HALACHIC AND HASHKAFIC ISSUES IN CONTEMPORARY SOCIETY

231 - DANCING AND CLAPPING ON SHABBAT AND YOM TOV
OU ISRAEL CENTER - SUMMER 2021

• In the last shiur we looked at showering on Yom Tov and the tricky question of whether the halacha, as laid down by the Gemara and the Shulchan Aruch, is still unchanged today, giving the different reality of bathing habits in the 21st Century.

• In this shiur we will engage with the issue of dancing and clapping on Shabbat and Yom Tov. All communities celebrate Simchat Torah with dancing and clapping. Furthermore, in many shuls and Yeshivot on Shabbat, and certainly at the Kotel, Shabbat and Yom Tov services are often accompanied by dancing and clapping. Is this halachically problematic?

A] TALMUDIC SOURCES

A1] THE MISHNA

• There is no hint in the Torah or Tanach to any halachic problem concerning dancing or clapping on Shabbat.

• In the list of 39 prohibited melachot transmitted by the Oral Law, there is also no mention of a prohibition of dancing or clapping.

The Mishna lists different kinds of Rabbinic prohibitions which apply both on Shabbat and also on Yom Tov. Some of these are categorized as 'Shevut' - rabbinic prohibitions designed as a fence around core Torah prohibition, both to prevent inadvertent breach of the Torah melacha and also to enhance the atmosphere of Shabbat.

1.ין סתרת: שבת, שומס, שומס, שומס (חתם, ברחוב, שחנה, שומס) - לא שומס, לא שומס, לא שומס.

2.ספל - חטא חטא חטא.

Rashi explains that ‘metapchin’ means clapping1; ‘mesapkin’2 means slapping thighs3 and ‘merakdin’ means dancing4. These are rabbinic prohibitions in case someone comes to do the melacha of ‘tikun kli’ - fixing a musical instrument5.

1. Note the Maccabeat’s song ‘It’s Shabbat! - Sing and Dance’. It’s unlikely that they would have called it ‘It’s Shabbat - Play the Piano’, but the halachic issues may be the similar.

2. The Ramban explains that, although prohibitions of ‘Shevet’ are rabbinic in nature, they are part of a framework of laws which facilitate the positive Torah mitzva of ‘Shabbaton’ - to make Shabbat different to a weekday. As such, rabbinic prohibitions of shevet are often applied more strictly than other rabbinic prohibitions. For instance, the halacha usual prevents the Rabbis from make a gezera legezeira - a secondary rabbinic fence to prevent breach of the first. In the case of shevet, this is not always the case and one does sometimes find a ‘fence around a fence’. For instance one may normally not ask a non-Jew to perform a rabbinic prohibition (shevet deshern) on Shabbat unless there is some mitzva need. See https://www.etzion.org.il/he/halakha/studies-halakha/philosophy-halakha/

3. The other categories of ‘Reshut’ and ‘Mitzva’ are also rabbinic prohibitions of different types. A detailed analysis is beyond the scope of this shiur.

4. Rashi understands that this may be prohibited even due to avielut, where people would smash their hands together in grief. Tosafot (ibid s.v. ein) question Rashi’s explanation on the basis that such clapping would itself be prohibited, even on Chol HaMoed, as a public expression of grief. Some mefarshim (Simchat Yom Tov) answer that it would be permitted to mourning individuals (such as a talmid chacham) and thus the concern remains that someone may fix up a musical instrument to console the mourner.

5. Compare Bamidbar 24:10 where it says of Balak that יקח את כל העם מרגפין when he was angry at Bilaam for blessing the Jewish people. In that context Rashi explains it to mean clapping hands on each other. Some mefarshim ask that, according to Rashi’s explanation in the Gemara, Balak would have smacked his hands against his thighs in anger! In fact, the shooes s-p-a is used in Tanach for smacking the thigh in distress (Yemiyahu 31:10 - הושׁלע יְרוֹם הָעַם מֶרְגַּפִּין) or in grief (Yecheziel 21:17 - הָעַם מֶרְגַּפִּין). Self-mutilation in grief was a common ancient custom, which the Torah prohibits (Wayikra 19:28, 21:5 and Devarim 14:1). Smacking hands and thighs was therefore a permitted outlet. See also Mishna Berura 339:7 who prohibits clapping on Shabbat in grief or anger.

