

Music In Halachic Perspective

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For a number of reasons, there has been in the halacha a significant restriction of musical expression. This presentation will analyze aspects of the prohibitions against musical expression and enjoyment, including the talmudic sources, the interpretations of the *Rishonim*, and the various alternative ways to understand the *Rishonim*. This will lead us to an understanding of the various positions taken by the *poskim*, positions which are very divergent. I will attempt to relate our discussions to the varieties of musical experience that exist in our time.

Sources of the Ban

A) The Mishna in Sotah and the Yerushalmi

The Mishna *Sotah* 9:11 states that: "from the time that the Sanhedrin ceased to function, there ceased to be music [alt.: song] at *beit haMishtaot*."

There are four questions which we must ask concerning the statement in this mishna.

1. When did the Sanhedrin cease to function?
2. Wasn't the ban instituted after, and as a result of, the *Churban* [the destruction of the Second Temple]? Yet we read in the Mishna that the cessation of music occurred when the *Sanhedrin* ceased to function!
3. Precisely what is a "*beit haMishtaot*?" Does the term refer

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to a place of banquets and parties of any sort, or is it specifically wedding banquets?

4. Why does the Mishna say that music "ceased", implying that it was a passive phenomenon? Was this something that just happened spontaneously as a reaction to the loss of the Sanhedrin [or the Temple], or was it a deliberate rabbinic decree actively promulgated to ban musical expression?

There is some controversy as to the date alluded to in the Mishna. R. Yitzchok Isaac Halevy in his *Dorot HaRishonim* [l.c. 62ff] says that the Mishna here refers to the year 57 when the Great Sanhedrin lost its authority as a result of measures taken by the Roman general, Gabinius. On the other hand, others say that this refers to the statement in *Sanhedrin* 41a that forty years before the destruction of the Temple, the Sanhedrin was exiled from its official place. This "exile" reflected a loss of authority and control. It occurred in the year 30. In any case, it seems that the limits set for musical expression were in place before the actual destruction of the Temple in the year 70.

The Rambam, however, in *Yad HaChazakah, Hilchot Ta'anit*, 5:14 writes that the ban against various forms of music was due to, and occurred after, the *Churban* of the Second Temple.¹ It is possible that the Rambam is not referring to the specific event of the destruction of the Temple itself, but rather to that time frame generally. After all, the Sanhedrin's loss of authority and power was an initial stage in the process of *Churban*.

On the other hand, it is possible to explain the Rambam and answer questions four and two at the same time. Perhaps the depression which set in after the Sanhedrin ceased to function properly led to a natural abhorrence of all musical expression which was joyful and buoyant. That is why the passive tense is used in

1. The *Charedim*, Negative Mitzvot of Rabbinic Origin, ch. 3 and ch 5:5, reiterates the Rambam's position that the ban was decreed after the Second Temple was destroyed. (Parenthetically, the *Charedim*, paraphrasing the Rambam, interprets the Rambam as does the *Ma'aseh Rokeach*, to wit: vocal music is also prohibited even when not with wine and drink. See the discussion of this below.)

the Mishna. It happened naturally and spontaneously, not by rabbinic fiat. Only after the Temple was destroyed and a period of mourning set in did the rabbis of that day actually decree a ban against musical expression and enjoyment.

In fact, this approach would explain the expression “*beit HaMishtaot*” in the Mishna, which has been interpreted by the Meiri (to tractate *Sotah* 48a) to refer specifically to *wedding* feasts. The Meiri bases his approach upon the Yerushalmi *Sotah* 9:12 [24b]. The Yerushalmi tells us that at first, when the fear of the Sanhedrin kept the people in line, they would never utter vulgarities in their songs, but now that the fear of Sanhedrin is no longer there, the Sanhedrin being powerless, they do utter vulgarities in their songs. If this is the case, the Mishna is dealing specifically with wedding celebrations. These celebrations were always fraught with danger because there was a gathering of men and women specifically for wine and song, in order to make bride and groom rejoice. It had always been difficult to control the singing and the dancing from becoming vulgar and totally inappropriate to the sanctity of the marriage and the solemnity of the wedding. Nevertheless, when there was a powerful Sanhedrin, the Sanhedrin controlled the wedding festivities and made sure that the singing, though joyous, remained appropriate to the purpose of the gathering. But when the Sanhedrin lost its authority, the wedding celebrations became transformed into vulgar and excessive spectacles. To combat such vulgarities, there was a natural rejection of wedding singing altogether. This was not a rabbinic decree. It was, rather, a spontaneous reaction to a problem manifest at weddings.

B. The Discussion in *Sotah* [48a] and in *Gittin* [7a]

According to the Yerushalmi and the Meiri, the Mishna does not refer at all to the ban on music due to mourning for the loss of the Temple, but rather deals exclusively with the problems of singing at wedding feasts. The discussion in *Sotah* which evolves out of the Mishna deals with music out of a concern for morals and ethical behavior and a life of sanctity. It does *not* deal with music in the context of mourning for the lost Temple.

On the other hand, according to the Rambam, there was also an actual ban against various musical expressions which was adopted on account of the *Churban* and in its aftermath. This decree is mentioned only in Tractate *Gittin* [7a] which tells us that Mar Uqba was asked whence we know that singing is prohibited. He answered: because of the verse in Hosea [9:1]: "Do not rejoice, O Israel, as the other nations rejoice." The Rambam's ruling is based almost completely upon the passage in *Gittin*, rather than the one in *Sotah*.²

I believe that the Rambam recognized this difference between the two passages. In a Responsum, he reflects the perspective of the discussion in *Sotah*. But in the *Yad*, *Hilchot Ta'anit*, 5:14, he reflects the perspective of the discussion in *Gittin* and states explicitly that the ban was on account of the *Churban*. This would help us understand the differences between the Responsum and the *Yad*, as we shall explain later.

The Opinion of the Meiri — The Ban is not on Account of the Churban

Although the distinction we have just made between the two talmudic texts is logical enough, and may be the position of the Rambam and others, nevertheless it is definitely not the position taken by the Meiri. A careful analysis of the Meiri's comments reveals that the Meiri *does not know altogether of a post-Churban ban enacted against music*.

The Meiri seems to be echoing the approach of the Rif

2. My distinction between the two *sugyot* as well as my distinction, in the Rambam, between the Responsum and the *Yad*, are blurred by the citations of the Gaon of Vilna in his glosses on *Orach Chayim* # 560, q.v. But see my explanation of the Rambam, as opposed to the Meiri. Such an explanation would fit the GRA's citations.

That the *sugya* in *Gittin* (7a) refers to the post-*Churban* ban on musical expression of various sorts, is corroborated by the other post-*Churban* ban mentioned in the same *sugya* — the ban against the special crowns worn by the groom at his wedding. The Rambam, too, puts them all together in *Hilchot Ta'anit* in the context of the laws of Tish'a B'Av.

[*Berachot* ch. 5, p. 21b], who is himself paraphrasing a responsum of R. Hai Gaon. The *Geonim* generally seem to follow this approach: The ban is not on account of the *Churban* but out of fear of vulgar and lewd expression.

The *Geonim* permitted the singing of religious songs over wine, and the Rambam accepts this position. However, one gets the impression from the Rambam both in the *Yad* as well as in the Responsum that he is not in full agreement with the *Geonim*. In the *Yad* he writes at the end of *Hilchot Ta'anit* 5:14: "It has already become customary for all of Israel to sing songs of thanksgiving to G-d, and similar songs, over wine." Rambam speaks of custom. He is not incorporating this into the basic halacha which he presents in 5:14. In his Responsum,³ the Rambam gives a similar impression. He argues there that those who rely on the *Geonim* to permit all sorts of songs at parties are grossly mistaken. The *Geonim* dealt only with songs of praise to G-d, not secular songs. The manner in which the Rambam refers to the *Geonim* leaves some doubt as to whether he fully underwrites their position.⁴

Music after the Churban – the Approach of the Maharal of Prague

More than many other aspect of life, the absence of musical expression creates a void which can become oppressive. There is no

3. Blau edition # 224 = Freiman # 370.

4. The Rambam is quoting the Rif (*Berachot*, ch.V) who is tentative. The Rif first cites the opinion of the *Geonim* and then adds that it has become the custom in all Israel to sing songs of praise to G-d at parties "and we haven't seen anyone object." This is not the same as clearly stating this position as absolute halacha. For the Rif, the corroboration of the *Geonim's* opinion is the very fact that it has become accepted universally.

I believe that the hesitation of both the Rif and the Rambam is rooted in the issue of singing over wine. Is it prohibited on account of the *Churban*, as the Rambam does indeed maintain? If so, perhaps even "religious" songs are included. If the reason for the ban against singing over wine was not the *Churban* but rather the fear that such singing, since it is over wine, would evolve into vulgarity and lewdness, as the *Geonim* do indeed maintain, then the ban would not apply to religious songs.

The *Tur* (*Orach Chayyim*, 560), seems to support the position of the *Geonim*

society in which music does not play a significant role, whether in religious expression or secular. According to the Maharal of Prague, in his work on *Churban* and *Galut* entitled *Netzach Yisrael*, the ban against music was, indeed, a deliberate attempt to create just such a void in life. According to the Maharal, the text in *Gittin 7a* regards the ban against music as a natural and necessary response to *Churban*.

It is the Maharal's thesis, at the outset of chapter 23, that mourning is a response to loss in a truly existential sense. *Churban* cannot be localized. It is impossible and improper for us to view the *Churban* as a loss specific to Yerushalayim, or to Eretz Yisrael, or even to the Jewish nation alone. *Churban* is a world-wide phenomenon. It has cosmic ramifications affecting totally both the material and spiritual planes of existence. Our people's mourning is a mourning for this cosmic loss.

