Dancing in the Footsteps of Reb Shlomo: An Halakhic Analysis of the Carlebach Minyan

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"The heresy of one age becomes
the orthodoxy of the next."

-Helen
Keller, from an essay entitled "Optimism," 1903

Although Helen Keller was blind, she possessed great
insight. Her pithy statement, "the
heresy

[1]

of
one age becomes the orthodoxy of the next," rings as true today as when
first uttered, and aptly describes the story of the "Carlebach
Minyan," a neo-Hasidic Kabbalat
Shabbat prayer service that has spread throughout Modern Orthodoxy and
beyond to Conservative, Reconstructionist, Reform and Ultra-Orthodox
synagogues.

During the 1960s, 1970s, and early 1980s, the Carlebach Shul
(on the upper West Side of Manhattan) and its unconventional Minyan charted a
new path, deviating from the practice of Modern Orthodox synagogues. Yet in the
span of just one generation, the Carlebach
Minyan has become part of the accepted "orthodoxy" of the Modern
Orthodox synagogue, its "heretical" status a faded memory of the
past. This article examines the halakhic

issues raised by the Carlebach Minyan, challenging its adherents to explore new vistas of spirituality and move beyond mimetic repetition of Carlebach's singing and dance.

Three decades ago, an eclectic group of Jews coalesced at the Carlebach Shul dressed in a wild array of attire. They danced in a circle, stamped their feet, and sang wordless syllables over and over to the niggunim of Rabbi Shlomo Carlebach. At the same hour and a short walk away, the rabbis and officers of Manhattan's leading Modern Orthodox synagogues, Shearith Israel, The Jewish Center, and Kehilat Jeshurun, adorned themselves with top hats and listened to a traditional hazzan lead the prayers. Just ten blocks south of the Carlebach Shul, the members of Lincoln Square Synagogue, sported suits, ties, and knitted kippot singing along to a ba'al tefilla who embraced traditional nusach and inserted occasional melodies from the latest Israeli song festival. During the 1960s and 1970s, the thought that formal synagogues with traditional cantors would one day host their own Carlebach Minyan would likely have caused more than one top hat to tumble off a head convulsed in laughter.

The man responsible for this neo-Hasidic incursion into Modern Orthodoxy is less well-known than his music. Jews throughout the world sing the melodies of Am Yisrael Chai, Borecheinu Avinu, and Adir Hu unaware of the unique life path traveled by a musically-illiterate rabbi whose songs increasingly replace traditional nusach.

Shlomo Carlebach descended from one of the oldest Orthodox rabbinical dynasties in pre-Holocaust Germany. Born in Berlin in 1925, Carlebach fled the Nazis in 1931 with his family, to Austria and then Switzerland. When his family moved to New York City, Carlebach remained in Lithuania to study in yeshiva. He joined them in 1939, where his father served as the rabbi of a small synagogue on the Upper West Side of Manhattan, Congregation Kehilath Jacob.

Carlebach studied in the Orthodox rabbinical seminaries of Yeshiva Torah Vodaas, Yeshiva Rabbi Chaim Berlin, and Bais Medrash Gevoha of Lakewood, under the tutelage of world-class scholars. He later became a devoted hasid of Rabbi Yosef Yitzchok Schneersohn, the sixth Rebbe of Chabad-Lubavitch. From 1951 through 1954, Carlebach worked as one of the first outreach shelihim of Rabbi Menachem Mendel Schneersohn, the seventh Lubavitcher Rebbe.

Throughout his years in yeshiva, Carlebach was recognized for his innate musical talent. He served as hazzan, leading services. Carlebach began writing songs at the end of the 1950s, setting verses from Tanakh to his own music. Although he became one of the most prolific modern composers of Jewish liturgical music, Carlebach could not read musical notes.

During the 1960s, Carlebach made the short trip from Manhattan's Upper West Side, a traditional community of many Orthodox Jews, downtown to Greenwich Village, a hot spot for non-conformists and anti-establishment youth. Performing at folk clubs like the Village Gate, Carlebach met and was influenced by Bob Dylan and other famous folk singers.

