a Lubavitch Hasid, wrote:

Chabad literature is varied and rich in an unparalleled fashion: there is no Hasidic group whose rebbes delivered and authored thousands of Hasidic discourses and talks like our rebbes, the leaders of Chabad; there is no Hasidic group whose rebbes wrote thousands of letters like the Hasidic masters of Chabad; and there is no Hasidic group whose rebbes documented the history and customs [of the group] like the Hasidic masters of Chabad.¹

- * My sincere thanks to Yoel Finkelman, Amihai Radzyner, and Yehuda Ber Zirkind for their astute suggestions and insightful comments. This paper was written while I had the privilege of being a post-doctoral fellow in Bar-Ilan University's Faculty of Law; I am grateful for having had that opportunity.
- 1 Eliyahu Yochanan Gurary, "BeFetaḥ HaOhel," *Oholei Lubavitch* 1 (1995): 3 (Hebrew). *Oholei Lubavitch* was a short-lived journal printed in Kefar Chabad that featured four issues in 1995-96. Gurary's words appear at the beginning of his introduction to the first issue. Gurary's sentiments are a common theme in contemporary Lubavitch literature. See, for instance, the introduction to the first volume of the monumental Lubavitch encyclopedia *Sefer Ha'Arakhim Habad* (Brooklyn: Kehot

The Chabad bookcase does indeed contain a plethora of writings that cover a range of topics and genres, including Hasidic thought, Jewish law and custom, memoirs, history or hagiography,² letters,³ Kabbalah, Bible interpretation, works of an encyclopedic nature,⁴ journals dedicated to research,⁵ and souvenir booklets containing heretofore unpublished correspondence that are printed privately on the occasion of weddings and other celebrations.⁶ This library is accompanied by a virtual bookcase of news sites and blogs of varying quality, and access to much of the aforementioned literature via the internet.⁷ The many

Publication Society, 1971), v; see also *Iggerot Qodesh ... Admor Menachem Mendel Schneerson MiLubavitch* (Brooklyn: Kehot Publication Society, 2006), XXVII:133.

- 2 Ada Rapoport-Albert, "Hagiography with Footnotes: Edifying Tales and the Writing of History in Hasidism," in *Essays in Jewish Historiography*, ed. Ada Rapoport-Albert (Middletown, CT: Wesleyan University Press, 1988), 119-59; Zeev Gries, *The Book in Early Hasidism* (Tel Aviv: Hakibbutz Hameuchad, 1992), 35-38 (Hebrew).
- 3 On the importance of letters, particularly with regard to the historiography of Rabbi Shneur Zalman, see Etkes, *Ba'al Ha-Tanya*, 17-18. Isaiah Tishbi and Joseph Dan recognized letters as a unique literary genre of the Hasidim (alongside sermons and tales); see their entry on Hasidism in *Encyclopaedia Hebraica* (Jerusalem and Tel-Aviv: Encyclopaedia Publishing Company Ltd, 1949-1995), XVII:816-20 (Hebrew).
- 4 Such as the aforementioned *Sefer Ha'Arakhim Habad* (above, note 1) – of the projected forty volumes, seven volumes have been published (another volume has been prepared though not published).
- 5 Lubavitch journals are too numerous to list here; just by way of example, the National Library of Israel has over forty (!) journals bearing the title *He'arot HaTemimim VaAnash*, published by Lubavitch institutions all over the world. In total, the number of Lubavitch journals may run into the hundreds. Some of the more important journals include *Oholei Lubavitch* (above, note 1), *Kerem Habad* (below, note 18), *Bitaon Chabad* (below, note 29), *Pardes Chabad* (below, note 27), the two *Yagdil Torah* journals, *He'arot U-Vi'urim*, and *Oholei Shem*. Other journals not under official Lubavitch auspices, but connected to Lubavitch Hasidim should also be mentioned, such as *Heichal Habesht* and *Ohr Yisroel*, both published in Monsey. As could be expected, the publications are of varying quality. For an overview of Lubavitch periodicals, see Yehoshua Mondshein, "Mei'HaAh' ad 'Kefar Habad'," available at www.shturem.net/index.php?section=blog_new&article_id=93&lang=hebrew.
- 6 These publications are called *teshura* (pl. *teshurot*), meaning "gift(s)."
- 7 For example: <http://chabadlibrary.org>, www.otzar770.com, <http://sichoskodesh.com>, www.lahak.org (also accessible via <http://livingwiththerebbe.com>), www.770live.com, www.toratchabad.com, <http://haoros.com>, <http://chabadlibrarybooks.com> (in cooperation with The Society for Preservation of Hebrew Books and their site www.hebrewbooks.org). Many of the *teshurot* can be accessed at www.teshura.com. The website of Lubavitch of Israel, <http://chabad.org.il>, also provides access to many publications. The *Otzar HaHochma* database, <http://otzar.org>, has Chabad

accessible volumes are complemented by important documents from Russian archives that have become available in recent times.⁸