The Maharal argues further, that mourning is not only a reaction to loss, it is also a recognition of loss. Without such awareness there can be no renewal. Absence allows for ultimate return; that which is yet incomplete allows for fulfillment. If we regard our world as complete and our cup as full, we do not allow for the process of becoming and we shall not strive for completeness. Joy is an expression of completeness. Music was banned where it allows for such joy.

This is why there is no difference, according to the Maharal of

and cites their opinion fully. The *Mechabber* (*Orach Chayyim* 560), however, merely quotes the Rambam's words in the *Yad*.

[Parenthetically, there is some discussion as to the opinion of the *Geonim* about songs at weddings. The *SeMag*, *Hilchoth Tish'a B'Ab*, cites the *Geonim's* opinion as follows: As far as singing is concerned, there is a prohibition in *Beit HaMishtaot* only if the songs are secular. However, if the songs are religious, that is, if the songs are in praise of G-d, then they are permitted — even at parties and over wine. All songs are permitted at weddings, even those that do not praise G-d. So the *Geonim* are cited also in *Hagahot Maimoniyot to Yad HaChazakah*, *Hilchoth Ta'anit*, 5:14 (# 4, 5). This is also the opinion of *Yam Shel Shlomo*, but see *Yam Shel Shlomo's* discussion as to the opinion of the *Geonim* themselves. (*Yam Shel Shlomo*, *Gittin*, 1, 17.) See also my comments in note # 23.]

Prague, whether the music is with drinking or without. *Au contraire*, music without drinking should be banned all the more! In fact, the reason the Mishna in *Sotah* cited above mentions “*beit HaMishtaot*” specifically, is to make sure that we are aware that this too was included under the ban. We might have thought that since the ban means to limit our joy, a joy which comes from deliberate musical expression would be prohibited, but that musical expression which serves only as background filler for drinking and socializing, was permitted. To make sure we understand that the ban extended to background music as well, the Mishna singled out music at the banquet hall, “*beveit HaMishtaot.*”

Summary

There are two *sugyot* (talmudic discussions) about music – one in *Sotah*, the other in *Gittin*. The *sugya* in *Sotah* is more elaborate, but hardly mentions instrumental music, and then only with wine. The *sugya* in *Gittin* mentions both instrumental and vocal music. The Mishna in *Sotah* refers to the Sanhedrin. It is possible that there was a natural avoidance of musical expression after the authority of the Sanhedrin was weakened, but the actual ban decreed by the Rabbis was declared after the Second Temple was destroyed. According to the Rambam, the ban is on account of the *Churban*. The Maharal explains that music was banned to limit joy and create a sense of incompleteness. This sense is the fundamental response to *Churban*. Rashi also explains the ban in terms of *Churban*. According to the Meiri, on the other hand, the ban was not on account of *Churban*. The ban sought to prevent frivolity and lewdness which might attend, in certain instances, when music is played or songs are sung.⁵

5. It is interesting to note a similar dispute regarding the talmudic dictum (in tractate *Berachot* 31a) that one should not be excessively joyous in this world. There is a difference of opinion in the commentaries. Rabbeinu Yonah, to Rif, ad loc., offers both opinions. Some say that it is on account of our mourning after the *Churban*. But others say – and this is the opinion of R. Yonah himself – that this prohibition was in effect even when the Temple was standing. Excessive joy makes one forget one’s mission and purpose in life, i.e., the performance of

Music and Halacha as Expressed in the Three Codes

All the halachic codes place the prohibitions regarding music in the context of various other prohibitions enacted after, and on account of, the destruction of the Second Temple.

1 – Rambam, Yad HaChazakah

We find in Rambam, *Yad, Hilchot Ta'anit* 5:14, as follows:

So too [that is, besides various other decrees] they [the Rabbis at the time of the destruction of the Second Temple] decreed that no one play upon musical instruments; moreover, it is forbidden to rejoice with, or listen to, all kinds of music and all that produce the sound of music — and even singing of voice alone, over wine, is forbidden as it is written: "with song they shall not drink wine" [Isaiah 24:9].⁶ It has already become customary for all of Israel to say words of praise or songs of thanksgiving to G-d, and similar songs, over wine.

We will offer various interpretations of these words of the Rambam later in this study.

2 – Tur, Orach Chayim

Similarly, in the code of Jewish law called the *Arba'ah Turim*, by R. Yaakov b. R. Asher, *Tur, Orach Chayyim* 560 (which is at the end of the laws of *Tish'ah B'Av*) we read:

mitzvot and the study of Torah. In some future time, when the evil inclination will be destroyed, there will be opportunity for absolute joy. The *Taz* [to *Orach Chayyim* 560, 7] distinguished between a *simchah shel mitzvah*, in which case absolute joy would be appropriate if the Temple was standing, and other *semachot*. See also *Kaf HaChayyim* to *Orach Chayyim* 560, # 39. [For more sources on this, see R. Ovadiah Yosef's responsa *Yabi'a Omer*, IV, *Even Ha'Ezer*, # 9.]

6. The Rambam cites the verse from Isaiah 24 "They shall not drink wine with song" because it is the verse mentioned explicitly in the *Mishna Sotah* 9:11. I believe that the Rambam quoted this verse for another reason as well. This verse and its context deal with the *Churban* and its ramifications. Since the Rambam considers this ban as a *post-Churban* reaction, he quotes this verse. It is much

They [that, is the Rabbis after the destruction of the Second Temple] forbade all forms of music, both instrumental and vocal. Now Rashi [in his comments to Tractate *Gittin* 7a] explains the prohibition as referring to the playing at parties ["*leshorrer beBeit haMishtaot*," that is, in a place of drinking and merrymaking; during feasts, festivities and celebrations at which drinking and singing go together]. Tosafot explain that it is prohibited, even without partying or feasting, for someone who listens with regularity such as is found in the Yerushalmi [*Megillah* 3:2] that the Exilarch arose and went to sleep to music, that is, they would make music for the Exilarch as he went to bed and as he arose in the morning. Yet from the wording of the Rambam, it would seem that it is forbidden to hear instrumental music under *all* circumstances, whereas song [vocal without instruments] is forbidden only with wine. However, [this latter point seems to be contradicted by the Rambam himself for] he himself says in a responsum that even with respect to vocal music it makes no difference whether it is with wine or without [i.e., it is always prohibited]. Also there is no distinction between songs in Hebrew or in Arabic. Of course, *a fortiori*, it is forbidden to hear lewd expressions even when they are not in the context of poetry or song. When do we say this [that songs are forbidden], only if they are songs of affection, such as songs which praise a handsome person for his beauty, and the like, but songs of praise and thanksgiving [to G-d] while drinking wine are permitted.

3 – Shulchan Aruch, Orach Chayyim

The third, and final, code which we cite is the *Shulchan Aruch* of R. Yosef Karo, *Orach Chayyim* 560:3. It states:

more patently about the *Churban* than is Hoshea 9:1. This may also explain why the *sugya* in *Gittin* 7a queries as to why Mar 'Uqba sent the verse of Hoshea 9:1 rather than the verse of Isaiah 24:9.

So too they decreed against the playing of musical instruments and all forms of music and all that produce sound of music to rejoice with. Moreover, it is forbidden to listen to them. All this is on account of the destruction of the Temple.

Here there is a gloss of the Ramo who qualifies the above:

There are some opinions that the prohibition against musical instruments is only for those who listen with regularity such as the kings who arise and go to bed with musical instruments, or for musical instruments at parties and feasts [that is, where there is drinking].

The *Shulchan Aruch* continues:

And even songs [vocal music] with wine is forbidden as it is written "With song they shall not drink wine" [Isaiah 24:9]. It has already become the custom of all Israel to utter, over wine, words of praise or songs of thanksgiving and commemorations of G-d's kindnesses.

Here there is a second gloss of the Ramo which adds:

And so too for the purpose of a mitzvah, such as in the house of a groom and bride, it is *all* permissible.

The initial impression that one would have of the opinions of Rav Karo and the Ramo is that there are two differences of opinion as to the extent of the prohibitions decreed:

1) The "*Mechabber*", R. Yosef Karo, forbids all use of musical instruments (both playing them as well as listening to them) *under all circumstances*. R. Moseh Isserles (Ramo), permits playing and listening to musical instruments as long as it is *not done with regularity*, and as long as it is *not in the party hall*, that is with wine and drinking. The *Mechabber* follows the Rambam, and the Ramo follows the Tosafot. We will see that there are alternative approaches to both the Rambam and Tosafot which would lead to different conclusions than those of the *Mechabber* and the Ramo.

2) It would appear from his silence that the *Mechabber* forbids

all use of musical instruments (both playing as well as listening to them) under all circumstances, even in the context of mitzvah. R. Moshe Isserles permits playing and listening to musical instruments *even over wine and in the party hall* whenever the rejoicing is for the sake of a mitzvah such as the rejoicing for a groom and bride. However, after we have analyzed carefully the opinions of the Rambam, the *Tur* and the *Mechabber*, we will see that in the matter of music at a mitzvah function, such as a wedding, they all agree with the Ramo.

