

# The Interaction of Kabbalah and Halachah in the 'Aruch HaShulchan

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Moderns tend to accentuate the tension between mystical and formal religious practice. Mystics strive for a deeply personal relationship with God, while organized religion tries to create formal and recognized modes of practice. In this paper we focus upon the treatment of Kabbalistic practices in Rabbi Yehial Epstein's halachic work *'Aruch Hashulchan*. We shall see how Kabbalistic practice is incorporated into halachah and made into part of formal religious practice.

Epstein's *'Aruch Hashulchan* was published between 1884 and 1907. This is an encyclopedic work that follows the format of the Caro's *Shulchan 'Aruch*. In it, Epstein attempts to update the *Shulchan 'Aruch's* decisions by including halachic authorities that lived after Caro. He also updates the *Shulchan 'Aruch* by including issues that arose as a result of conditions and practices not discussed by Caro, but of importance to Epstein's religious environment. A unique feature of the *'Aruch Hashulchan* is that Epstein not only decides issues of halachah, he also explains the process by which he comes to a ruling.

Epstein's background was unique. He studied in Volozhin and in 1862 he took his first rabbinic position in Novosybkov, a town in which many Chabad Chasidim lived. During this period he visited with R. Menachic Mendel of Lubavitch, the author of *Zemach Zedek*. He also received semichah from him.<sup>1</sup> He was thus well versed in both the Talmudic and Chassidic traditions, although he was not a chassid. As we shall see, he shared with Chabad a reverence for the Ari and his practices. (The Ari was R. Isaac Luria a seminal figure in Kabbalistic traditions. He lived from 1534-1572. He was considered to possess the Holy Spirit and to receive revelations from Elijah the Prophet. Thus his teachings were considered to be significant because of his direct source to heavenly teachings.)

We examine the first section of Orach Hayyim (1-134) which covers the laws of morning ritual practice, tzitzit, tefillin, and the morning prayers. We focus on these areas since these are areas of practice in which kabbalistic practice entered mainstream halachic practice.<sup>2</sup>

## ***Kabbalistic Practice as Precedent***

Epstein lays out the principal for using the Zohar's practice as precedent in Chapter 25.29:

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1 Encyclopaedia Judaica, "Epstein, Jehiel Michal ben Aaron Issac Halevi" Vol. 6, p. 831.

2 Katz, Jacob *Halakhah and Kabbalah: Studies in the History of Jewish Religion, its Various Faces and Social Relevance*, The Magnes Press, The Hebrew University Jerusalem, Israel 1984, pp. 65-67.

Hallamish, Moshe *Kabbalah In Liturgy, Halakhah and Customs*, Bar-Ilan University Press, Ramat Gan, Israel, 2000, Chapter One pp. 21-44 is an excellent introduction to this issue.

The Poskim established a general principle in this regard. If the Gemara and the Poskim disagree with the Zohar we follow the decisions of the Gemara and the Poskim. But if the Zohar is more stringent [than the Gemara and the Poskim] then who ever wants to be more stringent as is the Zohar can be. If the matter is not stated in the Gemara, it is certainly proper to do as the Zohar states, but we do not force one to do so. [Magen Avraham (A commentary on the Shulchan Aruch written by R. Abraham Abele Gombiner, 1637-1683) in the name of the Radbaz (R. David ben Zimra (1479-1589), one of the Ari's teachers). Nevertheless, I received a tradition that the Zohar can never disagree with the Gemara unless the Gemara also has an internal argument. In a case where the Gemara decides the law the Zohar also accepts the decision. In places where the Zohar does not seem to agree with the Gemara, they did not understand the Zohar correctly and one must explain the opinion so that it is in accord with the Gemara]

In this ruling Epstein follows the precedent of the Magen Avraham. He adds an important point in the latter part of the citation by claiming that the Zohar can never disagree with formal halachic practice as stated in the Talmud. It is important to note that Epstein considers the Zohar to be tannaitic material originating with R. Yohanan b. Zakkai. As such, its halachic status is similar to Tosefta or baraita. He therefore makes the same assumption that the Talmud does regarding Mishnah which seems to contradict other Tannaitic material or Amoraic material. The solution must lie in reconciling the tannaitic material with later practice. The later authorities knew this material and thus would not directly contradict it because the Zohar is part of the tannaitic corpus. This argument is, of course, anachronistic.