In 1966, Carlebach performed at the Berkeley Folk Festival. He decided to remain on the West Coast, reaching out to those he called "lost Jewish souls"—drug-addicted and disaffected youth. He created a special center known as the House of Love and Prayer, which featured song and communal gatherings. When their father died in 1967, Carlebach and his twin brother assumed responsibility for the rabbinate of the family synagogue. Using his spiritual, folk music, Carlebach dedicated the remainder of his life to inspire Jews of all different types around the world.

Four years after Carlebach's death in 1994, Lilith Magazine, a Jewish feminist periodical, published detailed allegations of sexual impropriety against him. The accusations kicked off a fire-storm of controversy with no real resolution. Because the article

was published after his
death, Carlebach had no way to address or refute these allegations.

Drawing from a life influenced by both insular Lithuanian yeshivot and the Free Love movement of
the Folk Music era, by both Torah luminaries and folk music icons, Shlomo Carlebach embraced the values of spiritual spontaneity and self-expression to tap into the inner recesses of the soul.
He prayed with a different nusach
influenced by secular folk artists, vigorous dancing and clapping, repetition of syllables to his niggunim, long
periods of time spent in a service, and a predominance of music over the content of the words.

The following questions explore halakhic issues related to the
Carlebach Minyan:

1) Should we associate the name of Rabbi Carlebach with
these types of prayer services as a tribute to his contribution to Jewish prayer, or choose another name to avoid an association between an accused sexual abuser and prayer?

2) Is it permissible to modify the liturgical music of a
community or synagogue?

3) If permissible, may we draw inspiration from non-Jewish
sources? And if so, from which ones?

4) Is it permissible to lengthen the time of prayer
services? And if so, by how much?

5)May music dominate the words of the tefillot, allowing
distortion and repetition?

Finally, curiosity inspires an additional question. Today's Carlebach Minyan has won wide-spread
acceptance in the Modern Orthodox world and beyond. As is common with "orthodox"
practices, many worshippers at today's Carlebach Minyan faithfully repeat the same dance steps, sing the same niggunim,
and clap the same rhythms in the exact manner and in the same places of the prayers. Carlebach's spontaneity and self-expression

of inner recesses have become truly "orthodox," succumbing to imitative, rote practice, albeit one which brings comfort and inspiration to its participants. Were Shlomo Carlebach to attend one of today's services bearing his name, would he join in or would he move on to establish new spiritual "heresies"?

Question 1

Should we associate the name of Rabbi Carlebach with these types of prayer services?

The Torah adjures us to avoid causing pain through speech. In Vayikra 25:17 we read, "a person shall not oppress his neighbor and you shall fear your God, because I am the Lord, your God." In Bava Metzia 58b, Hazal expand the concept of oppression beyond taking advantage of someone financially to include harmful speech. We may not remind the repentant individual and the children of converts about past deeds.
We may not tell a convert who comes to learn Torah, "the mouth that ate forbidden foods comes to learn."
We may not speak to a sick person, a person who has suffered, or one who has lost a child in the same way Job's friends spoke to him, saying "Is not your piety your confidence, your integrity your hope? Think now, what innocent man ever perished?"

[2]

One may not inquire about the price of an object if he does not intend to purchase it.
When a person asks about where to obtain an object, it is prohibited to refer him or her to a person he knows has not sold the item before.

In a separate case, the Talmud prohibits the use of a derogatory nickname, even though the person regularly answers to it.

[3]

Rashi explains that the name calling itself does not harm; the Rabbis do not allow use of the name calling if the intent of the speaker is to insult the individual.
Tur and R. Yosef Karo in the Shulhan Arukh, Hoshen Mishpat, 228:5, adopt this

explanation and prohibit calling
one by a derogatory nickname.

A Jew violates the prohibition of harmful speech even
without malicious intent. In the cases
involving the repentant, the children of converts, the convert, the one who has suffered, one who inquires about the price of an object without intent to buy, or the person in quest of an object, the statements could be made without malicious intent. Reminding the
repentant or children of converts of earlier deeds may be done to encourage continued religious growth. According to
Ramban, Job's friends offered
support, telling him that he had nothing to fear because of his piety, integrity, and innocence.

