

Music in the Synagogue as applied to Adath Shalom Congregation, Ottawa

Recommended Ruling to the Board of Adath Shalom (see attached notes)

Use of Musical Instruments at Shabbat Services and Other Occasions at Adath Shalom

17 February 2013

DECISION:

Musical instruments of any kind are not allowed for use in Adath Shalom on Shabbat, on the High Holy Days, on any of the Biblical Festivals, or on Tisha B'Av.

Musical instruments are allowed at other times including specifically Kabbalat Shabbat (prior to Ma'ariv) and the minor (non-Biblical) holidays.

There are other issues about the use of musical instruments, as defined by rulings of the Committee on Jewish Law and Standards of The Rabbinical Assembly. However, in the absence of a Mara d'Atra at Adath Shalom, we do not feel competent to rule on them. Fortunately, none of them are likely to be of concern for services at Adath Shalom.

Approved by the Board, Congregation Adath Shalom, October 26, 2014.

Background: Notes prepared by David B. Brooks (February 2013)

In order to avoid excessive repetition, please read the term *Shabbat* as referring to Shabbat, the High Holy Days, the three pilgrim festivals, and Tisha B'Av.

There were a number of Responsa from CJLS in the early years of the committee, including one on 04 February 1958 that made it acceptable to use an organ in the synagogue on Shabbat. As well, there was another on 23 June 1970 that seems to lump all musical instruments together with the earlier ruling on use of an organ. We have been able to read first of these Responsa, along with its supporting and opposing position papers, but not seen the later one, which is of course more relevant to Adath Shalom. However, judging from personal observation as well answers to relevant questions found on “Ask the Rabbi” (<http://www.schechter.edu/Responsa.aspx>), there has been little acceptance of either decision on the part of Conservative congregations in North America. Even the initial CJLS decision may have accepted use of an organ, it did not do so with any enthusiasm.

A minor digression: Arguments about use of the in the synagogue became one of the seminal dividing points between Orthodox and Reform Jewish communities in Germany in the 19th century. The upshot was that, by the end of the century, the Reform movement no longer defined itself as following Halakhah.

How might one explore the barriers to introducing musical instruments at Adath Shalom based on our review of Halakhah? Obviously, commentary specific to an organ is irrelevant to our congregation; therefore our discussion must focus on other musical instruments. We must also recognize that barriers to musical instruments inevitably fall into two levels: Is the use of musical instruments in the synagogue prohibited on Shabbat? Or is the use of musical instruments prohibited at any time in the synagogue? Here are the main concerns, together with actual or possible answers.

Carrying

Nothing can be carried from a public to a private domain, or vice versa, on Shabbat. Therefore, use of musical instruments might be forbidden out of fear that they would be carried.

Because there is an *eruv* around most of the city of Ottawa, this barrier has no relevance for Adath Shalom.

Mourning for Destruction of the Temple

A variety of practices that were common when the Temple was standing are now prohibited to recognize that our life as Jews is truncated in its absence. Musical instruments were clearly used in the Temple, and some statements in the Tanach

(mainly in Psalms) indicate that we should mourn for the Temple by not having musical instruments in the synagogue.

While the last statement is true, other statements are much broader – eg, no singing in the synagogue, or extending the proscription to our daily lives (other than weddings), while other statements do not mention music at all. Gradually, barriers that reflect mourning for the Temple have relaxed, perhaps because Judaism emphasizes limits to mourning periods, perhaps because of less and less attention to restoring Temple practices. Whether or not these rulings remain important is today pretty much left for each congregation to decide for itself, and to decide whether it applies throughout the week or only on Shabbat.

Avoiding Avodah Zarah

We should avoid practices that suggest anything like the idol worship, which, in modern times has come to mean to avoid practices that emulate Christian practices.

This is a very complex question that is also subject to much dispute. However, it is hard to see its relevance with respect to musical instruments given the CJLS decision to permit the use of an organ, which is the quintessential Christian musical instrument. Indeed, few Christian congregations use any other instruments than an organ. One might suggest that musical instruments introduce new kinds of worship that has not previously been accepted, or, alternatively, that they limit the opportunities for congregational singing, but it hard to see how those objections constitute *Avodah Zarah*. However, a broader interpretation of the term suggests that Conservative congregations should all follow similar practices, so that a member in one congregation will feel comfortable in another, and that there will be a minimum of ritual differences among them. Adding musical instruments, at least on Shabbat, particularly without explicit encouragement of the practice from CJLS, would seem to violate this broad interpretation of *Avodah Zarah*.

Not Changing the Physical State of Anything on Shabbat

There is no explicit Biblical barrier to use of musical instruments on Shabbat. However, early rabbis extended the notion to assert that not only should Jews avoid any action that changes the physical state of anything in the world on Shabbat, but they should also avoid any action that creates conditions that will tempt a Jew to change its state.

In normal use musical instruments must be tuned, strings have to be replaced, etc., all of which bring use of musical instruments under the Biblical definition of "fixing." Moreover, because it is inevitable that anyone using a musical instrument would want to tune it or even to replace a string to permit him or her to continue playing, it comes under rabbinic barrier of building a fence around the Torah. This barrier to the use of musical instruments on Shabbat seems definitive. By the same token, it seems to allow their use on most other days of the week.