This innovation is important because it allows Epstein to meld together kabbalistic and formal halachic practice since he argues that they can never truly disagree. Any contradiction is, by definition, a result of the shortcomings of the reader. This also allows him to create a formal framework for the incorporation of kabbalistic practice within halachah.<sup>3</sup> He creates a hierarchy of kabbalistic sources and uses them to establish both required practice and preferred custom. We will examine his use of the sources to see how he creates this hierarchy.

We shall see that his innovation is the tight interweaving that he creates between kabbalistic and traditional halachic practice. He feels that kabala is another legitimate halachic source and must be consistent with normative Jewish practice.

Epstein, in the sections we are examining, cites several kabbalistic sources. The two most frequently cited are the Zohar and Rabbi Isaac Luria (the Ari). A handful of citations are

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3 Halamish (*Kabbalah In Liturgy, Halakhah and Customs*) in Chapter Five (pp. 117-145) makes a compelling argument that there was ample precedent for seeing halachah and kabbalah as two separate enterprises that give different results because of the different spheres that they deal with. He cites an aphorism of Schneur Zalman of Liadi who when asked in a situation where the kabbalists and halachists disagree who do you follow? Answered the kabbalists. It was then pointed out to him that in his Shulchan Aruch he wrote that one follows the halachists. To which he replied, that is how the halachists write, but the kabbalists are obligated to follow kabbalah when it disagrees with halachah (p. 118). It is possible that Epstein, who had extensive interaction with Habad chassidut was reacting to this and putting forward a program to meld the two together.

attributed to the Levush (a commentary to the Shulchan Aruch written by Rabbi Mordechai Yaffe, a halachist and kabbalist b. 1530, d. 1612) and several to anonymous Masters of the Kabbalah. We will examine the Zohar and Lurianic citations since these are the overwhelming majority of citations.

## **Zohar**

Epstein employs the Zohar in two ways to set halachic precedent. First, the Zohar is used to establish support for an existing halachic practice and establish it as normative practice. Thus the Zohar can be used as an authority to decide between two competing opinions. Second, Epstein resolves seeming contradictions between the Zohar and established practice. This is done to ensure that the Zohar does not directly contradict normative halachic opinion.

Epstein quotes the Zohar in several ways. Sometimes he quotes the Zohar in a general sense without giving a specific citation. At other times he will cite a specific passage of the Zohar. There does not seem to be any difference in the use of specific versus generic citations. (The Appendix will cite all of the sources.)

### **Zohar in support of an existing halachic practice**

Epstein uses the Zohar to support existing halachic practice in several ways. The first method is to cite the Zohar without noting a specific source. An example of this is I.6:

It is this God that we are obligated to love with a complete and all encompassing love. This love is so great that other loves such as the love of self, one's wife, sons and daughters, and the love of money will be as naught in comparison to one's love for God. And this is what is meant by the verse "And you will love the Lord your God with all your heart all your soul and all your possessions (meodecha)" (Dt. 6:5). The language of all (meod) is used to say that all that is dear to your will be totally cancelled in relationship to your love of God. "All you heart" was interpreted by the Rabbis by both of your inclinations (Yezer) - the good and the bad. That is to say, you should not say that since the evil inclination tempts you to go against the will of the Blessed, how did He really create it? For in truth it is not the intent of the evil inclination to tempt a person so that he will not yearn towards God and not listen to Him. But rather the Blessed Creator decreed upon the evil inclination that it is his task to tempt you to transgress the will of the Blessed One so that you will serve God through free will and not as one who has no choice. This is the essence of the purpose of the creation of mankind and this attribute (of free will) makes the human greater than an angel as it is stated in paragraph I.1 [And so it is expounded in the Zohar].

The Zohar is used in this case to provide a foundation for a principle of action. There is no one specific source that is quoted, rather the Zohar has several discussions of the verse. The combination of the sources yields this viewpoint.