[4]

A person may not intend to buy now while
looking, but may change his mind after inquiring. Referring someone to a person who has not
previously sold an object can be done with a positive purpose if the one making the statement thinks he may sell the item in the future or may know of another seller. It is only in the case of the
derogatory nickname that the Talmud requires negative intent to violate the prohibition of harmful speech, because the person who is the object of the nickname is accustomed to hearing an unflattering appellation. The halakha offers two insights: 1) speech is
prohibited if the listener could interpret it as insulting even when the speaker lacks harmful intent, and 2) an act of intentionally harmful speech is prohibited even if the individual will not be insulted.

Rav Yosef Karo incorporates the Talmud's insight about the
potential harm of oppressive speech. It
is a sin worse than taking advantage of someone's money. The latter can be returned; there is no just
recompense for harmful words. Financial
oppression affects a person's money; oppressive speech harms the individual directly.

[5]

If we must protect the repentant, the children of converts,
converts, those who have suffered, sellers, and even purchasers from innocent comments that may cause harm, we must extend the same concern to members of our
own prayer communities. By using
Carlebach's name, we reopen wounds for those claiming to be victims and all other victims of sexual abuse, even without intent to do so. When they see Carlebach's name advertised in
synagogue prayer schedules on a regular basis, they relive their pain and question why a faith community with high moral standards venerates an accused abuser by elevating his name. Because
those listening could interpret the use of Carlebach's name as callous, insensitive, and insulting, synagogues should refrain from its use. Substituting another name for the service
would minimize potential harm to any sensitive individual.

In an age when religion in general and Judaism in particular
has suffered a desecration of God's name because of tolerated sexual abusers, we should err on the side of caution and choose another name for this spiritually-meaningful minyan. We cannot deny that Carlebach never had the opportunity to defend himself. Nor can
we deny that benefiting from his melodies without attribution seems unfair; however, when faced with these conflicting issues, we should assume the validity of the accusations against him for this question and protect those who claim to be his and others' victims.

By siding with one side of this conflict, we do not pass
judgment on the guilt or innocence of Carlebach of the extensive accusations leveled against him in the 1998 Lilith
article. We recognize that mere
accusations without proof and the opportunity for the accused to address them may fall into the category of lashon hara,
tale bearing. The conclusion that his
name not be used for this type of minyan
seeks to avoid causing emotional distress through the application of shev v'al ta'aseh, of not taking
action. We do not suggest a conviction
of Carlebach in the court of public opinion; rather, we merely suggest finding a more universal name to refer to the type of service he created.

From this point forward in this article, the term
Neo-Hasidic Minyan shall be used to refer to the Carlebach Minyan.

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Question 2

Is it permissible to modify the liturgical music of a community or
synagogue?

In Shulhan Arukh, Orah
Hayyim, Section 619:1, Mehaber
and Rama describe the order of
prayers for the evening of Yom Kippur. Rama records the opinion of Maharil

[7]

: "One may not change the custom of a
community, even the melodies or liturgical poems they say there."

Rama offers only
the tersest statement of the following anecdote taken from Sefer Maharil, Laws of Yom
Kippur:

Our teacher, Rabbi Yaakov Seigel
[Maharil] said we do not change the
custom of the place for any matter, including for melodies they are
unaccustomed to sing. He told us the
story about himself that once he was the prayer leader in the community of
Ransburg for the High Holidays. He was
using the melodies of the custom for the Austrian community, because that was
the custom. He was bothered because they
used for the Haftara the tune of the
Reines community. He told us he recited
on that day the penitential prayer, "I, I am the One who speaks,"
which R. Ephraim set up to recite in Musaf. He thought it was a mitsva to say it
there for the honor of R. Ephraim, the author, who
is buried there. The leaders of the
community said it was not their custom to say that penitential prayer. Because of
[R. Yaakov's] desire to honor R.
Ephraim, he did not listen [to the leaders of the community]. A year later, [R.

Yaakov's] daughter died on Yom Kippur. The Rav's statement [above that we do not
change the custom of the place for any matter] was shown to be just, for his daughter was stricken, because he changed the custom of the place.

