The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Wednesday, Feb 4, 2026 ■ י"ז שבט, תשפ"ו
סימן נ"ג סעיף כ"ה

Halacha Highlight

Using gentile songs

Rema Siman 53 Seif 25
או שמרנן בשירי הגוים
Or if he sings gentile songs

Rema citing Kol Bo (סי' קמ"ז) writes that the community should protest against a *shaliach tzibbur* who sings gentile songs. If he does not respond by refraining from using these songs he should be removed from his position. Teshuvas L'Horos Nossan (ח"י סי' י"ד) explains that research of the related primary sources indicates that we refer to a *shaliach tzibbur* who sings gentile songs, not during *davening,* but in taverns. The reason it is offensive is the assumption that inevitably one will be influenced by these songs. Shulchan Aruch HaRav (סע' ל"ב), however, writes that Rema refers to a *shaliach tzibbur* who uses gentile songs while *davening* in the Bais Haknesses.

Magen Avrohom (ס"ק ל"א) cited by Mishnah Berurah (ס"ק פ"ב) further explains that the restriction refers to where the song is used for idolatrous worship. Be'er Heitev (ס"ק ל"ה) also adds that the restriction applies only when it is a song that is designated for use for idolatry. Similarly the *shaliach tzibbur* may not sing songs that are written that evoke other types of improper thoughts. Songs whose words are not well known or even songs whose words are known but they do not involve idolatry or other inappropriate topics are acceptable.

Sefer Piskei Teshuvos writes that it is well known that these types of songs have been used by Gedolim for generations even on the *Yomim Noraim*. Birkei Yosef (סי' תק"ס אות ו') in the name of Sefer Shtei Yados writes that he composed the majority of his songs based off of songs composed by Yishmaelim. Although he recognizes that there are authorities who oppose the practice of writing songs that are based on music written by gentiles, he maintains that their complaint has no foundation. Teshuvas Krach Shel Romi (סי' א' ומובא בפסקי תשובות אות כ"ז) relates that they would stand outside of gentile houses of worship to study music to use for the *Yomim Noraim* but seemingly they would change them before using them for *tefilos* (ע' פסקי תשובות הנ"ל).

Overview

Siman 53 Seif 25:

We do not remove the *shaliach tzibbur* unless we find a concrete disqualification. We do not remove him just because of rumors, for example if there is a rumor that he was caught together with a gentile woman or that he informed on someone. If, however, witnesses testified that he did one of these acts or something similar he is removed. If the *shalaich tzibbur* is also a slaughterer and animal examiner he should not *daven* wearing his dirty, smelly garments and if he doesn't want to change garments for *davening* he should be removed from his position. If the *shaliach tzibbur* uses foul language or sings gentile songs we protest against that behavior and if he doesn't desist he should be removed from his position. If the *shaliach tzibbur* becomes old and he wants to appoint his son to assist him on occasion, even though the son's voice is not as sweet as his father's, if he is a good replacement as far as other characteristics the son takes precedence over others and the *tzibbur* may not protest his appointment.

- The guidelines for removing a *shalaich tzibbur* apply to removing anyone who holds an appointed position for the *tzibbur* who was not appointed for a specified period of time. (M.B. 73)
- If witnesses testify about his impropriety he must repent fully before he could return to his position. (M.B. 74)
- If the question is whether to hire someone in the first place even rumors are sufficient to disqualify his candidacy. (M.B. 75)
- Although he is not removed because of rumors we take it seriously enough that we would convene a Bais Din to determine whether the rumor is true. (M.B. 76)
- Someone who threatens to inform on someone is not removed from his position even though his behavior is improper and he should be warned that if he continues he will be removed from his position. (M.B. 77)
- Magen Avrohom implies that if there is a persistent rumor a community member could protest to have the *shaliach tzibbur* removed. (M.B. 78)
- If the transgressor repents he need not be removed from his position but he should not be appointed to fill a position in the first place. (M.B. 79)
- The *Shaliach tzibbur* who is a slaughterer should change his clothing whenever he is walking amongst people due to the prestige of his position. (M.B. 81)
- The gentile songs mentioned are idolatrous sings and Bach adds that it refers to songs that are used exclusively for idolatrous purposes. (M.B. 82)
- Someone who goes to secular courts is disqualified from serving as *shaliach tzibbur* for the *Yomim Noraim* and if by going to secular courts he was given money that he does not deserve according to halacha he may not serve as *shaliach tzibbur* at any time during the year. (M.B. 82)
- If a *tzibbur* divides up the different *tefilos* for the *Yomim Noraim* and someone is unable to *daven* he does not have the authority to find his own replacement. (M.B. 82)
- The right of a child to fill his father's position applies to all appointed positions. According to some this does not apply to someone appointed to spread Torah or to serve as *Dayan*. (M.B. 83)
- Rashba writes that anyone who serves in an appointed position may have someone assist him if that person is capable of performing that task. (M.B. 84)
- A *Shaliach tzibbur* should not be removed because someone else has a better voice but if the majority of people want the second *shaliach tzibbur* they should share the position. (M.B. 85)

Stories to Share

The Rabbi and the Chazan

ש"ע סי' נ"ג, כ"ה: "אין מסלקין חזן מאמנותו אלא אם כן נמצא בו פסול..."

Today's amud discusses when a chazzan should be fired. But firing a chazzan, whether justifiably or not, doesn't necessarily demonstrate yiras shomayim on the part of the community.

The Torah Temimah, zt"l, commented in his memoirs that the American obsession with the pursuit of money bred an odd sort of commitment to Judaism. People, unfortunately, just didn't take the time to consider their priorities. As an example of this, he records that, in 1873, a fairly large American congregation was blessed with a very worthy rabbi, but their very capable chazzan had far less yiras shomayim. In this particular congregation, the custom was to recite all of the yotzros without exception. When the chazzan decided to lighten his load by skipping one of the yotzros during Shabbos Parshas Zachor, the rabbi was justifiably incensed. He delivered a fiery sermon about the importance of guarding every single custom of the Jewish people. The congregation was very moved by the derasha, and subsequently fired the chazzan for trifling with time-honored minhag.

A few years later, the congregation hired a different rabbi, one who identified himself as "progressive." As soon as he assumed his new post, the rabbi delivered a fiery sermon about how unnecessary it is to continue saying, "v'sechezena eineinu." This very same congregation that had fired its chazzan for disregarding tradition immediately obeyed the rabbi and changed the prayers!

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