Despite this wealth, the most recent addition to scholarship on Chabad – **Professor Immanuel Etkes' biography of Rabbi Shneur Zalman of Liady** (ca. 1745-1812), *Ba'al Ha-Tanya: Rabbi Shneur Zalman of Liady and the Origins of Habad Hasidism* – is still a valuable contribution. *Ba'al Ha-Tanya* received favorable reviews from Etkes' student and colleague Professor David Assaf and from others.⁹ In October 2012, The Zalman Shazar Center for Jewish

literature as a designated collection and that library can be purchased separately. A number of sites offer content in English: www.chabad.org (which includes a blog entitled "*Hasidology*" and many audio recordings), www.sichosinenglish.org, <http://jewishcontent.org>, www.chassidus.com, and the *Living with Moshiach* site, www.moshiach.net (which offers content in English, French, Hebrew, Russian and Yiddish, including [but not limited to] a number of Messiah-related publications). Lubavitch even has its own Hebrew Wikipedia portal, www.chabad.info/chabadpedia. Such widespread internet access is unparalleled in the contemporary Hasidic world. Other Hasidic courts that can boast accessibility to primary texts – albeit not to the same extent – include Breslev (<http://breslev.eip.co.il>) and Munkatch (www.munkatcherseforim.org).

- 8 Lubavitch writers have already taken advantage of this access, publishing archival material and producing works that rely on these documents.
- 9 David Assaf, "*MeHeder Afel LeHeder Mu'ar*," *Haaretz*, December 16, 2011 (www.haaretz.co.il/literature/newbooks/1.1593113); idem, "A Deeper Look at the Life of Chabad's Founding Father," *Haaretz: English Edition*, March 5, 2012 (www.haaretz.com/print-edition/2.234/a-deeper-look-at-the-life-of-chabad-s-founding-father-1.416611) = idem, "The Tests of the Rebbe," *Haaretz: English Edition*, March 2012, Books section, pp. 12-13 (accessible at www.tau.ac.il/~dassaf/popular/assaf_on_etkes.pdf, a reproduction of the print edition). Assaf's Hebrew review was immediately posted – without Assaf's name but with a credit to the *Haaretz* newspaper – at the Haredi portal, *BeHadrei Haredim* (www.bhol.co.il/forums/topic.asp?topic_id=2931453&forum_id=771). The title of Assaf's Hebrew review echoes Dubnow's words: "When we cross from the 'writings' of the first Hasidic masters to the book *Tanya*, a special emotion is stirred in us, as if we have crossed from a dark room to a room slightly illuminated (*meheder afel leheder mu'ar bemiqatzat*)" (Simon Dubnow, *Toledot HaHasidut* [Tel Aviv: Dvir, 1930-1932], 232 [Hebrew]). For other reviews, see Gadi Eidelheit, "*Baal HaTanya – Immanuel Etkes*," January 28, 2012, www.xn—2hcm6cgyhbh.com/2012/01/baal-hatanya.html (Hebrew); Roi Horan, "*Lama Lo Bahar HaRebbi BeNapoleon?*" *Makor Rishon*, March 30, 2012 (accessible at <http://tinyurl.com/bt9cpet>); Eli Rubin, "Making Chasidism Accessible: How Rabbi Shneur Zalman of Liadi Successfully Preserved and Perpetuated the Teachings of the Baal Shem Tov," *Hasidology*, September 4, 2012, www.chabad.org/blogs/blog_cdo/aid/1950603/jewish/Making-Chasidism-Accessible.htm.

History announced a second printing of the work. Etkes, it would appear, deftly managed to dance at more than one wedding, for even the contemporary Lubavitch community – so stridently vociferous when Professors Menachem Friedman and Samuel Heilman released their book on Rabbi Menachem Mendel Schneerson of Lubavitch (Ramash, 1902-1994)¹⁰ – did not sound any protest. In fact, Etkes was invited to speak about his research in front of the annual gathering of Lubavitch emissaries in Israel that was held in Nir Etzion in January 2012 and his participation was proudly reported in the Lubavitch media.¹¹ This was surprising given Ramash's reserved attitude toward academic study of Rabbi Shneur Zalman.¹² Moreover, Etkes' account does not always tow the Lubavitch line.¹³