6. Thigli slapping has always been one of the modes of dancing. One example is the Schuhplattler - a traditional German folk dance from Bavaria. This features groups of men slapping themselves (and sometimes each other) on the knees, the thighs and the soles of their shoes. The dance is probably over a thousand years old – it was first described in 1050CE.

7. Some mefarshim raise a question from Mishna Ta’anit 4:8 which writes that the young women of Yerushalayim would go the vineyards and dance on Tu B’Av and Yom Kippur. Some question whether choliot in the Mishna means to dance or just hold hands in a circle. It is also possible that the minag was only on 15 Av and not on Yom Kippur, or that this was an exception to the general rule. The most likely resolution is that the Mishna in Ta’anit records a custom which predated the Rabbinic decree mentioned in Mishna Beitzca.

8. The mefarshim debate whether this meant making a new instrument or fixing a broken one (see Shu’t Bnei Banim 11:2 p 48). Most likely, it would also relate to TUNING an instrument.

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The Bavi does not define what is meant by dancing. But the Yerushalmi does!

Chazal here define jumping as lifting two feet off the ground at the same time, and dancing as lifting one foot up and leaving the other down.\(^9\)

R. Ovadia Yosef rules that the slow shuffle around in a circle (which the older generation tend to prefer at weddings) does NOT have a halachic status of dancing and is permitted on Shabbat according to all opinions.\(^10\)

A2] THE GEMARA

Only a few generations after the Mishna in the time of Abaya and Rava it was clear that even shomrei Shabbat\(^{11}\) were not observing this halacha and were dancing on Shabbat, yet the Rabbis did not rebuke them! Abaya explains that it was considered preferable for them to break this rabbinic law in error (beshogeg) rather than be told that it was wrong and then continue to break it on purpose (bemeizid). The Gemara even applies this to Torah prohibitions, such as the mitzva to add on to Yom Kippur and fast by the end of the ninth Tishrei.

This halacha is ruled in Shulchan Aruch\(^{12}\). Where people breach halacha beshogeg and would not listen\(^{13}\) if they were rebuked, it is better not to tell them. This even applies to a Torah law, but only if the law is not explicit in the Torah.\(^{14}\)

B] THE RISHONIM

B1] THE SEFARDI RISHONIM

The Rif brings the halacha and rules that we must rebuke those who dance if we think the people may listen.

\(^9\) Some Rishonim quote this but leave out the end of the phrase ‘leaving the other down’. R. Henkin learns from this that one should not read this Gemara as limiting the form of dancing to a specific type where one foot is always on the floor, but is rather simply distinguishing it from jumping. As such, anything that would reasonably be called dancing will be halachic dancing. For instance, some wedding dances are now more vertical than horizontal but this should not halachically define them as ‘not dancing’ simply because both feet are off the floor. Similar ‘The Twist’ should not be defined as ‘not dancing’ just because both feet are kept on the floor.

\(^10\) This is also the opinion of the Devar Yehoshua 2:4:2:4 and Shulchan Shlomo 524:4, note 3.

\(^11\) From the context of the Gemara it seems that this was particularly an issue with women dancing.

\(^12\) This is the position of the Ran (Beitz 16b s.v. v'haacht). Other Rishonim argue that this principle applied only in Talmudic times, but today one is obligated to protest even rabbinic breaches to strengthen Torah (see Shita Mekubetzet Beitz 85 s.v. velo in the name of the Riva who quotes the Maharam of Rottenberg and others).

\(^13\) Tosafot Bava Batra 60b s.v. mutar rules that this only applies when it is certain that people will not listen. If one is not sure, however, one is obligated to tell them (see Rif below and also Rosh Beitz 49a:2). This is ruled by the Mishna Berura 608:5. The Mishna Berura also rules that one must rebuke if the people are intentionally sinning.

\(^14\) For instance, the prohibition to light a fire on Shabbat or not to eat pig is explicit in the Torah. However the Torah prohibitions of shemirat negia or for a married woman to cover her hair, are not explicit in the Torah. For more see R. Yehuda Henkin’s article Mutav Shayju Shogegin, Techumin 2:272-280.
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The Rambam rules the halacha without any accommodation towards those who do not listen!