Three Approaches to the Rambam

1 — Kneseth HaGedolah

The words of the Rambam, cited above, have been interpreted in diametrically opposite ways by the commentaries. *Kneseth HaGedolah*⁷ offers a possible approach that regards the words "over wine" as a qualifier which should be attached to *each* of the segments of the prohibition mentioned in the Rambam. According to *Kneseth HaGedolah*, the Rambam has no prohibition against music, instrumental or vocal, *unless it is while drinking*.⁸

2 — Ma'aseh Rokeach

*Ma'aseh Rokeach*⁹ on the other hand, interprets the Rambam to opposite effect — playing upon musical instruments or listening to such music is always prohibited. Moreover, singing alone even without instrumental accompaniment, is always forbidden, as is listening to such singing. *Ma'aseh Rokeach* argues that the passage in the Rambam should be understood as follows: "... and singing of voice alone, even if over wine, is forbidden." The meaning of it is this: Although singing and drinking go together naturally, and are

7. Chayyim Benvenisti, Commentary (publ. 5418) on the *Tur Orach Chayyim*, # 560.

8. This approach to the Rambam is also taken by R. Yisroel Meir Mizrachi in his responsa *Pri HaAretz* 1, p. 92d.

9. R. Mas'ud Chai Rokeach, Commentary (publ. 5502) on the *Yad HaChazakah* (loc. cit.).

typical of parties and feasts, nevertheless this singing still qualifies as *excessive* rejoicing and is forbidden after the Temple's destruction. According to *Ma'aseh Rokeach's* view of the Rambam, if music and singing over wine was prohibited, then, *a fortiori*, playing instruments or singing which are *not over wine* were prohibited.

As we have seen, precisely this interpretation of the halacha is offered by the Maharal of Prague in his *Netzach Yisrael*, ch. 23.

Indeed, the *Bach* in *Tur Orach Chayyim* #560, comes to the same conclusion:

However, [notwithstanding the words of the Rambam in *Yad Hachazakah*], he [the Rambam] himself says in a responsum that even with respect to song [vocal music] it makes no difference whether it is with wine or without [it is always prohibited].

3 — The Rambam According to the Tur

We have offered, thus far, two opposing interpretations of the position of the Rambam:

- 1) *Knesseth HaGedolah* —
 - a) instrumental music is forbidden only over wine.
 - b) singing is forbidden only over wine.
- 2) *Ma'aseh Rokeach* —
 - a) instrumental music is always forbidden.
 - b) singing is always forbidden.
- 3) There is a third possibility in the Rambam:
 - a) instrumental music is always forbidden.
 - b) singing is forbidden only over wine.

This approach is taken by the *Tur, Orach Chayyim* (560).

In the approach of both the *Knesseth Hagedolah* and the

10. It seems that the *Orchot Chayyim* [of R. Aharon HaKohen of Lunel, *Hilchot Tish'a B'Av* # 14] also follows this approach to the Rambam. The *Orchot Chayyim* maintains that the use of musical instruments is inherently prohibited. Thus one would not be able to sing songs of praise to G-d to instrumental

Ma'aseh Rokeach there is no distinction made between instrumental and vocal music. Music can be made either way — the voice is also viewed as an instrument which produces musical sounds. They argue only whether the decree was aimed against music per se, or was it aimed against music in the context of merrymaking.

The *Tur*, however, understood that musical instruments were treated differently than songs.

Reconciling the Responsum with the Yad, Hilchot Ta'anit

The *Tur* has pointed to an apparent contradiction in the Rambam's writings. The Rambam's Responsum seems to say that all singing is prohibited, even without wine.

... There is no difference between vocal music and playing instruments or humming tunes. Whatever brings a person to gaiety of the spirit and its stimulation is forbidden, as they have said. And they [the Rabbis] based their words upon the prohibition of the prophet (Hoshea 9:1) who said: "Do not rejoice, O Israel, in the manner of the joy of the nations."

The concern about straying from G-d's service because of music is a post-*Churban* concern. This is what the Rambam means when he says the ban is "on account of the *Churban*." Not that the ban was introduced as a way of mourning after the Temple which was destroyed, but rather that the *Churban* brought on a re-evaluation of rejoicing and the service of G-d.

accompaniment, even if no wine was being drunk. He is very stringent on this point citing that the authority for this is from a verse in the prophets [Hoshea 9:1] and "*divrei kabbalah keDivrei Torah*." He does permit "music" at weddings, but it seems that he means only singing, not instrumental music.

The *Orchot Chayyim*, *ibid.*, says also that plain singing [without instruments] of songs whose themes are secular (that is, not in praise of G-d) is generally forbidden (even without wine!). The only exception is the worker who sings during work to lighten his labors. (Note that the use of "*Shirei 'Agavim*" in the *Orchot Chayyim* cannot include illicit love songs. They would be forbidden in all cases on account of their innate vulgarity. What he means is the same as the *Geonim* when they refer to secular songs.)

We are still left with several questions. If the Rambam feels that singing without words is prohibited because it is subsumed under the ban against music, then why does he prohibit songs (with words) only with wine?

The answer seems to be that the Rambam has a large category of songs that are permitted. The texts of these songs include moral lessons, suggestions for religious improvement, paeans of praise to G-d, and the like. The Rambam in his commentary to *Avot* states explicitly that such songs are permitted, even recommended! However, even this category is permitted only if there is no drinking. If there is drinking, then the category becomes forbidden under the rubric of Isaiah 24:9 ("they shall not drink wine with song").¹¹

From this perspective in the Rambam, even songs of praise to G-d should not be permitted while drinking. But the Rambam adds in the *Yad*: "It has already become customary for all of Israel to say words of praise or songs of thanksgiving to G-d, over wine."

Note that the Rambam does not say explicitly that songs of praise to G-d are permitted. He says that that is the accepted custom. It would seem therefore that, in principle, these songs should also have been prohibited, since they are over wine. But the practice of *Klal Yisrael* expressed itself to the contrary.

There is no contradiction whatever between the Responsum and the *Yad*. Songs can be prohibited under the category of the ban against music only if the texts of those songs are undesirable. But if the texts are desirable, then the moral lesson and the inspiration gained by them transforms these songs totally. This is true because

11. I should add that this prohibition is really a prohibition against drinking with song (as opposed to a prohibition against singing while drinking). The verse is structured to this effect ["they shall not drink wine with song" is different from "they shall not sing while drinking"]. This prohibition is a separate aspect of the ban as is made quite evident from the Rambam's responsum where he writes that if the person hears a lewd song with instrumental accompaniment and it is while drinking, that person violates four prohibitions. 1 – He has heard lewd words; 2 – he has heard instrumental music; 3 – he has heard singing of the lewd words; and 4 – he has heard this while drinking. The fact that it is while drinking makes it a distinct violation on account of the drinking itself.

the ban against music on account of the *Churban* was really a ban against improper gaiety and vulgarity. If the music conveys a positive didactic message through the words in the songs, then the ban never applied.¹² However, if such songs were sung while drinking wine, then they ought to have been prohibited not on account of the singing, but on account of the drinking of the wine. This seems to be the Rambam's fundamental opinion. But in practice, he cites custom as sanction for following the opinion of the Geonim and permitting songs of praise to G-d, and their like, over wine.

Weddings – A Stringent Approach to the Rambam

In *Yad, Hilchot Ta'anit*, 5:14, the Rambam does not mention wedding celebrations at all. It is quite possible that at wedding celebrations instrumental music is still prohibited, even though this will temper the rejoicing of groom and bride. It is also possible that singing the praises of the bride and groom would not be permitted over wine, even though there is no instrumental music. The only thing permissible would be the song of praise to G-d which custom has made acceptable even over wine.

According to this stringent approach, there could not be any instrumental music at any *simcha shel mitzvah*, not even at weddings.

There is a more lenient interpretation of the Rambam possible, and this is the approach which the *Tur* and the *Mechaber* seem to

12. The Rambam's commentary on *Avot* states clearly that certain songs are permitted, and even recommended. In his comments to *Avot* 1:16, the Rambam goes into a discursus on the three varieties of speech: recommended, permitted and forbidden. He then outlines a fourth category: "desirable speech." This category includes words in praise of noble traits of character and high morals as well as words in denigration of ignoble character, as well as "the arousing of the spirit to this effect (that is, to a deeper appreciation of what is desirable and good) through orations and songs." Obviously, such songs are actually recommended!

Further in the same commentary to *Avot*, the Rambam writes that what he has written with respect to speech, dividing it into four categories, applies equally to songs. Songs can be permitted, even recommended. They can also be forbidden.

take with respect to the Rambam's words. Still, it is the aforementioned, more stringent, approach to the Rambam which led the rabbis of Jerusalem to declare a ban on instrumental music at weddings.

Music at Weddings and the Jerusalem Ban

The rabbis of Jerusalem, in the second half of the nineteenth century, declared a self-imposed prohibition upon the Jewish community in Jerusalem (not in the rest of Eretz Yisrael) forbidding the use of instrumental music at weddings (with the exception of a solitary drum to keep the beat for the singers). Being that this was their understanding of the Rambam and being that they were in Jerusalem, at the very site of the destruction of the Temple, they decreed that the opinion of the Rambam should be followed there, although there might be other, more lenient, opinions. For them the destruction of the Temple was an ever-recurring reality.