Epstein also quotes the Zohar to support a halachic opinion in cases where there is a

disagreement between authorities. In Chapter XXV.5 he cites the Zohar without a specific citation. The reason for this is that he previously referenced that citation in Chapter VIII.1 (referencing Zohar Shelach):

It was already explained (in VIII.) on the basis of the Zohar that it is a great matter to go to the synagogue wrapped in the tallit and crowned with the tefillin...and so great is this matter that one of the great sages ruled that one who previously took upon himself an obligation to go to the synagogue before the light of day so that he can say Psalms with a Chaburah (a group that would meet together to partake in spiritual practices) and wants to annul this obligation since he cannot go to synagogue wrapped in the tallit and tephillin before the light of day, may annul his obligation and is free of this obligation and the vow is not incumbent upon him since this vow is similar to a mistaken vow [which has no legal status]. [Cites Magen Avraham (a commentary on the Shulchan Aruch written by R. Abraham Avli ben Chaim HaLevi Gombiner (1633-1683)) in the name of Maharmal (Rabbi Meir of Lublin (1558-1616))]. Because of this the Ari would not be among the first ten to the synagogue since many of them came before the first light of day (e.g. before dawn) and he did not want to go to the synagogue without being wrapped in a talit and crowned by the tefillin. Nonetheless certain great decisors disagreed with the Magen Avraham's reasoning since before daylight is before the obligation to wear tallit and tefillin occurs and thus this is not the circumstance about which the Zohar warned against going to synagogue without wearing tallit and tefilin. The reason of the Ari for not being among the first to the synagogue was not only because of the Zohar's admonition but because he had an intestinal disease and he had to relieve himself and therefore could not come earlier.

This section is interesting since Epstein tries to explain away a conflict between halachic opinions by showing that the two sides are not arguing with the Zohar, they disagree as to how the Zohar's admonition is to be understood. Does it apply to a specific circumstance or not? In this way, he uses the Zohar in the same way that any other halachic precedent is used in deciding law. He must determine the applicability of the precedent.

A second example of using the Zohar to decide an halachic issue is IV.7. The issue is the manner in which one needs to wash their hands upon arising. Does it need to follow the rules of hand washing before a meal and therefore a utensil must be used, or is there a different, less stringent requirement:

In Zohar VaYeshev it is explained that the the reason [for the practice of washing hands upon arising] with a utensil (as one would do any ritual washing of the hands rather than simply rinsing one's hands) because of the evil wind (e.g. An evil spirit that can settle upon his hands) ...and therefore according to all the reasons given the obligation to rinse one's hands in the morning is specifically with a utensil [The Rashba (Rabbi Shlomo ben Aderet (1235-1310)) in his Responsa wrote that it is enough to immerse one's hands in a utensil, but the Bet Yosef (R. Joseph Caro's work that was a precursor to his Shulchan Aruch in which he cites earlier opinions in forming halachic opinions) rebutted this opinion on the basis of the Zohar.] (Bet Yosef, Orach Hayyim 4)

Here the Zohar is cited as an halachic precedent for ruling according to one decisor. This follows the guiding principle laid out beforehand that in those cases where the Zohar does not contradict an opinion in the Talmud, we rule in accordance with the Zohar. The force of the Zohar as a Tannaitic document swings the balance of opinion to one decisor.

In XXXII.7 Epstein uses the Zohar to establish normative halachah where the precedents in the halachic literature are not clear. The issue is the proper color for ink used to write tefillin. He cites Maimonides (Mishnah Torah, Sefer Mada, Tefillin I.5) who states that the critical element for ink used in tefillin is that it should be black. The source of the ink is not critical. That is to say, it need not be derived from a particular source. The Zohar disagrees and states that it must come from a tree. Epstein claims that this is critical. Thus the Zohar, in the absence of Talmudic precedents, establishes normative halachah for Epstein. The Zohar is allowed to expand the definition of ink, by requiring it to be from a tree, so long as it does not negate the primary element, the color.