B2] THE ASHKENAZI RISHONIM

• The Rosh\textsuperscript{15} and the Tur\textsuperscript{16} quote the halacha prohibiting clapping and dancing on Shabbat and Yom Tov in the same terms used by the Gemara. However Tosafot drop a bombshell!


tosafot rule a radical psak! They observe that, already by their day, nobody would make\textsuperscript{17} an instruments in this situation so the gezeira should fall away.

C] DOES HALACHA CHANGE WHEN THE FACTUAL REALITIES CHANGE?

• For Torah mitzvot it is clear that a mitzva will not cease to have effect simply because the reasoning apparently no longer applies.\textsuperscript{18}

For Rabbinic mitzvot created by the Sanhedrin, the position also appears to be clear.

The Mishna rules that a later Sanhedrin may not override an earlier one unless it is not based in wisdom and number.\textsuperscript{19}

An egg laid on first day Rosh Hashanah remains muktzeh through to the end of the second day, due to Rosh Hashanah having a status of one ‘long day’. After the destruction of the Temple, R. Yochanan b. Zakai adapted the fixing of Rosh Hashanah to reflect the absence of the Temple. Nevertheless, even though the original reason for classifying Rosh Hashanah as one ‘long day’ was no longer relevant (since the Temple had been destroyed) the egg remains prohibited through the second day. The Gemara rules the principle of ‘davar shebeminyan’. Since the original rabbinic ruling was made ‘beminyan’ - in a quorum of the full Sanhedrin - R. Yochanan b. Zakai did NOT have the authority to change it.

Rashi explains that, even when the original Rabbinic enactment was made for a reason, and the reason apparently falls away, nevertheless, the enactment stands unless a later and greater Beit Din is able to repeal it.

15. Beitza 4:2
16. OC 339. Like the Rambam, the Tur does not even mention the case of those people who breach the halacha beshogeg.
17. Interestingly, Tosafot state that people would not MAKE instruments in his time. He does not mention tikum - fixing or perhaps tuning. Presumably, people would still be easily drawn to tune an instrument in 13C France, but Tosafot may understand that the reality had sufficiently changed to warrant a change in the psak. See also Piskei Tosafot Beitza 108 who write: ידיעת סופר חסידי (אדרת חסידיה) דכפי רוחנו מלך כל מדינה והרי חסיד אכתי (גזרת חסידא ט). שרי ר"י
18. In the debate between R. Shimon and R. Yehuda in the Gemara concerning dorshim ta'amei dekra we rule like R. Yehuda - that we do NOT based the halacha on our understanding of the reasons for the mitzva. The classic case is the Torah prohibition against taking security against a loan to a widow. R. Shimon understands that this only applies to a poor widow, due to the halachic requirement of returning the day or night security each morning/evening and the improwity of being seen frequently at the widow’s house. But there would be no prohibition against taking security from a rich widow. R. Yehuda rules that the mitzva applies to ALL widows irrespective of their wealth since we do not ascribe reasons to Torah mitzva.
19. Number does not here refer to the number of judges on the Beit Din, which is fixed, but rather to the number of people in the community who are supportive of the Beit Din’s position.

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The Rambam rules that a later Sanhedrin cannot overturn Rabbinic gezeirot or takanot of an earlier Sanhedrin even if the reason for the decree has apparently fallen away, unless the later Sanhedrin is greater in wisdom and ‘number’ (i.e. following). Furthermore, if the original gezeira was a rabbinic fence around the Torah to protect the Torah, even a greater Sanhedrin would not be permitted to revoke it! This would apply even more so to a generation after the Gemara without a Sanhedrin!

The Ra’avad questions the Rambam’s ruling based on the example of ‘ittur shevekei Yerushalayim’. The Sanhedrin ruled that the streets of Yerushalayim should be decorated to celebrate the bringing of the Bikkurim. Yet R. Yochanan ben Zakai, who was not greater than the earlier Sanhedrin who had made the ruling, still overruled it after the Churban since its reasoning was obviously entirely inapplicable.

C2] TOSAFOT’S POSITION - SOMETIMES THEY DO!

In many places throughout Shas, Tosafot take the view that some rabbinic decrees were only put in place due to a very specific concern. Once that concern is removed, then it is ‘built in’ to that mitzva that it will fall away.