The full source reveals that Maharil prohibited changes that went against the wishes of the
leaders of the community. The leaders of
the congregation specifically told Maharil
they did not recite the Seliha he
felt appropriate. In his mind, the
tragic loss of Maharil's daughter
became a catalyst to preserve tradition.
Magen Avraham

[8]

offers an explanation for Maharil's
ruling, suggesting that changing tunes will confuse the congregation, in his words, Da'at Ha'Kahal, presumably represented
by the leaders of the congregation.

[9]

Mishna Brura

[10]

records the prohibition and the reasoning of Magen Avraham.

[11]

Adding an alternative explanation, the Vilna
Ga'on

[12]

voices a concern that change may provoke controversy or mahloket in the community.

Without its full context, Maharil's
statement could be interpreted to prohibit all changes of custom and the insertion of any new melodies for any prayer by either the congregation, its leaders, or a temporary hazzan. There are those who argue nusach is a closed

canon, and we may not
add at all to its musical idioms.

[13]

History and halakha (see Question 3 below) argue against this point of view.

[14]

After the period of Maharil, Jewish musical composition developed new idioms that have
been absorbed into prayer. New movements
in Jewish music include the Hasidism of the 18th century and German synagogue music of the 19th century. History
denies the claim that Jewish liturgical music ceased development in the mid-15th century when Maharil
enumerated the MiSinai tunes.

[15]

A restrictive reading of Maharil
ignores the original source and its focus on defying the will of the congregation by contradicting its leaders.
In addition, Rama's citation
of Maharil only in the laws of Yom Kippur raises the question of whether Rama intended to restrict change on
other holidays or Shabbat. The restriction of Maharil does not appear in the laws of Rosh HaShana and Shabbat.

Nothing in Maharil's original
source prohibits a congregation from choosing to adopt new melodies so long as it avoids confusion (Magen Avraham)
or contention (Vilna Gaon).

Question 3

May we draw musical inspiration from non-Jewish sources? And if so, from which ones?

The debate over the use of non-Jewish music for prayer
reflects the wider differences of opinion over interaction with non-Jewish society. Rejectionists advocate
cloistering off Judaism from outsiders to fight foreign influences, even that

of musical notes. At the other extreme,
integrationists support embracing the musical culture of the current
milieu. A third approach suggests
finding a middle ground between these two poles.

Rejectionists point to a statement of R. Yehuda HeHasid

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in
his Sefer Hasidim where he
writes: "A person who has nice
pleasant voice should be careful not to sing the songs of gentiles, because it
is a sin. A pleasant voice was not given
to him except to praise the Creator, may He be blessed, and not for other
singing. Ma’aseh Rokeah

[17]

interprets R. Yehuda’s comment to mean that
even though the content of the words is holy, the “filthy” melody of the
gentiles will detract from the holiness of the prayers; hence, the use of non-Jewish
melodies is forbidden.

[18]

Moving away from total rejection,
the middle ground allows certain types of non-Jewish music. Bach
(Rabbi Yoel Sirkes, 1561-1640, Poland) in his Responsa (section 127) permits
non-Jewish liturgical music, what he calls "the melodies they play in
their houses of worship," so long as these melodies are not specifically
identified with idolatry. If they are not exclusively identified with
idolaters, then one could claim they are not derived from idolatry and
therefore permissible. Although Rama quotes Bach without
any clarification and says a community should prevent the shaliah tsibur
from singing the melodies of the gentiles, Magen Avraham (ibid.,
subsection 31)and Mishna Brura (ibid., subsection 82) both clarify that Rama
means only those melodies exclusively identified with idolatry.

Rav Ovadia Yosef explains that great Sephardi rabbis
throughout generations composed songs and liturgical poems for personal joyous
occasions and for Shabbat and the holidays, "based upon the composers of

Arabic songs."

[19]

Citing R.
Yisrael Moshe Hazan, the Chief Rabbi of Rome
in the mid-19th century, R. Yosef explains that the use of Arabic
romance ballad melodies was permitted, because the substance was holy and the words of the romance ballads are not remembered during prayers.