Epstein refers to the Zohar in XXXIV.7-9 in connection with the dispute between Rashi and Rabbenu Tam concerning the correct sequence of the passages placed in the tefillin. He cites the Sages of Lunel (The sages of the medieval French Jewish center Lunel which flourished in the 13th century) who cite a hidden midrash in support of the practice of Rashi. They changed their practice to accord with Rashi's ruling based upon this midrash (XXXIV.7) In the next paragraph he identified this midrash as the Zohar on Pinchas. This citation is notable since it establishes the Zohar as a legitimate halachic midrash. It is clearly not considered to be an aggadic midrash such as Midrash Rabba which cannot be used to establish halachic practice. Aggadic midrashim are not considered sources for halachah by traditional halachic decisors since aggadah was seen as non-halachic material. In this way Epstein establishes the Zohar as a valid source for halachic precedent. Of course Epstein is being anachronistic in attributing the source of the 13<sup>th</sup> century Sages of Lunel's opinion to the Zohar. But whether his attribution is correct, that is that they had a pre-Zohar source that found its way into the Zohar, or not is irrelevant to our argument. To Epstein the Zohar is a tannaitic, not a medieval source.

Epstein also uses Zohar as an halachic source when Maimonides disputes current practice and the Zohar can be used to support existing practice. An example of this is LII.1. Maimonides rules that the Shirat Hayam (Song of the Sea) should be said after Yishtabach. Epstein posits that this is because Maimonides believes that it is wrong to bundle a section from the Torah with Psalms and thus moves it to a special place after the Pesukei DeZimrah. Epstein then cites the Zohar who explains that the reason that Shirat Hayam is placed in its location is because of its importance. Thus Epstein uses the Zohar to overturn Maimonides by supplying a Tannaitic precedent.

### **Zohar in contradiction with established practice**

Epstein tries to take the position that the Zohar never contradicts established practice. The dilemma he faces is that if the Zohar is part of the rabbinic canon, it cannot condone halachic practices that contradict normative practice. Therefore, every seeming contradiction with normative rabbinic practice must be reconciled.

In the section of the '*Aruch HaShulchan* that we have examined, Epstein cites three cases where the Zohar seems to contradict established practice. One case is XXV.20 where the practice of the Jews of Ashkenaz differs with the Zohar in regards to putting on Tefillin. The Zohar states that one should sit when putting the tefillin on the hand and stand for the blessing of the tefillin on the head. The Rema (R. Moses Isserles (1525-1572)) states that it is the custom of Ashkenaz to stand for both. Epstein explains that the Zohar is not establishing a halachah, but rather is discussing a favored practice. Thus although the custom of Ashkenaz contradicts the Zohar, Ashkenazic practice is an established tradition that may be relied upon since it is a valid tradition that carries as much authority as the Zohar's tradition. The contradiction is therefore minimized by downplaying the importance of the Zohar's ruling:

And in truth the gemara does not insist upon this. [The Zohar states that one should say the blessing standing] only because all blessings over mitzvot are said standing but it is not an obstacle to the proper fulfillment of the commandment to not stand. According to this [line of reasoning] there is no reason that the Zohar's ruling should not be followed. Nonetheless all of the great sages of Israel in the previous generations did not follow [the Zohar's custom]

Thus the issue is resolved by seeing the Zohar's ruling as instituting a custom. Customs do not have the same halachic gravity as law. Each community is bound to the customs of its predecessors. Thus the contradiction is resolved by claiming that the Talmud did not rule authoritatively since, in fact, this issue is not discussed in the Talmud. Thus halachah was not established on this point and practice became a matter of custom. The Zohar's ruling thus is really the enumeration of one possible custom. It is therefore permissible for us to follow our own custom.

A more serious problem for him is CII.12. Here the Zohar Chayei Sara seems to directly contradict a Talmudic statement. The Zohar states that one is not to pass within four 'amot (cubits) of one who is praying. This directly contradicts the Talmud in B. Berachot 27a that states that one may not pass in front of one praying. Epstein reconciles this by stating that the specific term used in the Zohar "*W'Oqmohe*" is always used in reference to a citation in some other source. Hence the Zohar must be citing the Talmud and is not contradicting it, but glossing it! He concludes this section by stating that the Zohar uses terse language (*lishna qalila*) as does the Palestinian Talmud. He implicitly sees a continuation of the Palestinian tendency to be terse first attested to in the Zohar continued in a later Palestinian tradition. Again this follows his logic of seeing the Zohar as a tannaitic work.