It is fascinating to note that the Sefardic community in Jerusalem, although in most matters following the opinion of the *Mechabber*, R. Yosef Karo, who regularly follows the Rambam, never accepted the Ashkenazi rabbis' ban and continued to use

It all depends on the subject matter. The language of the song is irrelevant. What matters is the *content* of the song. The Rambam comments that he has seen wise and pious Jews who will protest loudly if they hear songs in Arabic sung at a social gathering or at a wedding, even if the subject matter of such songs is quite appropriate and proper. Yet these same men will not protest at all, nor find inappropriate, any song sung in Hebrew, regardless of the subject matter and even if the words are most inappropriate or even forbidden. The Rambam considers this distinction between Arabic and Hebrew to be the ultimate foolishness, albeit Hebrew is the holy tongue. [See Rambam in *Moreh Nevuchim* 3:8 who speaks about language and the sanctity of language and the effects of lewd and licentious language. He speaks there of our need to cleave to the spiritual, etc.] Songs which are permissible are permissible in other languages too, and songs which are forbidden are forbidden even if in Hebrew.

It is quite evident from the above that the Rambam knew of songs which were *not* forbidden. Indeed, it would seem that there are songs (and contexts for such songs), which are, in fact, *recommended!* Since the Rambam, in his responsum, draws explicitly from his commentary to *Avot*, it is clear that when he wrote the responsum he was referring to only certain types of songs.

musical instruments at weddings, as before.¹³

It seems that some time after the ban went into effect, there was a great effort to increase the singing at the weddings to make up for the lack of instrumental music. The women, who were with the bride in a separate room, apart from the men, sang so loud that some Rabbanim, recent arrivals to Jerusalem from Europe, objected on the grounds of "*Kol Isha*" and apparently sought to have the ban revoked. Moreover, these European Rabbanim, who were accustomed to *klezmer* at weddings, felt that music at a wedding was absolutely essential in order to rejoice with the bride and groom. They cited the famous *psak* of the Maharil (R. Yaakov Moelin, Ashkenazi authority, late 14th century), *Hilchot Eruvei Chatzeirot*, quoted in *Baer Hetev to Orach Chayyim* 338:3,) who insisted that if in a certain town, in which a wedding was to take place, they were under a royal edict forbidding musicians to play at the wedding, then the wedding party must go to another town and celebrate the wedding there — with music. The Maharil's conclusion

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13. A few historical notes are appropriate here. The driving force behind the Jerusalem ban was the author of *Imrei Binah*, Rav Meir Auerbach [5575-5638], known, even when in Jerusalem, as the Kalisher Rav (whence he emigrated to Eretz Yisrael). He was a pre-eminent authority of halacha and a powerful inspiring factor in the Old Yishuv. He had come to Jerusalem a wealthy man, and he used his funds and expended his energies for the good of the Yishuv. The "Brisker Rav," Rav Yehoshua Leib Diskin, another eminent authority of halacha and giant of Torah, a leader of the Yishuv who arrived in 5637 a year before the Kalisher Rav died, supported the Kalisher Rav's ban.

Apparently, the ban must have been of an oral nature to begin with, for a generation later Rav Yosef Chaim Sonnenfeld is queried about the ban and informs his correspondent, R. Shlomo Sobel, that: "the ban was, as I have heard, instituted by the author of the *Imrei Binah*. [*Salmath Chayyim*, I:77; IV:34; V:40]."

It is said that the ban was instituted in reaction to the cholera epidemic which ravaged Jerusalem in 5625. Rav Yosef Chaim Sonnenfeld insists that this ban is to be treated very seriously, and adds that one who ignores it risks divine punishment, citing *Shabbat* 110, q.v. [ibid.]

According to Rav Elyashiv the ban was meant only for the Old City of Jerusalem, not the New. (Vide. *Beth Chathanim*, p. 160, n. 12.) On the other hand, it is reported in the name of Rav Shneur Zalman Ashkenazi, the author of

was used by R. David Horowitz in Responsa *Imrei David*, #162, to allow for musicians to play at a wedding which took place on the fast day of the tenth of Tevet.¹⁴ Rav Sonnenfeld responds by insisting upon the ban since the Temple destroyed lies before their very eyes.

Does the Jerusalem Ban Apply to Music from Records or Cassettes?

Rav Sonnenfeld is asked (*Salmath Chayyim* I:77; IV:34; V:40) whether the ban applied to musical instruments only or to record players as well. (The same question applies, of course, to cassette recorders, etc.) If it *does* apply to recorded (canned) music, does it apply only to recorded instrumental music or to recorded *vocal* music as well? The query asks, in effect, whether the recorded voice is to be regarded as vocal music, as if the singing was live right now, or as instrumental music since it is coming out of a machine rather than from a human.

Rav Sonnenfeld replies very tersely that "certainly, this is also included." As Rav Waldenberg (in *Tzitz Eli'ezer* XV, #33, part 3)

the responsa *Torat Chesed* (emigrated towards the end of his life from Lublin to Jerusalem and was the Rav of the chasidim there; d. 5662), that the ban extended *beyond* the walls of the Old City. This seems to be corroborated by an eyewitness who maintains that the "test case" of the ban occurred in the Bokharan Quarter, which was outside the walls of the Old City.

A parenthetic remark: A biographical sketch from that era informs us that after the Jerusalem ban was enacted, the klezmer musicians lost a good many jobs, as they could no longer play at Ashkenazi weddings.

Among the Sefardim of the Old Yishuv in Jerusalem there was a custom for musicians to play as the bride was accompanied to the mikvah before her wedding. The musicians played at the wedding and also all seven days after. The *Motsoei Shabbat* of this week of *Shev'a Brachot* was an especially festive time. Y. Stuchevsky, in his book *HaKlezmerim* [Jerusalem, 5719], writes that at Ashkenazi weddings (after the ban) there was a somber atmosphere, which was only partially mitigated by the "*badchanim*" who tried to cheer the assembled. There were also two drummers at each wedding, one drummer for the men and another, a young girl, for the women who feasted in a separate room, away from the men.

14. See also Responsa *Yabi'a Omer*, *Yoreh De'ah* No. 31.

points out, since the question to Rav Sonnenfeld was really two questions in one, it is difficult to know whether Rav Sonnenfeld's responsum was addressed to both questions or only to the first. That is, we can be certain that recorded instrumental music is included in the ban, but was recorded singing regarded as singing and permitted, or as instrumental music and prohibited? Rav Waldenberg maintains that recorded voice should be regarded as vocal music rather than as instrumental music, and permitted under the ban.

Rav Waldenberg maintains, also, that even if Rav Sonnenfeld is right about the record player, the cassette recorder should be permitted, regardless of the kind of music it plays (instrumental or voice), since such a machine did not exist at the time of the ban and was therefore not included in the ban.

Certainly, it would have been plausible to permit both machines and to argue that the ban was against live music only. There is definitely a difference in the attitude that a person has, and the very nature of his rejoicing, if the music comes canned or from a live band.¹⁵ The purpose of music at a wedding is not to offer the music to listeners for their aesthetic appreciation, nor even for their entertainment. Its purpose is solely to stimulate and arouse the enthusiasm of the assembled so that they might rejoice fully. There is, therefore, a great deal of difference whether there is a live source playing the music, with whom the assembled can identify and whom they can join, and canned music which is distant and inherently less stimulating.

Logically, then, it would be appropriate that the ban was against live music only. But, if the ban was against the recorded music of the record player, it should apply also to the cassette recorder. It is hard to support Rav Waldenberg's distinction between the record player and the cassette recorder, since they are both machines and since they both accurately reproduce musical sound.

15. This should be true even if the band is made up of inferior musicians and the recording reflects great talent and is played on excellent equipment.

Rav Waldenberg, to support his position that the cassette recorder does not fall under the ban, since it did not yet exist at the time of the ban, cites, by the way of analogy, the opinion of Rav Yaakov Breisch (in Responsa *Chelkat Ya'akov*, I, #62, par. 2). Rav Breisch argues that listening to instrumental music over the radio is permitted as it does not fall under the post-*Churban* prohibition against music. Since the radio did not exist at that time, it cannot be included in the prohibition. Rav Breisch proceeds to distinguish between the radio, on the one hand, and musical instruments such as the piano, which did not yet exist at the time of the *Churban*, on the other. Since no specific instruments were singled out when the prohibition was decreed, it is clear that musical instruments were banned as a category.¹⁶ This category would therefore include all subsequently developed instruments. However, it would not include the radio whose category as a *reproducer* of music did not then exist at all.¹⁷

Rav Waldenberg wishes, by analogy, to apply this principle to the Jerusalem ban. However, it seems that the analogy is inappropriate because the category of reproducers did already exist since the record player existed. Therefore the analogy would require that the cassette recorder should be included as well. If the ban would have specifically permitted the record player, for the reasons given above, then, of course, the cassette player would also be permitted. However, since we follow the opinion of Rav Sonnenfeld, who was much closer to the sources of the Jerusalem ban, and we prohibit the record player, then we would have to prohibit the cassette recorder as well.

It goes without saying, that the electronic synthesizer should

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16. A most appropriate parallel exists in a responsum by R. Sa'adia Gaon. Rav Sa'adia is asked whether or not the prohibition applied only to the four instruments mentioned in Isaiah 5:12. R. Sa'adia Gaon declares that all instruments are prohibited and the four most popular instruments were mentioned in the verse because they are the best known.
17. This is my inflection of Rav Breisch's explanation. He himself reasoned that the radio's sound derives from a distance and one cannot see the player. Thus the radio is unique even if one listens to live, rather than recorded, music.

also be included, regardless of the fact that it too did not exist at the time of the ban. An instrument is an instrument.