- 10 Menachem Friedman and Samuel Heilman, *The Rebbe: The Life and Afterlife of Menachem Mendel Schneerson* (Princeton: Princeton University Press, 2010). The Hebrew version of the book was published jointly by Shazar Books and Dvir in 2011. The most scathing reviews were authored by Rabbi Chaim Rapoport of London. The book spawned much discussion, many reviews were penned, and a website was launched to accompany the book. The website includes documents, photographs, and reviews (though not Rapoport's essays). Rapoport's extensive responses were collated and published in Chaim Rapoport, *The Afterlife of Scholarship: A Critical Review of 'The Rebbe' by Samuel Heilman and Menachem Friedman* ([United States]: Oport Press, 2011).
- 11 Sharon Goshen provided a general report of the opening day of the conference with pictures; see www.chabad.org.il/News/NewsItem.asp?ArticleID=2952&CategoryID=11 (Hebrew). See also Rubin, *Making Chasidism Accessible*.
- 12 See Ramash's letter from December 8, 1976, first published in a 2003 *teshura*, printed again in the Lubavitch weekly *Hitqashrut* 601 (2006): 13-14, available at www.chabad.org.il/Magazines/Article.asp?ArticleID=2687&CategoryID=808 and at http://www.chabad.org.il/_Uploads/808hit601.pdf. In 2007, a reproduction of the original letter was made available at www.shturem.net/index.php?section=artdays&id=1014. See also Yitshak Alfasi, *Me'irim La'Arets* (Kefar Chabad: Hameirim, 2009), 5-6.
- 13 Reporting in the Lubavitch Hebrew media, Yehiel Harari praised Etkes, though he noted two points where Etkes' account of historical events differed from Lubavitch tradition. Harari lauded participants for their respectful restraint when listening to Etkes (<http://tinyurl.com/cxmophl> [Hebrew]; see also www.shturem.net/index.php?section=news&id=54285 [Hebrew]). A careful reading of the book reveals further differences between the Lubavitch narrative and Etkes' conclusions. For instance, in Lubavitch sources, the motivation for the tension between Rabbi Avraham of Kalisk and Rabbi Shneur Zalman was a dispute over how to serve God, while Etkes suggests that less lofty matters, such as control over donations sent from White Russia to the Land of Israel, may have been key (383). Similarly, Etkes describes a fierce and protracted battle about the inheritance question that broke out after Rabbi Shneur Zalman died (chapter eleven). In general, Etkes' reading

The Life and Times of Rabbi Shneur Zalman

Rabbi Shneur Zalman¹⁴ was an influential Hasidic master in the formative period of Hasidism. He fashioned the Chabad school of Hasidism and was the forerunner of what is known today as Lubavitch. As Assaf noted, Etkes' book is a work in social history, rather than a biography in the classic sense of the term. The bulk of the book focuses on critical episodes in Rabbi Shneur Zalman's life and explains them in light of the surrounding social reality. Etkes does not recount Rabbi Shneur Zalman's background, birth,¹⁵ or youth, choosing to begin with his ascendance to regional Hasidic leadership in White

of Rabbi Dov Ber – Rabbi Shneur Zalman's son and successor – is less kind than the picture painted in Lubavitch sources (see, for instance, pp. 420, 447, 453).

- 14 There has been discussion as to the proper way to refer to the hero of Etkes' book. Etkes chose *Ba'al HaTanya* (author of the *Tanya*) for the title of his book, and in his review, Assaf suggested that the title indicates Etkes' identification with the common view that the *Tanya* is Rabbi Shneur Zalman's principal legacy (see, for instance, Dubnow, *Toledot HaHasidut*, 232). Throughout the book Etkes used "*RaSHaZ*," the Hebrew acronym for Rabbi Shneur Zalman. In a volume of responsa published in 1938, this title was surprisingly condemned as being disrespectful; see Avraham Yosef Igra, *Sefer Toledot Abram Josef* (Kraków: n.p., 1938), *hiddushei torah lehalakha*, 103-105.
- 15 Regarding the year of his birth, Lubavitch historiography generally gives 1745; Fünf gave [5]506, that is, 1745-46; Heilman and Kamelhar gave [5]507, that is, 1746-47; so too Horodezky in his Yiddish volume, though in his English volume the year given is 1746; Teitelbaum gave 1747; in *Ba'al Ha-Tanya*, Etkes also gave 1747, while his entry in the *YIVO Encyclopedia of Jews in Eastern Europe* gives "ca. 1745." For the above, see S. J. Fünf, *Knesset Yisrael* (Warsaw: E. Baumritter, 1886-1890), 331; Hayyim Meir Heilman, *Beit Rebbi* (Berdyczów: Sheftel, 1902), 1 n. 9; M. Teitelbaum, *HaRav MiLady U-Mifleget Habad* (Warschau: Tuschijah, 1910-1913), I:1; Sz. A. Horodecki, *Der Hasidizm Un Zayne Firer* (Wilno: Tomor, 1937), 155; idem, *Leaders of Hassidism*, trans. Maria Horodezky-Magasanik (London: Hasefer, 1928), 57; Yekutiel Aryeh Kamelhar, *Dor De'ah* [part 2] (New York: Saphrograph Co., 1953), 160; Dovid Zvi Hilman (ed.), *Iggerot Ba'al HaTanya* (Jerusalem: Mesorah, 1953), 1-2 and note 6; Nissan Mindel, *Rabbi Shneur Zalman of Liadi: A Biography* (Brooklyn: Kehot Publication Society, 1969, 2002), 1; Sholom Dovber Levin, *MiBeit HaGenazim* (Brooklyn: Kehot Publication Society, 2009), 12-13 and note 5; Etkes, *Ba'al Ha-Tanya*, 11; idem, "Shneur Zalman of Liady," *YIVO Encyclopedia of Jews in Eastern Europe*, 27 October 2010, www.yivoencyclopedia.org/article.aspx/Shneur_Zalman_of_Liady. Yosef Yitshak Schneersohn, *Di Megilla fun ... yud-tes Kislev* (Otwock: Vaad Lehadpasat Daḥ, 1938), 4, gave [5]504, that is, 1743-44, but in the Brooklyn 1942 edition this was corrected to [5]505.