We see here an interesting phenomenon. Epstein cannot allow the Zohar to directly contradict the Talmud. He then employs a convoluted argument to prove that the Zohar is glossing, rather than contradicting the Talmud. What is most interesting is the parallel he draws to the Palestinian Talmud. He then treats the Zohar in the same way that classical commentaries of the Palestinian Talmud treated it. Just as the classical commentaries try to reconcile the Palestinian Talmud to the Babylonian Talmud, so does he try to reconcile the Zohar to the Babylonian Talmud.

## ***Luria as an Halachic Source***

Epstein's use of Luria's practices as halachic precedents that supercede normal *minhag* depends directly upon his attitude towards dealing with the material from the Zohar. He uses the same principles that the Magen Avraham set forth for the use of material from the Zohar to deal with Lurianic practice. The justification for this extension is the assumption that Luria's practices are deeply imbedded in his knowledge of the Zohar. This, of course, hinges upon the special standing that Luria has within the Kabbalistic world<sup>4</sup>.

Luria is used primarily to establish the validity of a practice that has the force of custom. Again, similar to the use of the Zohar, if there is a direct contradiction between the Lurianic custom and the Talmud, Epstein would need to explain away the contradiction. Epstein uses Luria as either an independent halachic source or as an elaboration upon the Zohar's citation. We now examine examples that highlight Epstein's use of Lurianic precedent. (All the citations are referenced in the appendix.)

Epstein cites Luria's practices in three ways:

1. as precedent
2. as differing from prevailing practice and
3. cases where there are conflicting traditions regarding Lurianic practice.

### **Luria Cited as Precedent:**

Luria is cited as precedent in a variety of cases. There is nothing remarkable in these citations. Epstein treats Luria as he does other halachic sources. Many times he does not cite Luria directly. He attributes his source as the Magen Avraham.<sup>5</sup> An example of this is VIII.17 where Luria is used to support common practice:

There are those that say that the essential aspect of the mitzvah of *tallit qatan* is to wear it on top of his clothes so that he will always see them and remember the commandments, but the custom does not follow this opinion. In addition, they wrote in the name of the Ari, that on the contrary, they need to be under one's garments [Magen Avraham 113 in the name of writings (of Lurianic traditions)].

Luria is used to support a particular practice and undermine the validity of a conflicting practice. In these cases Epstein does not differentiate Lurianic practice, which is based upon Kabbalistic practice, from any other competing halachic tradition.

Epstein also uses Luria as a primary halachic source. An example of this is in his discussion of the proper shapes of letters written on the parchment placed within phylacteries. Epstein cites Lurianic practice twice and uses the same term: "according to the Lurianic tradition" (XXXVI.12, 22). Again we see that Lurianic tradition is placed on an equal footing with other non-kabbalistic traditions.

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<sup>4</sup> Halamish (*Kabbalah In Liturgy, Halakhah and Customs*) p.182, 184

<sup>5</sup> Halamish (*Kabbalah In Liturgy, Halakhah and Customs*), p.41

## **Lurianic custom differs from prevailing practice:**

Epstein tries to minimize the dissonance between Luria's practice and the accepted traditions in cases where the Lurianic custom differs from accepted custom. Epstein accepts Luria as precedent for common practice. Therefore deviation from Lurianic practice needs to be explained. We see this in VIII.10 where Epstein discusses the practice of maintaining the orientation of the tzizit so that the front tzizit are never used as the back. He states "And it seems that in earlier times they did not do this (e.g. orient the tzizit) since they wrote of the Ari that he would not be scrupulous to always put the tallit on the same side". This passage is interesting for two reasons. First it assumes that Lurianic practice was normative. That is to say, Lurianic custom cannot be ignored and if current custom differs, it must be explained. Second it explains the change of custom by attributing the change to the desire to be more scrupulous.

A more serious issue for Epstein is cases where the Zohar and Luria seem to contradict prevailing practice. Epstein holds that in cases of conflict in regards to prayer between Lurianic custom and a community custom, one need not change his custom to abide by that of Luria. It is instructive to look at LXVIII.3:

The Ari did not say *piyuttim* and *pizmonim* (hymns) other than those that were arranged by the rishonim such as Kalir (Eleazar Kalir one of the earliest writers of piyyut who lived between the 7th and 10th century) since these were established on the basis of The Truth. Those customs that are followed in the forms (*nusach*) of prayer should not be changed from the local customs. The reason for this is that there are twelve gates in the heavens parallel to the twelve tribes of Israel and every tribe has his particular gate and custom apart from the [form of prayer] that is mentioned in the gemara that is equally beneficial to all [Magen Avraham].