An Alternative, More Lenient, Approach to the Rambam

We have suggested above that a plausible interpretation of the Rambam's opinion forbids instrumental music in all situations — *even at weddings* — on account of the *Churban*. This was the source for the Jerusalem ban. Is this the opinion of the *Tur* and the *Mechabber* who follow the Rambam here (as opposed to the Ramo, who follows the Tosafists)? It cannot be, for the *Tur* and *Mechabber* cite the Rabiah's opinion that it is permitted to tell a non-Jew to repair and to play musical instrument at a Shabbat wedding. The *Tur* and the *Mechabber* may not agree with the Rabiah in every detail, with respect to the laws of Sabbath, but it remains evident that they accept the fundamental assumption that instrumental music at weddings is most appropriate.¹⁸

Neither the *Tur* nor the *Mechabber* are of the opinion that the Rambam prohibits instrumental music at weddings. They feel that the Rambam, in *Hilchot Ta'anit*, did not address the issue of wedding music altogether. When the Rambam, and subsequently the *Tur* and the *Mechabber*, mention that all of Israel are singing, over wine, songs of praise and thanksgiving to G-d, they are

18. The *Tur* himself, in *Orach Chayyim* 560, does not make any mention of music at weddings. [We quoted the *Tur*, verbatim, earlier.] I believe that this is because the *Tur* is dealing in 560 with secular contexts only. He refers to the Tosafists and the Rambam, but sees a controversy between them only with respect to musical instruments in a *secular setting*.

What about music in a *mitzvah* setting? The *Tur*, who is silent on the matter here, in ch. 560, reveals his opinion about instrumental music at weddings, that is, music in a religious context, by quoting the Ra'abiah in ch. 338.

This assumption as to the opinion of the *Tur* and the *Mechabber* is further corroborated explicitly by the words of the *Mechabber* in his *Beit Yosef* commentary to *Tur Orach Chayyim*, 560. Here, in *Tur* 560, *Beit Yosef* quotes the *Tur's* citation in 338 of the Ra'abiah. [The *Bach* makes the same point.]

When R. Yosef Karo redacted the *Tur* and created the *Shulchan Aruch*, he followed the *Tur's* format in ch. 560 and dealt only with secular contexts, relying on his own citation of the Ra'abiah in *Shulchan Aruch Orach Chayyim*, 338:2, to reveal his opinion about wedding music.

referring even to get-togethers which cannot be classified as *simchot shel mitzvah*. Nowhere, in *Hilchot Ta'anit* or in *Orach Chayyim*, is there a discussion of singing at weddings.

This approach is corroborated explicitly by the code of R. Mordechai Yaffe. In his *Levush HaChur*, 560:5, he cites the Rambam practically verbatim and then adds:

So too mitzvah music, played to make the groom and bride rejoice at the *chuppah* — both instrumental as well as vocal — is permitted.

Clearly, then, the *Levush* maintains that even according to the Rambam wedding music is permitted. This is why the Sefardim of Jerusalem, even though they follow the Rambam and the *Mechabber*, did not accept the Jerusalem ban. They took this more lenient approach to the Rambam because it is the approach of the *Tur* and the *Mechabber*. This is also the approach of such recent authorities as Rav Moshe Feinstein, who follows the Rambam and *Bach*, with regard to music, and still allows for musical instruments at weddings and any other *simcha shel mitzvah*.¹⁹

The Ramo's Approach to Tosafot — Limiting the Prohibition

Let us turn now to the views of Rashi and the Tosafists. The *Tur* explains their opinion:

Rashi [to Tractate *Gittin* 7a] explains the prohibition as referring to the playing at parties "in the *house of feasting*", that is, in a place of drinking and merrymaking. Tosafot explain that it is prohibited, even without partying or feasting, for someone who listens with regularity, such as is found in the Yerushalmi [*Megillah* 3:2] that the Exilarch arose and went to sleep to music, that is, they would make music for the Exilarch as he went to bed and as he arose in the morning.²⁰

19. See *Iggerot Moshe*, I, # 166.

20. *Tur Orach Chayyim* 560.

The Ramo cites this opinion in *Shulchan Aruch, Orach Chayyim* 560:3 as follows:

There are some opinions that the prohibition against musical instruments is only for those who listen with regularity such as the kings who arise and go to bed with musical instruments, or for musical instruments at parties and feasts [that is, where there is drinking].

What is the Opinion of Rashi?

It seems clear from the above citations from the *Tur* and Ramo that the opinion of the Tosafists is that only *certain* instances of instrumental music are prohibited. Thus the Tosafists are in this matter most definitely in disagreement with the Rambam. Is Rashi also in disagreement with the Rambam? From the manner in which Tosafot cite Rashi, it would seem that he is.

That Rashi allows instrumental music when there is no drinking, contrary to the Rambam, is stated explicitly by the *Divrei Chamudot* (a commentary on the Rosh by R. Yom-Tov Lippman Heller), *Berachot*, 5:1. Nevertheless, it is the contention of Rav Moshe Feinstein, zt"l, that Rashi's interpretation of the prohibition is *not* a reflection of the final outcome of the halacha.²¹ According to Rav Feinstein, even the Rambam must explain that "*Zimrah*" in *Gittin* 7a means: "in the *house of feasting*", just as Rashi explained it, although the final halacha according to the Rambam prohibits instrumental music even without feasting. [Rav Feinstein admits (ibid.) that his contention about the Rambam's interpretation of *Gittin* 7a is contrary to the position taken by the *Divrei Chamudot*.]²²

21. See *Iggerot Moshe*, I, 166.

22. It is clear from Rashi's own words in several places that the prohibition is not restricted to "*Beit HaMishtaot*." See Rashi to *Sotah* 48a as he explains that R. Huna banned music from "their homes and the *Beit haMishtaot*." Rashi included their *homes* too! See also Rashi to *Chagigah* 15b. The *sugya* there tells us that Acher strayed from the true path and was not protected by the Torah which he had studied so diligently, because Greek song did not cease from his home. Rashi

The Tosafists' Approach According to the Bach

What is the common denominator of the prohibition according to the Tosafists? The *Bach* (ibid.) explains that according to Tosafot (and Rashi) there is absolutely no distinction between vocal or instrumental music. Whenever either occurs with wine, or whenever either occurs with regularity it is forbidden. Otherwise they are permitted.

Is the Rashi-Tosafot Position More Lenient than the Rambam's?

It is clear from the Ramo's understanding of Tosafot, that the Tosafists allow for a wider latitude than the Rambam. Whereas according to the Rambam all instrumental music is forbidden, according to the Tosafists instrumental music is forbidden only in certain situations such as with partying or on a regular basis, etc. This is grounded in the premise that the Exilarch, whose story is the prime source for the Tosafists, had musicians at his bedside who were *playing instruments*.

Since the Ramo refers exclusively to *instrumental music*, it seems that he understands that, according to Tosafot, vocal music is always permitted, save over wine.

However, it is definitely possible to interpret the statements of Tosafot as does the *Bach* (cited above). That is, that according to Tosafot (and Rashi), there is absolutely no distinction between vocal or instrumental music. Whenever either occurs with wine, or

there comments that "he should have desisted from it on account of the destruction of the Temple, for it is written 'They shall not drink wine with song' (Isaiah 24)."

(Maharsha, ad loc., wonders why "Greek" song is mentioned specifically. He also wonders why this violation of listening to music after the *Churban* would impair the protection of Acher's Torah. Maharsha rejects Rashi's approach and suggests instead that the music Acher was listening to had texts which were antithetic to Torah and to Jewish thought. These texts affected Acher because he was inspired by the music and did not resist the subtle message carried by the words. Nevertheless, it seems that Rashi has support in his understanding of cause and effect from the *sugya* of *Sotah* 48a: It causes Torah to be forgotten in Israel, etc., q.v.)

whenever either occurs with regularity, it is forbidden. Otherwise they are permitted. This is the second possible approach to Tosafot.

We have offered the approach of the Ramo to Tosafot and the alternative approach of the *Bach* to Tosafot. According to the text of the Tosafot itself, it would be possible to interpret that instrumental music is forbidden. It is possible that Tosafot understood that in the Yerushalmi's tale of the Exilarch there were vocalists singing without instrumental music. This is, I believe, also the *Yam Shel Shlomo's* interpretation of Tosafot! Such an approach would make the Tosafists (and Rashi, by extension), more extreme and more stringent than the Rambam.²³

From this it is clear that Rashi's opinion is that music is forbidden on account of the *Churban*. Furthermore, Rashi regards music in one's home in the same light as music in *Beit haMishtaot*. (I believe that this is the intention of *Gilyon Hashas* of R. Akiba Eger to Rashi *Gittin* 7a. He wishes to point out that Rashi in *Gittin* does not mean only *Beit HaMishtaot*.) Moreover, Rashi interprets the song of the *Gardai* (*Sotah* 48a) as song which is solely for amusement. And such song is prohibited *even without wine*. Thus it is clear that Rashi in *Gittin* 7a does not mean "*Beit HaMishtaot*" literally.

From all these Rashi texts, it is evident that Rashi conceived of a prohibition against vocal music, not only at a party, with the drinking of wine, but in other contexts also. This seems to contradict the understanding of the Ramo and the *Tur* as to Rashi's position. Ramo will have to explain that vocal music at home meant, according to Rashi, singing while drinking wine at home. The *Gardai* will have to be explained in the same way. They sang for amusement *and therefore with wine!* The ones who sang to keep up the pace of the oxen, or the like, did not drink with their singing. This interpretation is difficult.