Russia. Thus the first three chapters of *Ba'al Ha-Tanya* present **Rabbi Shneur Zalman the Hasidic leader**.

The account digresses for two chapters from the historical to the philosophical, as Etkes describes Rabbi Shneur Zalman's Hasidic thought as it is reflected in his seminal work *Tanya*.¹⁶ Here Etkes is true to his objective: he does not seek to present the philosophy of Rabbi Shneur Zalman; rather, he reads ideational texts in light of the social reality in which they were written. Much has been written on different aspects of Rabbi Shneur Zalman's thought, and Etkes summarizes salient points of this research, never claiming to offer a major contribution to the field of Hasidic philosophy. Etkes states that the goal of these chapters is to understand the educational message that Rabbi Shneur Zalman was offering his followers (147). With these caveats, Etkes nevertheless presents the reader with a snapshot of **Rabbi Shneur Zalman the Hasidic thinker**.

The account continues with Rabbi Shneur Zalman's striving against the *Mitnaggedim*, the opponents of Hasidism; his subsequent arrests at the hands of Russian authorities; and two intra-Hasidic polemics in which Rabbi Shneur Zalman was heavily involved. In these chapters we vividly see **Rabbi Shneur Zalman the communal leader**.

The book concludes with a discussion of the dispute between Rabbi Shneur Zalman's son Rabbi Dov Ber of Lubavitch (1773-1827) and Rabbi Shneur Zalman's prime student Rabbi Aharon HaLevi Horowitz of Strashelye (1766-1828) as to who was the rightful heir to the Chabad legacy. This account is a fascinating chapter in the saga of leadership succession in the Hasidic movement, though it is less about Rabbi Shneur Zalman.¹⁷

Etkes' accounts of Rabbi Shneur Zalman's two prison stays are particularly valuable in that they rely on archival documents published in 1992 by Yehoshua

16 See Yehoshua Mondschein, *Liqqutei Amarim – Tanya: Editions, Translations, Commentaries, 1796-1981* (Kefar Chabad: Kehot Publication Society, 1981) (Hebrew). For an overview of the stages of publication of *Tanya*, see Sholom Dovber Levin, *Peraqim BeToledot Habad* (Brooklyn: n.p., 2005), 7-11; idem, *Toledot Habad BeRusya HaTzarit* (Brooklyn: Kehot Publication Society, 2010), 59-67.

17 Cf. Samuel Abba Horodezky, *HaHasidut VeHaHasidim* (Berlin: Dwir, 1922), IV:99-100. See also David Assaf, "Manhigut VeYerushat Manhigut BeHasidut BeMei'a ha-19," in *Aharav: Al Manhigut U-Manhigim*, ed. Hana Amit (Tel-Aviv: Ministry of Defence, 2000), 59-72.

Mondschein (19).¹⁸ Etkes points to the development of the collective memory regarding Rabbi Shneur Zalman's incarceration (286-87, 316). In Lubavitch circles, the nineteenth and twentieth of Kislev – when Rabbi Shneur Zalman was notified about his release and when he was actually released from custody – is celebrated as the “Festival of Redemption” and termed “The New Year of Hasidism.” To be sure, the nineteenth of Kislev is a day venerated by many Hasidic groups in that it is the anniversary of the death of Rabbi Dov Ber the *maggid* (preacher) of Mezritch (d. 1772), the most significant figure in Hasidic lore after the Besht.¹⁹ This somewhat somber commemoration, however, is a far cry from the Lubavitch celebration on the same day. Etkes notes that Rabbi Shneur Zalman was arrested and questioned at length by the Russian authorities. His arrest was for relatively short periods – a month and a half in 1798 and two and half weeks in 1800 – and though the experience was undoubtedly harrowing, Rabbi Shneur Zalman was released with no charges brought against him. Etkes points out that Rabbi Shneur Zalman and his followers fashioned the narrative of the experience such that it took on miraculous proportions that exceed the documented facts.

