



## Overview

## Halacha Highlight

### Listening to music

Shulchan Aruch Siman 560 Seif 3

שלא לנגן

#### Not to play music

Shulchan Aruch (סעי' ג') writes that another decree instituted by Chazal following the destruction of the *bais hamikdash* was against playing musical instruments or other instruments designed to produce sound which brings people into a state of happiness. Rema mentions that there are authorities who maintain that the restriction is limited to those who are accustomed to music such as kings who wake up and go to sleep listening to music or at a drinking party. Mishnah Berurah (סי"ק י"ב) explains that at a drinking party music is forbidden even for those who are not accustomed to music. Furthermore, even vocal singing without instruments is prohibited at a drinking party.

Despite this restriction, *Poskim* do not prohibit one to play music in order to become a musician who will be able to support himself by playing for others. They explain that the injunction is limited to those who intend to use music for the sake of bringing themselves or others to a state of joy or for pleasure but when it serves a functional purpose, it is permitted (פסקי תשובות אות י'). Included in the prohibition is not just listening to live music but even listening to recordings of music is prohibited (פסקי תשובות אות א"י). Rav Shmuel HaLevi Vosner (שבט הלוי ח"ו סי' ס"ט) permits one to listen to a story even though there are songs that are played or sung in the course of the storytelling. The reason is that the primary purpose is to tell the story and the music and songs are subordinate to the story. Nowadays, it is common practice for people to listen to music and the *Poskim* justify the practice based on the current emotional state of our existence. People are emotionally weak and for many, listening to music relaxes them and puts them in a better state of mind and emotional being. This is especially true for those who have a tendency towards depression for whom music may even qualify as medicinal and the injunction of Chazal is directed towards listening to music purely for pleasure (פסקי תשובות אות י"א).

gold are added. It should be prohibited to make a veil for a *kallah* even if the silver is wrapped around silk. (M.B. 18)

### Siman 560 Seif 5:

**It is prohibited for a person to fill his mouth with laughter in this world.**

- ❖ Excessive joy causes a person to forget *mitzvos*. Taz and Perisha maintain that this restriction applies even when celebrating a *mitzvah* such as a wedding or Purim. (M.B. 20)

### Siman 560 Seif 3:

**They also decreed against playing musical instruments, melody instruments or other sound producing instruments in order to rejoice.** Some maintain that this is directed at those who are accustomed to this, for example, kings who rise and sleep listening to music or at a drinking party. **It is also prohibited to listen to them to commemorate the destruction.** Even vocal singing over wine is prohibited as the *pasuk* states: **בשיר לא ישתו יין**. The custom of the Jewish People is to recite words of praise or songs of thanksgiving and recollections of Hashem's kindnesses on wine. Similarly, for the sake of a *mitzvah*, for example in the house of a *chosson* and *kallah*, everything is permitted.

- ❖ This opinion prohibits playing instruments even when not drinking wine. (M.B. 11)
- ❖ When drinking wine it is prohibited even for those who are not accustomed to music. Vocal singing while drinking wine is prohibited according to all opinions and thus we should protest against those who sit in a meal while musicians sit outside and play music since that is certainly prohibited. (M.B. 12)
- ❖ Bach ruled that it is prohibited even if one is not drinking wine, therefore, one should protest against those women who sing while working unless they will not listen and in such a case it is preferred to allow them to violate the prohibition inadvertently. (M.B. 13)
- ❖ Maharil wrote that it is inappropriate to sing *pesukim* as an expression of friendship since this causes the Torah to gird itself in sackcloth. However, it is a *mitzvah* to sing on Yom Tov in the *bais haknesses*. (M.B. 14)
- ❖ It is a severe transgression for a *laitzan* to use *pesukim* to make jokes. (M.B. 15)
- ❖ Whether with vocals or with instruments it is permitted but one should not rejoice too much. (M.B. 16)

### Siman 560 Seif 4:

**They also decreed against wearing *chasanim* crowns altogether nor should a *chosson* wear any crown as the *pasuk* states: הסיר המצנפת והרים העטרה**. They also decreed against bride's crowns that are made from silver but if made from threads it is permitted. These restrictions are for a *chosson* and *kallah* but do not include others.

- ❖ It would certainly be prohibited if it was made from pearls and precious stones. A woman is considered a *kallah* during the week of *sheva berachos* as well as the night before the wedding. (M.B. 17)
- ❖ This is allowed so that she should not appear repulsive. Nowadays people are not concerned with this restriction and Elya Rabba explains that they rely on Ramban that if it is primarily made from threads it is permitted even if silver and