[20]

R. Yosef offers an alternative middle position. He suggests the use of derivative melodies,
tunes that originate as romance ballads or secular songs and are applied to Shabbat zemirot or sentences from Tanakh.
Only after the songs have passed through a period of
"purification," cleansing the original association, should they be
used for prayers. R. Yosef reasons the
secular words are forgotten through the passage of time and the melodies become
sanctified.

[21]

Unlike the rejectionists and the middle position,
integrationists embrace unrestricted integration of gentile musical
culture. In Responsa Shel Romi, R.
Yisrael Moshe Hazan writes:

And I testify upon heaven and
earth that when I was in the great city of rabbis and scribes of Izmir, I saw great rabbis who were also great cantors knowledgeable in musicology, and the chief of them was the awesome rabbi Avraham HaCohen Arias, who would go behind
the Christian church on the [gentile] holidays to learn from them special musical tunes, and to make those melodies fit the prayers of Rosh HaShana and Yom Kippur, days which require great subjugation. And they set forth from [the gentile
religious tunes] inspiring songs for Kaddish
and Kedusha. And it is clear from here that we do not care
about the melody but the holy words,...

[22]

From the testimony of R. Hazan we learn that a tradition existed for great Sephardi leaders to study Christian church music with the express purpose to integrate church melodies into the liturgy of Yamim Noraim, even in light of the famous ruling of the Rambam that Catholicism constitutes idolatry.

[23]

Assuming the Sephardi rabbinic "eavesdroppers" accepted the Rambam's ruling, these rabbis used not only music with multiple identities as approved by Bach, but even melodies specifically attributable to what they considered idolatry.

Praying to music influenced by Bob Dylan and the folk era has ample support based upon the opinions of the middle ground and those who espouse integration with wider culture.

Question 4:

Is it permissible to lengthen the time of prayer services? And if so, by how much?

The Neo-Hasidic Minyan lasts considerably longer than other services. With niggunim repeated numerous times and extended circle dancing, Kabbalat Shabbat services can last as long as 90 minutes, exceeding a standard minyan by up to an hour. Participants generally sing the chapters of Tehillim with the shaliah tsibur, breaking out into Eastern European style dancing. The great majority of the service is spent on Kabbalat Shabbat with far less time invested in Arvit.

The length of a service raises two issues: Torah HaTsibur, burdening the congregation, and Hetsyo LaShem, Hetsyo Lakhem, the proper celebration of Shabbat and Yom Tov.

Shulhan Arukh, Orah Hayyim, 53:11, prohibits a shaliah tsibur from lengthening a service to serve egotistical needs, because it

causes torah hatsibur. A hazzan
who shares his "pleasant" voice, instead of focusing on the joy he
feels to stand before God, reflects negatively on himself. Although R. Karo praises the shaliah tsibur whose heart is filled
with rejoicing, he should nevertheless limit the length of his prayer to avoid burdening the congregation. Mishna B'rura cites Yam Shel Shelomo

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who requires
the consent of the congregation to lengthen any service, even on Shabbat and the holidays.

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According to some, a congregation can decide
to tolerate a burden.

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In that case, participants in a Neo-Hasidic
Minyan who consent by their presence could pray as long as they like.

Objective requirements, however, limit the consent of a
congregation to pray without being conscious of passing time. Yam Shel Shelomo restricts the length of a service even if the congregation consents. A service that is too long
prevents a Jew from fulfilling neither Hetsyo
LaShem nor Hetsyo Lakhem,
"Half for God, Half for Man,"

[27]

specific requirements for the proper celebration of Shabbat and Yom Tov.

The concept of Hetsyo
LaShem, Hetsyo Lakhem appears in Pesahim
68b:

We learned in a Beraita: R.
Eliezer says: on Yom Tov a person either eats and drinks totally or sits and learns totally. R. Yehoshua says: Divide it; half for eating and drinking and half for the Beit Midrash. And R. Yohanan said: The two of them interpreted one

text. One sentence says (Devarim 16) "A day of gathering to the Lord, your God." A second sentence says (Bemidbar 29) "A day of gathering for you." R. Eliezer held: either all for God or all for you [Man]. R. Yehoshua held: divide it; half for God and half for you [Man]...Rabba said: Everyone agrees that Shabbat requires "for you" [Man]. What is the reason - Isaiah 58: "You shall call Shabbat a pleasure.