The archival documents also show how both the Hasidim and the Mitnaggedim turned to the Russian legal apparatus in an attempt to gain the advantage. Observers of contemporary intra-Hasidic legal battles will note that recourse to the secular legal system – while problematic from the perspective of Jewish law – is not a new feature of Hasidism.²⁰ Other aspects of Etkes'

18 See Mondschein's Hebrew two-volume *Kerem Habad* 4 (1992). For a short appraisal of this work in English, see David Assaf, “The Rebbe Was Framed,” *The Jerusalem Report*, December 17, 1992, pp. 46-47, accessible at www.tau.ac.il/~dassaf/popular/the_rebbe_was_framed.pdf. See also Mondschein's recent work, *HaMa'asar HaRishon* (Jerusalem: Knizhnik, 2012).

19 From the Lubavitch perspective, Rabbi Shneur Zalman's release from prison is a cause for celebration for all Hasidim; see, for instance, the words of Rabbi Shaul Ber Zislin (1881-1964) from a talk he gave in Tel Aviv in 1939: *Bi'ur Parashat Gedulat HeHag Yud Tet Kislev* (Kefar Chabad: Yad HaHamisha, 1963), 7-10. See also the assessment of Lubavitch self-perception in Horodezky, *HaHasidut VeHaHasidim*, IV:97.

20 See, for example, the case of the ownership of the library of Rabbi Yosef Yitzchok Schneersohn of Lubavitch (1880-1950), which was heard in 1987 in the US District Court for the Eastern District of New York and affirmed in the US Court of Appeals (*Agudas Chasidei Chabad of United States v. Gourary*, 650 F. Supp. 1463 [E.D.N.Y. 1987], *aff'd* 833 F.2d 431 [2d Cir. 1987]); court cases in the Israeli courts surrounding the ownership of historic documents associated with the Munkatch dynasty; the

account also gently prod the reader who is familiar with the contemporary Lubavitch community to consider current issues.²¹

Lacunae in Shneur Zalman Scholarship

Despite the accolades Etkes rightly received, students of law are bound to wonder about another facet of Rabbi Shneur Zalman's life. In addition to Rabbi Shneur Zalman's leadership and legacy in the field of Hasidic thought, he also made significant contributions in the field of Jewish law. Rabbi Shneur Zalman authored a monumental code of law, other legal treatises, and responsa. His work borrowed the title of the famous code of Jewish law, *Shulḥan Arukh*, written by Rabbi Yosef Karo (1488-1575). To differentiate between the two works, Rabbi Shneur Zalman's code is widely known as *Shulḥan Arukh HaRav*.

Etkes does not explore Rabbi Shneur Zalman's legal activity.²² This is not to say that Etkes sought to fill the gap and did not succeed; by his own admission, Etkes did not propose to cover all aspects of Rabbi Shneur Zalman's life and he

cases of Bobov and of Satmar which are currently being heard in the American courts; and the Tsanz case currently being heard in the Tel-Aviv district court. The notable exception to this trend is the Karlin case, which was arbitrated by a religious court. Some of these cases are not only about financial interests, but also about ownership of the "brand." See also David Assaf, *Beguiled by Knowledge: An Anatomy of a Hasidic Controversy* (Haifa: University of Haifa Press, 2012), 191, 204 (Hebrew).

- 21 For instance: (1) Etkes' conclusion that direct, personal, and deep interaction between Hasid and Hasidic master is a *sine qua non* for Hasidism. Connection via long-distance correspondence does not suffice for effective Hasidic leadership (41), nor does limited, impersonal connection (79, 80). Moreover, there is no substitute for directly hearing the words of a Hasidic master; reading books is an inadequate substitute (145).
- (2) The accusation leveled against Rabbi Shneur Zalman during his second incarceration that Hasidim identify their leaders as deities (301-302).
- (3) The sense of a uniqueness and even elitism felt by Rabbi Shneur Zalman's followers, in the wake of their master's imprisonment and his dispute with Rabbi Avraham of Kalisk (286, 316, 369, 380, 461).
Ramash is generally not cited in Etkes' work, except for one instance (55).
- 22 In his *Hasidology* blog, Rubin lauded Etkes' work, though he was more critical about what Etkes did not cover: "The definitive biography of a man who was not only a chasidic leader, but also a renowned Talmudic scholar, liturgist, philosopher, halachic authority and kabbalist, remains to be written" (Rubin, *Making Chasidism Accessible*).

forthrightly declared that Rabbi Shneur Zalman's legal writings were beyond the scope of his discussion (20-21).²³ Moreover, Etkes followed a path that had been forged before him: the great historian Simon Dubnow (1860-1941) lauded Rabbi Shneur Zalman for the organization of his philosophical ideas, but made no mention of his legal acumen.²⁴