What makes this so interesting is that this citation of the twelve gates and the additional gate that is the one that allows all prayer is the justification that was used for the introduction of the Nusach Ari which differed from the pre-established customs for prayer in Eastern and Central Europe. Epstein thus turns this source on its head. Epstein sidesteps the controversy about adopting the Nusach Ari and uses the thirteenth gate concept as referring to the idealized form of the talmud's prayer forms. Thus Epstein takes the position that a community need not change custom to conform to Lurianic custom. The community has ample precedent to remain faithful to their received traditions. This acts as a rebuttal to the chassidic practice of using the thirteenth gate as the opening for the Nusach Ari by interpreting the significance of that gate as uniquely the version of the prayers as cited in the Talmud.

## **Conflicting traditions regarding Luria's practice:**

Epstein must also resolve issues of preferred practice when there is a conflict within the tradition regarding Lurianic practice. Epstein cites conflicting traditions in regards to the proper way to wrap tefillin around the arm (XXVII.19). The practice that is followed by Ashkenazic Jewry is not to wrap the strap of the tefillin around the housing. A tradition is ascribed to Luria that one should wrap the tefillin strap around the housing three times to



create the letter shin. Epstein resolves this issue by claiming that this tradition is ascribed to his students, not to Luria directly.

## **Conclusion**

Epstein uses Luria as a legitimate precedent for practice. He does this by building upon the use of the Zohar as a legal source. In those cases where Luria supports the prevailing practice, or there is no precedent for practice other than Luria, Epstein uses him as precedent for an halachic ruling, as he would the Zohar. In those cases where Luria disagrees with common practice, Epstein must find a way to resolve the conflict. His solutions vary depending upon the area of law he is looking at. In cases where he is looking at prayer, he relies upon the thirteen gates to support the variations in customs. In other cases he either finds other opinions to use as precedent or he must find a problem with the assertion that Luria held that practice in contradiction of accepted practice.

## **Appendix**

The appendix lists all of the sections in which the Zohar or Lurianic custom is cited in Volume I of the Orach Chayim of the Aruch Hashulchan. It is divided by function of the citation. In each case we explain the issue being discussed and the purpose of the citation.

### **Zohar**

#### **Zohar cited as a source for halachic practice**

| <b>Citation</b> | <b>Issue Discussed</b>   | <b>Use of source</b>   |
|-----------------|--|--|
| <b>I.6</b>      | Commandment to love God  | No specific source within Zohar cited, used to explain an halachic guideline.                                    |
| <b>IV.7</b>     | Washing hands upon arising- what sort of utensil must be used  | Zohar VaYeshev quoted to support the opinion of the Bet Yosef.   |
| <b>IV.10</b>    | Does one need a revi'it of water to wash one's hands upon rising?  | Zohar VaYeshev cited to support the halachah that one needs a revi'it.   |
| <b>IV.13</b>    | If one rose early and washed their hands before the sun rose, must he wash them again at sun rise?         | Zohar cited to support Beit Yosef.   |
| <b>VIII.1</b>   | Laws of Tzizit establishing that saying the Shema without tzizit is as if one were giving false testimony. | "There are those that write in the name of the Zohar". He cites Zohar Shelach to establish a halachic principle. |
| <b>XXV.5</b>    | Zohar says that it is a great  | Cites Zohar in support of custom. States   |