23. A careful reading of the following section in the *Yam Shel Shlomo* — that is, # 18 — does not allow us to corroborate either position. But there is a line in this section of the *Yam Shel Shlomo* — # 17 — which seems to support the more stringent understanding of the Tosafot. When the *Yam Shel Shlomo* wishes to prove that all kinds of singing is permitted at the wedding, and not merely songs of praise to G-d, he argues that a wedding allows any music which causes rejoicing for the bride and groom. "After all," he adds, "instrumental music itself was permitted only to make the bride and groom rejoice." This would seem to support the position that unless it is wedding music, *all* instances of instrumental music are forbidden. There is the possibility that the *Yam Shel Shlomo* is referring to instrumental music which is played to cause joy, etc., and not to all kinds of instrumental music, but at best it is a moot point.

If, indeed, the *Yam Shel Shlomo* is of the opinion that Tosafot prohibits all instrumental music, then, obviously, the three categories of permitted music, which the *Yam Shel Shlomo* suggests, refer only to vocal music. *Yam Shel Shlomo* will not apply his distinctions to instrumental music. Only insofar as *vocal* music is concerned, will the *Yam Shel Shlomo* permit it if "it is occasional, or to listen to a pleasant sound, or to hear something new." Instrumental music would be forbidden, across the board.

Toward Some Conclusions

According to every opinion there is some prohibition against music. The most lenient opinion allows singing, and listening to others singing as long as it is not accompanied by drinking. There is some difference of opinion about the precise definition of "drinking." Does it mean partying (that is, drinking only) but drinking during meals is not included, or is drinking in any context whatsoever included? If it is a *se'udat mitzvah*, singing is permitted even while drinking. According to many opinions, even instrumental music is permissible at a *se'udat mitzvah*. This is certainly so at weddings where the music helps create the joy that surrounds bride and groom. There is a possibility that if the text of a song is pedagogic, teaching a religious or moral lesson, or offering praises to G-d, then the singing of such a song is permitted with wine.

The widest latitude, as far as instrumental music is concerned, might be provided by the *Yam Shel Shlomo*. His three permissible categories, in a contemporary frame of reference, might allow classical or jazz concert-going, as well as listening to instrumental music. It is more likely, however, that these categories apply to *vocal* music only, and that according to the *Yam Shel Shlomo*, vocal music is permitted only if "it is occasional, or to listen to a pleasant sound, or to hear something new." Instrumental music is forbidden across the board. The Ramo would then remain as the most lenient position with regard to instrumental music. Instrumental music would be permitted as long as it is not pursued excessively or with great regularity. Still, the Rambam, *Tur*, and *Mechaber* seem to prohibit instrumental music across the board. Every authority

forbids music and song which is in a lewd and vulgar context, and even more so when the context brings men and women together.

As far as the radio is concerned, there is some question as to whether it was included, so to speak, in the ban to begin with. If it was, then the question is whether songs over the radio are subsumed under the rubric of vocal music or instrumental music. There is also a similar question about recorded music on records and cassettes.

Let us examine the halacha as it appears in the writings of *poskim* of our time.

a) Recent Decisions

Rav Moshe Feinstein, *zt"l*,²⁴ concludes that a sensitive person ('*ba'al nefesh*') should take the Rambam's responsum into account and avoid all singing. However, he adds, the halacha follows the Rambam's approach in the *Yad*, which, according to Rav Feinstein, dovetails with the opinion of Tosafot. All instrumental music is forbidden. Singing is permitted unless it is over wine or with great regularity and frequency.

Rav Ovadiah Yosef²⁵ cites as a rule of thumb in halachic decision, that if there is a contradiction between the *psak* of the Rambam in the *Yad* and his *psak* in a responsum, we follow the *Yad*. He adds, however, that according to the *Bach*, there is no such contradiction here, because the *Bach* will reinterpret the *Yad* according to the responsum, so that the Rambam is consistently stringent in the matter of singing.

Rav Binyomin Silber²⁶ is asked whether the *Mishnah Brurah*, who cites some stringent opinions, is writing the halacha as it must be practiced, or can we be more lenient?

Rav Silber responds that from the fact that the authorities seem to complain about current practice, it appears that they demand a change to the more stringent position. Rav Silber adds

24. *Iggerot Moshe*, I, *Orach Chayyim*, # 166.

25. *Yechaveh Da'ath*, I, # 45.

26. *Responsa Az Nidberu*, VIII, # 58.

that singing happy songs to prevent one from becoming melancholy, singing to banish sadness, etc., should be permitted even according to the *Bach*, provided that this does not become an excuse to do away with the ban against singing altogether.

We have seen that the opinion of several contemporary authorities is to take the position of the Rambam as interpreted by the *Bach*. This would eliminate nearly all instrumental music and a good deal of singing. But we have seen also that most people's behavior reflects the opinion of the Ramo.

Rav Eliezer Waldenberg²⁷ points out that the opinion of the Ramo was accepted, in effect, by Jews everywhere, who listen to musical instruments and teach their children to play them. He cites R. Ya'akov Chagiz, *Halachot Ketanot*, I, #9, who declares, as a general principle in halacha, that Divine Providence would not allow Jews everywhere to follow an erroneous individual opinion. If custom has followed a certain opinion, it is most probably correct. Rav Waldenberg adds that this is certainly the case here, with respect to music, since the opinion followed is none other than that of the Ramo, whose rulings are followed by Ashkenazi Jewry everywhere.

R. Ovadiah Yosef²⁸ maintains that the opinion of Rashi and Tosafot and others allows instrumental music as long as it is not in conjunction with drinking. He follows the Ramo's approach to Rashi and Tosafot, according to whose opinion it is possible to play instruments as long as it is not on a regular and frequent basis. R. Ovadiah Yosef then cites the responsum of R. Aharon Epstein (*Kapei Aharon*, #52) who says essentially the same thing and who adds that there may be a difference between someone who is playing or listening to music for its aesthetic, intellectual appeal as opposed to someone who is playing or listening to derive amusement and pleasure. Perhaps only the latter is prohibited. I have heard through an oral communication from a *talmid* of the Rav, that HaRav Soloveichik, *Shlita*, said he agreed with this approach and that Rav

27. Responsa *Tzitz Eli'ezer*, XV, # 33.

28. Loc. cit.

Dovid Tzvi Hoffman was of the same opinion.

Rav Yechiel Ya'akov Weinberg, although he does not elaborate, discusses the German Jews' habit of offering secular musical concerts in their synagogues. He maintains that these concerts are prohibited, in general. But it has become customary for the Jews of Germany to attend such concerts and it is difficult to admonish them (and have any positive impact). However, they certainly ought not to be held in the sacred confines of the synagogue.²⁹

b) Practicing a Musical Instrument

Rav Waldenberg contends further that the discussion about playing or listening to music is relevant only if the purpose is enjoyment. But if someone studies an instrument for the sake of learning a trade or a skill, so that he might later play at a wedding or other *simcha*, then it is definitely permitted according to everyone. Even a mourner is permitted to practice his professional musical repertoire and sharpen his skills, because he is preoccupied with his technical proficiency and does not pay any heed to amuse himself with his music. Thus, R. Moshe Schick in his responsa (Maharam Schick, *Yoreh De'ah*, #368, end) writes that a mourner for a parent is permitted, during the twelve-month period of mourning, to study his musical instrument and practice thereon, so that he may earn a living as a musician. (See also the list of authorities cited by R. Ovadiah Yosef in his responsa *Yechaveh Da'ath*, I, #45, p. 133.) So too the *Pri Megadim* permits a Jewish musician to play for non-Jews at their party even during the nine days of Av.³⁰ Thus the actual study of a musical instrument, or the

29. Responsa, *Sridei Esh*, II, # 12. This responsum deals with the question of musical instruments in the synagogue services. See also the halachic articles in the German Orthodox weekly, *Israelit*, 1862, # 2, 3, 4 and, inter alia, Rav Dovid Zvi Hoffman, responsa *Melamed LeHo'il*, # 16.

30. The *Mishnah Brurah* cites the *Pri Megadim* and offers another opinion which permits the same but only from the seventeenth of Tammuz until the first of Av, not during the nine days of Av. See the sources cited in *Kaf HaChayyim, Orach Chayyim*, 551 par. 39.

practice of that instrument, poses no problem at all, according to Rav Waldenberg.

c) For Little Children

Will those who follow the Rambam and the *Mechabber* to prohibit instrumental music prohibit it even for little children? The *Shiltei HaGibborim* to Rif, *Berachot*, 5:1, says explicitly that it is forbidden to play musical instruments even for little children. However, it is not clear if he means to lull them to sleep, or to make them happy.

With respect to singing, we know that the notion of ulterior motive is important. Workers who sing to keep up the rythm of their work, to maintain an even speed, to guide animals in the field, etc., are permitted to sing. In the same vein, *Maamar Mordechai* to *Orach Chaiyyim* 560, #2, (also quoted in *Mishnah Brurah*, *Orach Chaiyyim*, 560, and *Kaf HaChaiyyim*, *ibid.*) allows lulling a child to sleep with songs as long as the content is not inappropriate to the proper raising of children. He cites the *Shelah* and others about the potential damage to the child if love songs are sung to him.

d) Music During Meals

The *Mishnah Brurah*³¹ in a comment on the words of the Ramo, cites the *Pri Megadim* (ad loc.) who says that it is appropriate to correct those who have their meals while there is music in the background. There is, according to some authorities at least, a difference between live music and recorded or broadcast music.³²

There is an implicit assumption in the *Mishnah Brurah* that eating one's meal to music is prohibited. The author of the *Mishnah Brurah*, in *Sha'ar HaTziyun*, *ibid.*, qualifies this by adding that this refers to meals where wine is being drunk. Moreover, he cites the

32. See *Dvar Shaul* to *Sotah*, ch. 73, who rejects such distinctions outright. Music is music; recorders and other electronic media are musical instruments too. But see R. Ovadiah Yosef in *Yechaveh Da'ath*, I, # 45, footnote on p. 133.