Nonetheless, there are times in Etkes' historical account when readers may ponder whether Rabbi Shneur Zalman's legal expertise or predilection may have played a role in events. Etkes raises this possibility in the context of the 1787 Mohilev proclamation (230-31). The Mohilev community leadership invited Rabbi Shneur Zalman to a meeting to discuss the conduct of a ritual slaughterer who identified as a Hasid and had acted contrary to Jewish law. Etkes suggests that the invitation to Rabbi Shneur Zalman was due to his reputation as a juridical authority and driven by the hope that a Hasidic leader of stature would censure the Hasidic ritual slaughterer. A number of other examples follow:

(1) When describing how Rabbi Shneur Zalman rose to be the leader of White Russian Hasidism, Etkes lists a number of qualities – “scholarship, direct connection to the school of the Maggid of Mezritch, talent in spiritual leadership, organizational ability and fidelity to the leaders in the Land of Israel” (30). It would appear logical to also consider the legal angle, given that by that stage Rabbi Shneur Zalman had already authored at least part of his code.²⁵

23 In his entry in the YIVO *Encyclopedia of Jews in Eastern Europe*, Etkes wrote: “Shneur Zalman left behind other works that were printed posthumously, including *Shulhan 'arukh ha-rav*, a revised and abbreviated version of that halakhic code, which he had prepared at the request of the Magid of Mezritsh.”

24 Dubnow, *Toledot HaHasidut*, 232-41. A further indication of this trend is the way Assaf explained Rabbi Shneur Zalman's name when writing his review (above, note 9): “Rabbi Shneur Zalman Ben Baruch (the name Schneerson was given to his descendants only after his death), also known as the Rashaz (based on the Hebrew acronym of his name), the Alter Rebbe (the Old Rebbe) or Baal Hatanya, after the movement's foundational text, which he wrote.” Assaf did not, however, mention that he is also referred to in terms of his code – *Shulhan Arukh HaRav* or *Ba'al HaTanya VeHaShulhan Arukh* (author of the *Tanya* and the Code of Jewish Law); or in terms of his rabbinic leadership – *HaRav MiLiady* (the rabbi of Liady), *HaMaggid MiLiozna* (the preacher of Liozna), or simply *HaRav* (the rabbi).

25 According to the introduction written by Rabbi Shneur Zalman's sons, the first edition of *Shulhan Arukh HaRav, Oraḥ Ḥayyim*, was written in the early 1770s. In her entry in *The Oxford Dictionary of Jewish Religion*, Rachel Elior wrote: “He studied further in Mezhirech, in Volhynia, under the renowned Hasidic master

(2) Etkes concludes his overview of *Tanya* by stating that though Rabbi Shneur Zalman was undoubtedly interested in assisting the uneducated, his target audience “was comprised primarily of men with Torah education” (187). Etkes notes that this was during a period when the uneducated masses were drawn to Hasidism and some Hasidic masters fashioned their message to fit the intellectual level of their audience. Rabbi Shneur Zalman’s choice might also be understood given his dedication to legal scholarship, an inclination not shared by all his contemporaries.

(3) Etkes notes that Rabbi Shneur Zalman repositioned the mystical experience as umbilically connected to the world of Jewish law (181-82). Thus the Lurianic idea of raising the sparks was channeled by Rabbi Shneur Zalman to the normative plane of Torah study, fulfillment of the commandments, and prayer (207). In Rabbi Shneur Zalman’s description, Torah study and the fulfillment of the commandments is the only route to achieve the mystical state of *devequt*, cleaving to God (218).²⁶ As opposed to his Hasidic predecessors, Rabbi Shneur Zalman understood that the mystical ideal and the normative requirements of Jewish law are congruent (221-22). These aspects of Rabbi Shneur Zalman’s Hasidic philosophy fit his persona as a committed jurist.

(4) As Etkes repeatedly points out, Rabbi Shneur Zalman’s writing in response to the Mitnaggedim is replete with halakhic rulings, discussions, and considerations. Legal arguments are consistently present in Rabbi Shneur Zalman’s striving against his opponents, more so than in the writings of the Mitnaggedim, who relied on the charismatic authority of Rabbi Eliyahu of Vilna (313, 459). Thus, in his response to the 1787 Shklov proclamation against the Hasidim, Rabbi Shneur Zalman analyzed the legality of evidentiary proceedings

R. Dov Ber of Mezhirech, who recognized his exceptional talents and encouraged him to compose a revised version of the *Shulḥan Arukh*. Shneur completed this prodigious task at the age of twenty-five” – likely a typographical error that should read “*began* this prodigious task at the age of twenty-five” rather than “*completed*” (Rachel Elijor, “Shneur Zalman of Lyady,” ed. Adele Berlin, *The Oxford Dictionary of the Jewish Religion*² [New York: Oxford University Press, 2011], 683).