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|                  | thing to go to synagogue wrapped in a tallit and crowned with the tefillin.  | that Luria's custom not to be one of the first to synagogue in the morning was to ensure compliance with Zohar's practice. But also cites others who hold that the Zohar is not applicable to this case. |
| <b>XXXII.7</b>   | Type of ink to be used in writing tefillin.  | Zohar defines ink to establish the standard followed by the Shulchan Aruch.  |
| <b>XXXIV.7-9</b> | Correct order of parshiot in the tefillin Rashi vs. Rabbenu Tam.   | Quotes Zohar as a hidden midrash that supports one set of disputants in the correct order of the parshiot in tefillin.   |
| <b>XXXV.1</b>    | Number of columns in the tefillin  | Zohar used to explain an preferred practice.   |
| <b>XLVIII.3</b>  | Proper stance for prayer-should one be still or shake when praying?  | States that one should do whatever gives one more focus but cites the Zohar in Pinchas for the reason that Israel shakes when praying and “it is a very weighty reason”.                                 |
| <b>XLIX.2</b>    | Issue is how do we allow the recitation of biblical passages by heart when there is a prohibition to recite biblical passages out loud from memory.                      | Zohar Vayaqhel cited as stating that one cannot recite from memory only when one does it within a quorum to fulfill their obligation of hearing the verses.  |
| <b>LI.8</b>      | Issue is which parts of the morning prayer should be prayed sitting and which parts standing   | Zohar Terumah cited as a source for establishing the correct practice in regards to sitting and standing during the morning prayers.   |
| <b>LII.1</b>     | Proper placement of Shirat Hayam   | Zohar used to support current practice of saying it before Yishtabach as against Maimonides who states that it should be said after Yishtabach.  |
| <b>LXVI.11</b>   | One should not say “Emet” again after the leader repeats “Emet” after the shma.  | Zohar Vayaqhel cited within a citation of Magen Avraham to support the practice within the paragraph “Ezrat Avoteinu” of saying “Emet” but in different sentences.                                       |
| <b>LXVI.13</b>   | If one is praying with a congregation but has not caught up to them, at what point should he wait in his prayers before the end of the final blessing before the Amidah. | Zohar used to support the opinion that one should not complete the blessing Ga'al Yisrael and say Qedushah before he ends the blessing.  |
| <b>LXVI.14</b>   | Should one say Amen after hearing the hazzan say Ga'al Yisrael.  | Zohar cited to support the Shulchan Aruch who says not to answer Amen in distinction to the Rema who holds that  |

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|                   |  | one should say Amen.   |
| <b>LXXV.6</b>     | Issue of which women need to cover their hair.   | Zohar Naso cited as support for the stringent halachic opinion. But Epstein does not rule unequivocally.                           |
| <b>XC.7</b>       | Issue is should one pray by the windows of a synagogue.  | Zohar Pekudei cited to show that the halachah is that one should pray in a synagogue with windows, not necessarily adjacent to it. |
| <b>XC.8</b>       | Issue is that one should pray in a building rather than an open space.                                 | Zohar one of several sources cited in a disagreement regarding praying in open spaces.   |
| <b>XC.18</b>      | Importance of coming early to prayer.  | Zohar seems to claim that the ten of the minyan should try to come simultaneously.   |
| <b>CVIII.11</b>   | Issue of what one does if he misses the minchah prayer. Should he say 'Ashrei between the two Amidahs. | Zohar cited to support the opinion of the Magen Avraham as opposed to the Rema not to say 'Ashrei.                                 |
| <b>CXI.2</b>      | Issue is whether one says Amen between the blessing of Ga'al Yisrael and the 'Amidah.                  | Zohar cited to support opinion of Caro that one does not say Amen.   |
| <b>CXXVIII.49</b> | Issue is whether single priests can say the priestly blessings.  | Zohar brought in support of the opinion that single priests cannot say the priestly blessings.                                     |

### **Zohar in contradiction with established practice**

| <b>Citation</b> | <b>Issue Discussed</b>   | <b>Use of source</b>  |
|-----------------|--|---|
| <b>XXV.20</b>   | Issue is whether one should stand or sit when putting on tefillin.                           | Cites Zohar that states that one should sit when putting on the tefillin on the hand, but stand for the tefillin on the head. States that this was not the custom in Ashkenaz. There the tefillin are put on standing. The Zohar is re-interpreted so as not to directly contradict established practice. |
| <b>CII.12</b>   | Issue is what is the proper protocol for passing someone who is in the middle of the Amidah. | Zohar Chayei Sarah has a position in conflict with the Talmud. Zohar states that it is not permitted to come within four 'amot of one who prays the amidah. Epstein discusses and forces a reconciliation.  |
| <b>CXIX.2</b>   | Epstein discusses issue of adding fixed requests within the                                  | States that those who cite the Zohar to show that it approves of this practice  |