Ramo's gloss to the *Mordechai, Gittin*, #314,. In that segment, Tosafot are quoted as saying that since the prohibition is not to rejoice in the manner of the Gentiles, it is not prohibited to have meals to music. Only if one is drinking wine while *not eating food* is it prohibited to listen to music. In other words, partying, having cocktails, drinking at a bar, and the like, are included in the ban, but not eating a meal to music (even if wine is being served at the meal). Rav Ovadiah Yosef³³ explains that the meal prevents the one who drinks from becoming intoxicated. Therefore the singing is not in a context which can cause loose abandon and vulgarity.

e) Recorded Music

Rav Waldenberg (loc. cit.) was also asked about recorded music. He responds essentially as Rav Feinstein does.³⁴ Recordings reflect the category of the original music. Recordings on record or tape of vocal music are to be regarded as vocal music. Recordings of instrumental music are to be regarded as instrumental music. Rav Waldenberg adds that during the days of *Sefirah* between Pesach and Shevu'oth as well as during the Three Weeks, all manner of recordings, instrumental or vocal, should be avoided.

Rav Chayim David HaLevy³⁵ declares that he sees absolutely nothing wrong with listening to recordings of classical or modern music. Songs which are set to music where the primary purpose is the musical quality of the songs (the words strung together for their rhythmic, alliterative or sonorous effects) are permitted, but not songs whose content, in whole or even in part, is improper. This applies even to songs in a foreign language which is not familiar to the listener. As long as there is even a remote possibility that someone listening might understand the words, it is forbidden to acquire recordings of such songs.

Church music, with or without words, is forbidden. This Rav HaLevy bases upon the Ramo to *Orach Chayyim* 53:5 and the

33. *Yechaveh Da'ath*, I, # 45.

34. *Iggerot Moshe* responsa, I, *Orach Chayim*, # 166.

35. *'Aseh LeCha Rav*, III, ch. 4 [p. 16 ff.].

commentaries, ad loc. He adds that it applies even to music which was once used by the Church even if it is no longer used. Secular music written by a wicked person, such as Wagner, is permitted as long as it does not endorse evil in the language (verbal or programmatic) of the music itself.

With respect to recordings of a woman's voice singing songs, etc., Rav HaLevy points out that there are several opinions. Some authorities regard recordings to be the same as live performance and forbidden. Other distinguish between recordings which are permitted and live broadcasts over the radio, which are forbidden. He finds it difficult to comprehend the logic of this distinction. Still other authorities permit listening to recordings and radio as long as the listener does not know the woman singer personally. Rav HaLevy adds that with newspapers, magazines and television making singers popular, their pictures and identities are known throughout the land and it is quite possible that under these conditions most authorities would agree that it is forbidden to hear the voice of a female performer singing on recordings or over the radio. Needless to say, television is inherently forbidden according to this approach, since the viewer watches the performer while he is listening to her voice.³⁶

Rav HaLevy adds that the previous discussion about recordings or radio deals only with occasional listening. Concertgoing must be studied with respect to the post-*Churban* ban against music and the various positions must be analyzed. He hesitates to formulate his opinion since it is better to leave Jews doing what they do in error rather than admonish them to no avail.³⁷

f) Over the Radio

Rav Ya'akov Breisch³⁸ remarks, with disapproval, that most

36. For more references and a full discussion of this question, see Rabbi Binyomin Chorney's article in the *Journal of Halacha and Contemporary Society*, X (Fall, 1985), pp. 57-76.

37. For this reason, the *Bach* writes, we do not admonish women who sing at their work. See *Bach to Tur Orach Chayyim*, # 560.

38. *Chelkat Ya'akov I*, # 62 par. 2.

Jews are not careful about many of the prohibitions on account of the *Churban* which are mentioned in *Orach Chayyim* 560. As far as music on the radio is concerned, it is possible to rely on the opinions of Rashi and Tosafot which allow musical instruments, as long as they are not being heard at a drinking party and as long as they are not heard with such regularity and frequency as would lead to excessive enjoyment or amusement. Rav Breisch adds that even if we were to follow other opinions about musical instruments, we may still regard the instance of the radio as unique. Since the radio, and the notion of radio transmission, did not exist at the time of the post-*Churban* decree, the radio may be regarded as never having been subsumed under the ban. Rav Breisch agrees that all new musical instruments (such as an electric piano, or a synthesizer, for that matter) would be included under the ban; still, there remains a difference between new instruments and the radio. There is a common denominator to all instruments, namely, that the player plays the instrument in the listener's presence. A radio can transmit music electronically over long distances and the player can be hundreds of miles away. It is inherently, essentially, and categorically different.

Rav Breisch adds, however, that the content of songs on the radio has to be proper. Lewd and vulgar songs, love songs and the like, are improper and it is forbidden to listen to them (or hear them as poetry, without the music). Rav Breisch adds that hearing a female vocalist over the radio is prohibited. This is consistent with Rav Breisch's position that it is forbidden because of "*kol isha*" to listen to the electronic reproduction of a woman's singing.

In Rav Moshe Feinstein's opinion (loc. cit.), the radio is essentially in the same category as the music that is being played through it. Therefore, if it is a voice singing, it is regarded as purely vocal music and is permissible (unless it is at a party with wine, or listened to with regularity). If, however, instrumental music is heard on the radio, it is regarded as instrumental and is forbidden.

At first, Rav Silber (loc. cit.) makes the same distinction that Rav Feinstein and Rav Waldenberg make. The radio is to be treated according to the nature of the source itself. But then Rav Silber suggests that insofar as the ban is concerned, we might regard vocal

music over the radio as instrumental music. This would apply, by extension, to recordings of the voice, as well. The radio is an instrument which produces music which sounds like the human voice. This instrument, called the radio, gives much pleasure and entertainment. It ought to be included in the ban against instruments. (Rav Silber is inclined to think this way in spite of the fact that he regards the female voice over the radio as *kol isha*.³⁹ It is *kol isha* and "instrumental" music at the very same time!) Rav Silber is generally very negative about listening to the radio and adds that, besides any other problem, a lot of time is wasted listening to the radio that could have been spent constructively, studying the Torah.

g) During Sefirah and the Three Weeks

Rav Feinstein, as we have seen, follows the more stringent opinions about instrumental music. Rav Feinstein adds, at the end of his responsum,⁴⁰ that those who take a more lenient view regarding instrumental music, should refrain from such music during the *Sefirah* days of mourning between Pesach and Shevu'oth. Undoubtedly, he means to include, a fortiori, the Three Weeks period of mourning between the seventeenth of Tammuz and the ninth of Av, and says so explicitly in a later responsum.⁴¹

h) Music at Weddings — Some Further Comments

It is appropriate to note, parenthetically, that because the pur-

39. See his commentary *Beit Baruch to Chayye Adam*, klal 10, p. 196. Rav Silber discusses the radio here too and is consistently stringent. He cites the various opinions and then says that it is best not to have a radio altogether. It is certainly wrong to play the radio when music is on, and whoever turns the radio on is in the category of "a sinner who also causes many others to sin." Besides the inherent prohibition there is also "bittul Torah," etc.

40. Loc. cit. This is repeated in *Iggerot Moshe, Orach Chayyim III*, # 87. There he writes that one can teach someone to play an instrument even during the *Sefirah* period if it is one's livelihood, but not for pleasure.

41. *Iggerot Moshe, Orach Chayyim IV*, # 21, q.v. This point is made by several decisors. See, e.g., Rav Aharon Epstein in responsa *Kapei Aharon*, # 52. See also the list in Rav Ovadiah Yosef's responsa *Yechaveh Da'ath*, VI, # 34.

pose of the live band at weddings is to make the wedding lively and stimulate dancing and rejoicing, the band has great responsibility. The musicians can guide the wedding celebrants in several, and very different, directions. They can promote a joy which G-d Himself approves, or they can be excessive and vulgar, thus abusing the verses of the Torah which they sing.⁴²

Considerations about the possible impropriety of wedding dances with musical accompaniment led some authorities to limit music at weddings.⁴³ But most authorities tend to emphasize the importance of music at weddings, as is evident from the episode, cited earlier, at the time of the Maharil.

That music is essential to the wedding celebration is made evident in the famous opinion of the Ra'abiah⁴⁴: It is permitted for a Jew to tell a non-Jew to play upon musical instruments, on Shabbat, at a wedding celebration, for there is no joy to the groom or bride without music. This opinion is cited by the *Mechaber*⁴⁵ adding that it is even permitted to tell the non-Jew to repair his instrument so that he might play at the wedding. According to many authorities this leniency applies only to weddings and not to other *simchot shel mitzvah*. Music at weddings is essential, at *simchot shel mitzvah* it is merely appropriate.

i) Music — At Weddings Only, or at any Simcha Shel Mitzvah?

The *Kaf HaChayyim*⁴⁶ rules that instrumental music is permitted for a wedding only, because of the special nature of rejoicing at

42. See, inter alia, *Sdei Chemed*, (VII, p. 27 ff.), *Ma'arechet Chathan V'Kallah*, par. 12; *Aruch HaShulchan*, *Even Ha'ezer*, 65:3; *Mishnah Brurah* and especially *Biur Halachah*, *Orach Chayyim*, 338:3. See also *Yam Shel Shlomo*, *Gittin*, I, 17 and especially 18.