26 As Etkes acknowledges, Rivka Schatz-Uffenheimer pointed out that Rabbi Shneur Zalman accorded fulfillment of commandments and Torah study a place of prime importance (Rivka Schatz, “*Anti-spiritualizm BeḤasidut: Iyyunim BeTorat Shneur Zalman MiLady*,” *Molad* 20 [1962]: 527; Etkes, *Ba’al Ha-Tanya*, 198-99; cf. 223). For more on the primacy of these two values in Rabbi Shneur Zalman’s thought, see Teitelbaum, *HaRav MiLady*, II:172-95; Roman A. Foxbrunner, *Habad: The Hasidism of R. Shneur Zalman of Lyady* (Tuscaloosa: The University of Alabama Press, 1992), chapter four.

and the consequent regulations enacted (233-34). When a certain unnamed rabbi forbade sons from joining a Hasidic prayer quorum against the wishes of their fathers on the grounds that this was a contravention of the obligation to honor parents, Rabbi Shneur Zalman ruled that this was an incorrect reading of the legal sources regarding the duty to honor parents (237-38). With regard to the demand of Rabbi Eliyahu of Vilna that the Hasidim donate a sizeable sum of money as a precondition to his participation in a debate, Rabbi Shneur Zalman explained that this was against laws regarding judges (242-43). In an epistle written in 1810 to the Vilna community, Rabbi Shneur Zalman discussed the laws of bans and vows, and their annulment (311). In that same letter, Rabbi Shneur Zalman also wrote about the controversial issue of the validity of different types of ritual slaughter knives (311). In all these cases, legal positions were born from the controversy with the Mitnaggedim. There is ample room to examine whether Rabbi Shneur Zalman's rulings jibe with normative law, and to probe the interplay between polemics on the one hand, and analysis, decision-making, writing, and publishing of a legal nature, on the other.²⁷

(5) The legal mind might also wonder how aspects of Rabbi Shneur Zalman's Hasidic thought are played out in the legal arena. For instance, when discussing *Tanya*, Etkes explores the relationship between Torah study, fulfillment of the commandments, and prayer. Etkes explains how in Rabbi Shneur Zalman's eyes, Hasidic prayer (as Rabbi Shneur Zalman defined it) was the primary "engine" for service of God and fulfillment of the commandments (185). Do Rabbi Shneur Zalman's legal writings suggest an "engine" for obedience to law that is grounded in legal theory?

(6) A further lacuna also deserving of attention is Rabbi Shneur Zalman's rabbinite. Serving in the rabbinite does not guarantee that the rabbi will make a significant contribution to the corpus of Jewish law – either by offering precedents in new or hard cases or by adding to the body of literature.²⁸ Nevertheless,

27 Regarding honoring parents, Louis Jacobs offered initial thoughts in this direction; see Louis Jacobs, "Honour Thy Father: A Study in Hasidic Psychology," *Cambridge Opinion* 39: *On the Jews*, ed. Malcolm Griffiths (Cambridge: Cambridge Opinion, 1965), 4-8. See also Baruch Oberlander, "HaPoseqim Ke'Beit Yosef' O Ke'Rema VeAdmor HaZaqen," *Pardes Chabad* 18 (2007): 75-77.

Regarding redeeming captives for more than their worth, see Kamelhar's assessment of Rabbi Shneur Zalman's ruling, cited in Yehoshua Mondshein, *HaZofe LeDoro* (Jerusalem: Reuben Mass, 1987), 296-97.

28 Rabbi Shneur Zalman's *Taqanot DeLozni* (Regulations of Liozna) issued in the 1790s should be considered, though these rules were aimed at regulating visits

the rabbi minimally serves in the lesser role as dispenser of known halakhic rulings on practical and daily matters. A rabbi may also serve as an arbitrator in business matters, drawing on the body of Jewish civil law. Etkes cites from the documents of Rabbi Shneur Zalman's two arrests that repeatedly confirm his role as an arbitrator (97-98, 265-66, 268, 271, 294, 302-303). Lubavitch accounts refer to an offer to serve as the rabbi of Mohilev, and to his serving in the rabbinate of Liozna.²⁹ In a Russian *laissez-passer* granted to Rabbi Shneur Zalman and his family in 1812 and published by Etkes in Hebrew translation, Rabbi Shneur Zalman is described as the rabbi of Liady (470; cf. 466).

Another religious functionary connected to the biography of Rabbi Shneur Zalman is the office of the *maggid* (preacher). In his testimony at the time of his first incarceration in 1798, Rabbi Shneur Zalman mentioned that he served as *maggid* of Liozna.³⁰ It would appear that he held this position from early 1768 until 1801 when he moved to Liady after his second incarceration. In general, the office of the *maggid* was not entrusted with legal authority,³¹ though Rabbi Shneur Zalman may have been an exception to this rule.