To properly observe Yom Tov and Shabbat, a Jew must reserve enough time in the day for pleasures of eating, resting, socializing. Remaining in synagogue too long impedes the human enjoyment God intended for the day. The reasoning of Yam Shel Shelomo that an extended service interferes with enough time to enjoy physical pleasures reflects the imposition on a person's time outside the synagogue. His curious remark that a lengthy service interferes with serving God imparts an insight into the nature of tefilla. An over-extended prayer service becomes an unauthorized burden on the congregants, even when they consent to the length, perhaps because it breaches the attention span a person has for concentrating on the meaning of the words of prayer.
In the case of the Neo-Hasidic Minyan, the diversion of lengthy dancing and singing away from the words of tefilla may take the experience outside the Hetsyo LaShem of prayer and into a self-focused celebration of communal dancing and singing. The experience ceases to focus on the words of prayer and instead celebrates dancing and singing.

Question 5:

May we allow the music to dominate the tefillot, distorting the words and diverting attention away from their meaning?

With its emphasis on niggunim and dance, participants in a Neo-Hasidic Minyan often distort the words of the tefilla.
They lengthen and split words and emphasize an incorrect syllable in an attempt to make the words conform to the melody.

R. Ovadia Yosef cautions shelihei tsibur, and presumably participants in the congregation, against these practices. Lengthening a particular word to match the meter of a melody causes the word to lose its meaning. The longer a word is lengthened, the more is lost. Splitting words should be avoided. Taking a breath in the middle of a word divides it in two. R. Yosef cites the Noda B'Yehuda, who wrote that prayer leaders take the foolish path when, for the sake of the melody, they split a word into sections. When a hazzan emphasizes the wrong syllable, writes R. Yosef, he enslaves holy words to a secular melody. The outcome is that the "maid servant" rules over her "mistress".

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To give vocal expression to the niggunim, participants in Neo-Hasidic Minyanim utilize sounds, such as Ni or Yi (as in the word "night"), in effect singing meaningless words. They repeat these words to the melody, singing for several minutes at a time. These repetitions occur in the Psalms of Kabbalat Shabbat.

R. Yosef records the case for and against the repetition of words in tefilla. Those against argue that repeating words is an unauthorized interruption, hefsek gamur, and completely disturbs the required kavana, or intention, of tefilla, even if there is no express prohibition of interrupting at that place in the tefilla.

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Those who permit repeating words reason that based upon Berakhot 33b we are only concerned about a cantor who says "Shema, Shema" or "Modim, Modim" because it appears as if he believes in Zoroastrianism. Because the Talmud only mentions these two instances, we deduce that with other words there is no prohibition. Moreover, repeating words intensifies the

expression of praise for God; it does not detract from the intention of the one praying. One could repeat the words of kedusha even though we are forbidden from extraneous interruptions at that point.

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Conclusion

When Shlomo Carlebach's Neo-Hasidic services first emerged on the New York scene, they reflected the emphasis on spirituality and inner feelings that captivated the Love and Peace generation of the 1960s and 1970s. Despite that generation's desire to break out of the restrictions imposed by the Establishment, Carlebach remained within the Orthodox world and the restrictions imposed by halakha on prayer.
Carlebach found within the limits of halakha considerable freedom of expression.

The praying public swiftly adopted Carlebach's Neo-Hasidic Minyan, a testimony to his musical and spiritual insight.
Although the chord he struck in the heart of Jews around the world still stands, his model for defining decisive new expressions of spirituality within halakha will disappear unless his adherents continue to follow in his footsteps.
Seeking out new modes of worship need not mean the abandonment of Carlebach's melodies, dancing, and singing.
Enough opportunities exist to preserve his popular prayer services yet explore new vistas.