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|  | Amidah. | are mistaken since the Zohar does not address the issue of using a fixed form for the request and therefore not in contradiction with the established practice that forbids inserting fixed forms into the 'Amidah. |
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## **Luria**

### **Luria cited as precedent**

| <b>Citation</b> | <b>Issue Discussed</b>   | <b>Use of source</b>  |
|-----------------|--|---|
| <b>VIII.17</b>  | Issue is should tallit qatan be worn as an undergarment.                                   | Cites Ari to show that one should wear as an undergarment.  |
| <b>XXI.6</b>    | Issue is whether one needs to remove the tallit qatan when lying down to rest.             | Quotes Magen Avraham citing Ari as precedent for not having to remove a tallit qatan when lying down to rest.                     |
| <b>XXXVI.12</b> | Issue is the proper calligraphy for the vav in tefillin.                                   | Ari source for halachah regarding shape of vav for tefillin specifically (rather than for a torah).                               |
| <b>XXXVI.22</b> | Issue is the proper calligraphy for the tzadiq in tefillin.                                | Ari source for shape of tzadiq for tefillin.  |
| <b>LVI.9</b>    | Issue is whether one must stand for the Qaddish.   | Ari used to support practice of not standing for Qaddish unless already standing.   |
| <b>LVI.9</b>    | Custom of reciting specific verses as a response to portions of the Qaddish.               | Ari used to support practice of not saying verses in between the latter stanzas of the Qaddish.                                   |
| <b>XCV.5</b>    | Issue of the proper posture to assume during the Amidah.                                   | Cites Luria as the source of a tradition for the proper body positioning in Amidah.   |
| <b>CI.7</b>     | Issue is whether one can raise their voice so that others can hear them during the Amidah. | Ari follows the Zohar and would not raise his voice during prayer other than Pesukei DeZimra on Shabbat (cited in Magen Avraham). |
| <b>CXXV.4</b>   | Issue is whether one's legs must be together for the Qedushah.                             | Ari was meticulous about positioning his legs together during the Qedushah.   |

### Lurianic custom differs from prevailing practice

| Citation | Issue Discussed  | Use of source  |
|----------|--|--|
| VIII.10  | Issue is whether the tallit should be worn so that the same two tzizit are always in the front.                              | Cites Ari's practice was not to insist on having the tzizit always oriented so that the same two are in the front and the same two are in the back. Also uses this to prove that one should not use an Atara of silver or gold since wearing one would have shown the front versus the back. |
| XXV.5    | Cites Zohar's tradition that one should walk to the synagogue wrapped in tallit and tefillin.                                | Luria would not be among the first to the synagogue since people came before dawn and thus before the time for tallit and tefillin. Epstein explains away Luria's practice versus prevailing custom of arriving early by stating Luria's reasons, including personal health issues.          |
| XXV.18   | Issue of whether one should put on the tefillin on one's head before wrapping the tefillin strap of the hand around the arm. | Cites practice of Luria to wrap the tefillin around forearm before putting on the tefillin on his head. Epstein then cites other authorities for hidden (e.g. kabbalistic) reasons for this practice.  |
| LXVIII.3 | Issue of whether one can add piyutim into the body of the liturgy.   | Ari would only say piyutim that were written by the early writers of piyutim such as Kalir, but people should hold to their customs.   |

### Conflicting traditions regarding Luria's practice

| Citation | Issue Discussed   | Use of source  |
|----------|---|--|
| XI.20    | Whether one should make one or two holes in the tallit through which the tzizit are threaded. | Conflicting traditions regarding Luria's practice in tying the knots of the tzizit as to whether one uses one hole or two holes.   |
| XXVII.19 | How should one wrap the tefillin straps around the housing of the tefillin of the hand.       | Ari cited as holding the opinion that one should wrap the tefillin strap three times around the housing of the tefillin of the hand. This is contrary to Minhag Ashkenaz. Epstein resolves this conflict |

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|  |  | by ascribing this opinion to one of his students. |
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