(7) Etkes notes that Rabbi Shneur Zalman was overburdened by the demands of his Hasidim, such that he did not have sufficient time for study and meditation (73, 80). This raises the question of the impact of Rabbi Shneur Zalman's dedication to his Hasidic mission on other aspects of his life and leadership. In the legal context, this begs the question as to whether Rabbi Shneur Zalman's commitment to his Hasidic ministry limited his availability to deal with pressing legal questions or his opportunities to pen or publish legal opinions.³²

by Hasidim, and therefore express Hasidic leadership more than legal authority (Etkes, *Ba'al Ha-Tanya*, 70-80).

- 29 Heilman, *Beit Rebbi*, 23 n. 2; Yehoshua Mondschein, "BeShulei HaGenazim," *Bitaon Chabad* 32 (1970): 10; idem, *The Halachic Works by Rabbi Schneur Zalman of Liadi* (Kefar Chabad: Kehot Publication Society, 1984), 50 (Hebrew letters) (Hebrew); Alfasi, *Me'irim La'Arets*, 106.
- 30 *Kerem Habad* 4,1 (1992): 51; Etkes, *Ba'al Ha-Tanya*, 97, 265, 268. See also Yisrael Yaffe, *She'erit Yisrael* (Cluj: Weinstein & Friedman, 1924), introduction, [p. 1].
- 31 On the difference between the office of the rabbi and that of the *maggid*, see the letter of Rabbi Shneur Zalman's grandson in *Iggerot Qodesh ... Admor HaZaqaen ... Admor HaEmtza'i ... Tzemaḥ Tzedeq* (Brooklyn: Kehot Publication Society, 1987), 335-38.
- 32 The English translators of *Shulhan Arukh HaRav* addressed the question as to why Rabbi Shneur Zalman did not print the majority of his code. *Inter alia*, they suggested

(8) A final, general point: Rabbi Shneur Zalman's legal and rabbinic activity raises the question as to what extent he is representative of Hasidic masters. This angle may be significant in understanding different models for welding Hasidism with classic legal authority in Jewish tradition, and the evolution of such models.

The English reader will undoubtedly look forward to the translation of Etkes' volume. In any case, the questions I have sketched suggest that a fuller understanding of this important figure could be reached by also considering **Rabbi Shneur Zalman the jurist**.³³

that "the conflict between the chassidim and their opponents sapped considerable time, energy and financial resources" and this resulted in the delay in printing (Eliyahu Touger, Uri Kaploun & Yonah Avtzon, overview to *The Shulchan Aruch of Rabbi Shneur Zalman of Liadi*, Bilingual Edition, vol. 1 [Brooklyn: Kehot Publication Society, 2002], 15). A similar point was made by Rabbi Hayyim Yeshayahu HaKohen Halbersberg (1844-1910) when he addressed the stylistic difference between Rabbi Shneur Zalman's earlier works and his later writings: "It is known that he wrote the second edition [of *Shulchan Aruch HaRav*] and the *Siddur* in his old age when he was beset by many students, in service of God, and time did not allow [him] to explain so much in writing" (Hayyim Yeshayahu HaKohen Halbersberg, *Yeshu'ot Hokhma* [Lublin: M. Shneidmesser & N. Hershenhorn, 1900], 165:3:16, p. 95). Lubavitch writers rejected Halbersberg's stylistic characterization, but they did not dispute that Rabbi Shneur Zalman was inundated by followers. Hence, the question I pose is relevant irrespective of whether Halbersberg was correct in his characterization of Rabbi Shneur Zalman's evolving writing style (regarding writing the second edition, see Menachem Gedalya Shochat, "*Pisqei Admor HaZaqen BeSidduro*," *Ha'arot U-Vi'urim* 63 (1980): 15; regarding the *Siddur*, see Menachem Mendel Schneerson, *Liqqutei Sijhot* (Brooklyn: Kehot Publication Society, 2006), XXIV:70 (Yiddish/Hebrew); see also Avraham David Lavot, *Sha'ar HaKollel*² (Brooklyn: Kehot Publication Society, 2005), 43:15. Along these lines, Mondschein collected statements from Rabbi Shneur Zalman's responsa that indicate those preoccupations that interfered with his writing responsa; see Mondschein, *Halachic Works*, 50-51 (Hebrew letters).

33 Haym Soloveitchik noted "a growing recognition that Jewish intellectual history without halakhah is partial history only" (Haym Soloveitchik, "History of Halakhah – Methodological Issues: A Review Essay of I. Twersky's *Rabad of Posquières*," *Jewish History* 5[1] [Spring 1991]: 75).