43. See *Likutei MaHaRik*, v. 3, p. 130, who writes that he heard that the Maharam Schick advised all who would listen to have their weddings without music. He feared the consequences of the dancing to music with men and women together.

44. Cited by *Mordechai*, *Betzah* # 696, in the name of Rav Avi 'Ezri, who is Ra'abiah = R. 'Eliezer ben R. Yoel Halevi, the great Ashkenazi Tosafist of the late 12th century.

45. *Orach Chayyim* 338:2, q.v.

46. *Orach Chayyim*, 560, # 34.

a wedding. But this would not apply to a *brit milah* or at a *pidyon haBen* and the like. He concludes, however, that the custom is to be lenient in this and provide music for all *simchot shel mitzvah*.

R. Chayyim Yosef David Azulai⁴⁷ allows for musicians to be brought to a *brit milah* even though the infant's mother is within the thirty-day mourning period for her father.

Rav Feinstein⁴⁸ agrees that music is permissible at all *simchot shel mitzvah*.

It is permissible to play musical instruments to rejoice on *Chol HaMo'ed* and it has become customary to do so even in Jerusalem. It is also permitted to play musical instruments to enhance the celebration of Purim.⁴⁹

Kabbalat Shabbat

R. Avraham Emden mentions in his work *Tzror HaChayyim* [4d] that there was a custom in Prague to play upon musical instruments to announce the oncoming Shabbat or Yom Tov. This was done in order to create a joyous atmosphere so that the people would receive these holy days with joy and enthusiasm. In the Great Synagogue of Prague they would recite *Mizmor Shir l'Yom HaShabbat* twice. The first was to the accompaniment of music and the second, which signaled the actual *kabbalat Shabbat*, without any accompaniment.

Bar-Mitzvah and Bat-Mitzvah

It is customary to have musicians at a Bar-Mitzvah celebration, which is, of course, regarded as a *se'udat mitzvah*. This is certainly true of the *se'udah* held on the very same day that the boy becomes bar-mitzvah.⁵⁰

47. Responsa *Chayyim Shaal*, I:21.

48. *Iggerot Moshe*, I, *Orach Chayyim*, # 166.

49. Rav Ovadiah Yosef, *Yechaveh Da'ath*, I, # 45, p. 132.

50. See *Yam Shel Shlomo* to tractate *Baba Kama*, VII, # 37 based on the story about R. Yosef in tractate *Kiddushin*, 31a. See also *Magen Avraham* to *Orach Chayyim* 225:4. *Magen Avraham* adds that if the boy delivers a Torah talk, a *drashah*, then a *se'udah* on any day after he becomes bar-mitzvah is to be regarded as a

What about music at a bat-mitzvah celebration? We must first determine the nature, in halachic terms, of such a celebration. Rav Moshe Feinstein maintains that a girl's celebration is different than a boy's, and thus cannot be regarded as more than a birthday party.⁵¹ According to his opinion, a band of musicians would be out of place at a bat-mitzvah. Rav Feinstein (in *Iggerot Moshe, Orach Chayyim* I, #166) is also hard pressed to allow music at a Yeshiva fund-raising dinner. He argues, at first, that the banquet and the *simcha* are not, in and of themselves, a mitzvah. They are, rather, just a means of gathering people together and getting people to give money for charitable purposes. But then he reasons that since the dinners and banquets usually honor those who give charity and support institutions, they might be considered mitzvah occasions. He concludes that, if possible, those who arrange these banquets should forego music; but if it is not possible, it is permissible.

It is therefore quite clear from Rav Feinstein's opinion regarding the fund-raiser, that he would not permit a band to play music at a bat-mitzvah party. However, there are authorities who differ with Rav Feinstein regarding the nature of a bat-mitzvah celebration. According to those who do regard the bat-mitzvah celebration as a *se'udah shel mitzvah*, music should be appropriate (as long as the form and the content of the music is suitable).

j) Records and Tapes of "Jewish" Music

As far as listening to tapes of songs about Judaism or songs in praise of G-d, which have instrumental accompaniment, R. Ovadiah Yosef remarks⁵³ that there are several indications to be lenient. First, "most *poskim* maintain that musical instruments are forbidden only with wine" and perhaps the halacha is with them (although this is not the Rambam's opinion). Second, perhaps the

se'udat mitzvah. The celebration of a bar-mitzvah is likened to the celebration of a wedding.

51. Responsa *Iggerot Moshe, Orach Chayyim* I, # 104.

52. See the thorough discussion in Rav Ovadiah Yosef's responsa *Yechaveh Da'ath*, II, # 29.

53. *Yechaveh Da'ath*, I, # 45, footnote on bottom of page 133.

opinion of the Rambam is indeed as interpreted by the *Knesseth HaGedolah*, and others, so that instrumental music is prohibited only with wine. Third, perhaps the ban never applied to the radio or to recordings, as Rav Ya'akov Breisch suggested.

R. Ovadiah Yosef adds that, according to nearly every opinion, singing songs of praise to G-d, without instrumental accompaniment, is permitted even over wine. (But see also *Magen Avraham, Orach Chayyim*, 560 par. 10).



In this paper, we have discussed the underlying principles of the prohibition of listening to music and suggested that there is a difference of opinion among the rabbinic authorities as to the nature and extent of the ban. We have tried to further an awareness of this issue in customs and practice of everyday life.

Appendix

[There have been several translations of this responsum which has been published many times. There is, of course, also the synopsis of the responsum in the words of the *Tur, Orach Chayyim*, 560, which I have cited. I use the Arabic text as presented in Blau, *Tshuvoth HaRambam*, Responsum #224. His own Hebrew translation is generally good. In the first footnote to the responsum, Blau gives a list of the editions of the responsum and the various translations, q.v.]

The following is my translation of the original Judeo-Arabic version of the responsum:

It is known that music and tunes in and of themselves were forbidden, even if words are not uttered with them at all. For they [the Rabbis] say [in tractate *Sotah* 48a] "The ear that hears music should be torn out" [or, "will be torn out"]. It has already been explained in the Talmud [tractate *Gittin* 7a] that there is no difference whether it is hearing vocal music [that is, songs with words] or playing upon strings [i.e., any instrumental music] or humming tunes [i.e., vocal

but without words]. Whatever brings a person to gaiety of the spirit [or rejoicing of the spirit] and its stimulation is forbidden, as they have said. And they [the Rabbis] based their words upon the prohibition of the prophet (Hoshea 9:1) who said: "Do not be gay, O Israel, in the manner of the joy of the nations."

The reason for this is very clear. For the power of this desire must be overcome and contained and reined in. And not [the reverse], that he should engage it and quicken the dead [that is, arouse the dormant instinct in him].

We cannot consider the exception to the rule, the rare individual, who [when listening to music] is brought to a more profound spirit and a quickened perception and an obedience in divine matters; for the Torah's laws were written for the majority and for the usual circumstance, and the Rabbis relate to the likely situation.

The prophets already explained this to us and declared their objection to those people who used musical instruments for their listening pleasure. Thus they said (Amos 6:5): "Those who play upon the 'nevel' as did David, so did they regard musical instruments. [See the various Commentaries, *ibid.*, and see also *Midrash VaYikra Rabbah* 5:3, which plays upon the word "nevel", a musical instrument, as if it derives from the root "naval" which means vulgarity or lewdness. See the commentary of *MaHarZu*, *ad loc.*] We have already explained in our commentary to *Avot* (1:16) that there is no difference between expressions in Hebrew or in Arabic. For speech is not forbidden or permissible save according to the subject-matter of such speech. And in truth it is forbidden to listen to foolishness [inappropriate speech] even if it is not in the form of songs [that is, even if it is regular speech]. And if lewd songs are accompanied by musical instruments there would be three violations: 1) the prohibition to listen to foolishness and lewd or obscene language; 2) the prohibition against listening to songs, that is vocal music; 3) the prohibition to listen to musical instruments. If this occurs in a place

where there is drinking [wine] then there is a fourth violation as He, may He be raised on high, has said (Isaiah 5:12): "and their parties are with the *kinnor* and the *nevel* and the *tof* and the *chalil* [four musical instruments] and with wine." And if the singer happens to be a woman then there is a fifth violation as they said [tractate *Berachot* 24a] "the voice of a woman is '*ervah*' (and can arouse man)" and most certainly when she is singing.

The truth has already been made patently clear; that is, that our purpose is to be a holy nation and have no action or expression unless it is of perfection [i.e., moral excellence] or which leads to such perfection. We must not arouse those forces [within us] which prevent us from all good, nor can we abandon ourselves in debauchery and amusement. We have already explained this matter sufficiently in the *Moreh* [*Nevuchim*] in the last section (ch. 8), with words that are evident to those with lofty character.

The *Geonim* [when they permitted songs] had in mind songs of praise [to G-d] as the *Baal Halachot* [the Rif] has mentioned. But Heaven forbid to include secular songs. This cannot be heard in Israel, neither from a *Gaon* nor from a lesser man.

[The Rambam now addresses those Syrian Jews who sent him this question] I am amazed that you state [when you pose your question] that the singing is "in the company of righteous individuals." To me, righteous individuals are not found in places where intoxicating beverages are drunk. Concerning this too we already explained sufficiently in the *Moreh* [*Nevuchim*, *ibid.*]. Certainly if in addition to this (drinking of wine) they listen there to musical instruments [no righteous Jews will be found there]. Shalom. This Moshe has written.

Dental Emergencies on the Sabbath

Rabbi Moses David Tendler and

Dr. Fred Rosner