For those souls adventurous and willing to experiment, the sky's the limit; melodies wafting heavenward from any of God's houses of worship could be converted and brought into the fold of Jewish liturgical music. To truly follow in the footsteps of their beloved Reb Shlomo and his quest for greater spirituality, those comfortable with his new "orthodoxy" might consider creating new "heresies," ones which he could join in on and embrace.

[1]

In this instance, I use the term "heresy" to mean an opinion at variance with the commonly accepted doctrine. I do not intend to

imply an unauthorized doctrinal opinion tending to promote a schism.

[2]

Job 4:6-7.

[3]

Bava Metsia, 58b.

[4]

Kitvei Rabbi Moshe ben Nachman, Shaval, Hayyim Dov, Mossad HaRav Kook, 1963, p.
37.

[5]

Shulhan Aruch, Hoshen Mishpat, 228:1.

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An alternative suggestion
offered by a colleague who regularly participates in this type of service is to call them "Happy Clappy Minyanim," an apt description.

[7]

R. Yaakov HaLevi Mollin,
also known as Mahari Segal, 1356-1427, Rhineland. Maharil was not only the Chief Rabbi of the Rhineland, he was one of the great
prayer leaders of his time. Following
the example of great rabbinical leaders since Gaonic times, Maharil acted as a Chazzan. He traveled throughout the Rhineland and Europe leading services and listening to liturgy sung over many years.
Maharil sought authentic traditional melodies and elevated them to the status of tunes MiSinai, a term used
to establish their venerable source and unchanging quality. Through his efforts, Maharil contributed
enormously to the establishment of the Ashkenazi prayer rite. Goffin, Sherwood, "The Music of the Yamim
Noraim," Yeshiva University, Rosh Hashana To-Go,
Tishrei 5769, pp. 35-36.

[8]

R. Abraham Gumbiner, 1633-1683, Poland.

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Shulhan Aruch, Orah Hayyim, 619:7.

[10]

R. Yisrael Meir Kagan, 1838-1933, Poland.

[11]

Shulhan Aruch, Orah Hayyim, 619:7.

[12]

R. Elijah ben Shlomo Zalman, 1720-1797, Lithuania.

[13]

See
Goffin, p. 36, fn. 27, in which he records the opinion of Rav Hershel Schachter of Yeshiva University who conflates Magen Avraham, Orach Hayyim 68:1 and Maharil's restriction cited by Rama. Magen
Avraham O.C. 68:1 says that one may
not change any of the essential minhagim in prayer that is traditional with a congregation. Applying that restriction
with that of Maharil would limit any
musical change in any service.

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Bodoff, Lippman, "Innovation in Synagogue
Music," Tradition, 23(4), Summer 1988, pp. 90-101, 90-91.

[15]

Bodoff, p. 92.

[16]

12th century, Germany.

[17]

R. Masoud Hai Rokeah, mid-18th century, Tripoli.

[18]

Sefer Ma'aseh
Rokeah, Chapter 8 from Laws of Prayer
11. See also, Tsits Eliezer, 13:12
who prohibits the use of romance ballads.

[19]

Responsa Yeheva
Da'at, Vol. II, Section 5.

[20]

Responsa Yabia
Omer, Vol. VI, Orah Hayyim,
Section 7.

[21]

Responsa Yeheva
Da'at, Vol. II, Section 5.

[22]

Ibid.

[23]

For example, see
Laws of Idolatry, Chapter 9, Law 4: In
many original manuscripts before censorship: "[Christians] (Edommites) are idolators and Sunday is their
festival." Rambam Mishneh Torah, Kushta, Jerusalem, 1964, pg. 265.

[24]

R. Shlomo Luria, 1510-1574,
Brisk.

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Mishna Brura,
Section 53, Subsection 36.

[26]

Magen Avraham,
Orah Hayyim, 144:7.

[27]

Mishneh
Brura, Section 53, Subsection 36.

[28]

Responsa
Yabia Omer, Vol. VI, Orah Hayyim, Section 7.

[29]

Ibid.

[30]

Ibid, citing,
Responsa Ziknei Yehuda (131) of R.
Yehuda D'Modina (1574-1648, Venice),
who permitted repetition of the word "crown" in kedusha of Musaf.