Tosafot explicate their position in the discussion concerning burial on Yom Tov Sheni. In principle this was allowed, even where the burial was performed by Jews, but Chazal prohibited it due to the specific situation of the Jews in Persia who were ruled by a group - the Chavrei. Since the Chavrei were no longer relevant to the Jews, Tosafot understands that the original rabbinic decree prohibiting burial on Yom Tov Sheni has lapsed. Although it was made in a ‘minyan’ - a specific concern, once this has passed, the halacha reverts to its former state.

Another example is the prohibition of drinking from water which remained uncovered for a short time (day or night) in case snakes had been in the water and left behind venom. Tosafot say that this no longer applies in places where snakes are uncommon.
Another example is Mayim Achronim. Tosafot rule that, since the reason for the takana is the danger of Dead Sea salt, and we do not have this today, this halacha falls away and there is no longer any reason to do Mayim Achronim.21

Nevertheless, in the case of the prohibition of work on the afternoon of Erev Pesach, Tosafot rules that, even though there is no korban today, the prohibition still applies! As indicated above, this case could be different since the decree was not made because of a ‘chashash’, but to give a special status to Erev Pesach so that people would bring the korban.

• Another question on Tosafot is the issue of the chatimat haShas - that NO rabbinic authority after the Gemara is permitted to argue with its conclusions22. Again, Tosafot would argue that the change of the halacha was ‘built in’ as part of Chazal’s conclusion.

C3] SIMCHAT TORAH - A SPECIAL EXCEPTION

The Maharik (15C France) deals with the question of selling off aliyyot on Simchat Torah. He permits this and quotes Rav Hai Gaon (9C Bavel) that the minhag23 was to permit dancing on Simchat Torah because of ‘kavod haTorah’24.

D] DANCING ON SHABBAT - THE SHULCHAN ARUCH

The Mechaber quotes the Rambam and other Sefardi Rishonim that dancing and clapping etc remains prohibited on Shabbat. The Rema accepts that people are lenient on this issue on Shabbat but he brings two views as to why. First, he brings the view that dancing is prohibited but that people will not listen when rebuked, so it is better that they should break the halacha in ignorance than intentionally. The Rema then quotes - as a ‘yesh onrim’ - the view of Tosafot the gezeira falls away since the likelihood of making an instrument is very rare and Rabbinic enactments do not normally apply to rare occurrences.

The Taz quotes the Beit Yosef25 who suggests that where a Rabbinic gezeira was made concerning something which was rare, this weakens the original power of the gezeira and enables it to be removed once the reason has lapsed.

21. The psak of the Shulchan Aruch in each of these cases is different. In the case of mayim megulim, the Shulchan Aruch (YD 116:1) rules like Tosafot that, these days, such drinks are totally permitted (although some Acharonim, such as the Vilna Gaon, were stringent). However, in the case of mayim achronim, the Shulchan Aruch (OC 181:10) rules like the Rambam that mayim achronim is compulsory even today, but quotes the opinion of Tosafot as a ‘yesh onrim’. Many Acharonim are insistent that mayim achronim is still obligatory today. (See for instance Aruch Hashulchan OC 181:5 who insists that even Tosafot could not have intended that mayim achronim be entirely optional!)
22. See Rashbam Bava Batra 130b s.v. ad shemoyim; Ri Migash ibid s.v. sha’at. Intra of Maimonides to the Mishna (towards the end, at paragraph beginning veka’asher metot).
23. The custom of finishing the Torah and celebrating on Simchat Torah evolved in the time of the Geonim as an expression of simcha and ahavat Hashem on Shemini Atzeret. Even though second day Yom Tov was observed in Bavel in the time of the Gemara, Chazal clearly had a different practice and different Torah readings on that day.
24. R. Henkin (Shu’t Bnei Banim 1:12) understands that this meant ‘kavod SEFER Torah’ and only applied on second day Yom Tov.
25. The Beit Yosef (OC 339:3) understands that Tosafot’s position on dancing is consistent with their lenient position on mayim megulim etc. See also Taz YD 116:1 where he brings a parallel reasoning for mayim megulim.
E] DANCING ON SHABBAT - THE ACHARONIM AND POSKIM

• The ruling of R. Hai Gaon permitting dancing on Simchat Torah is universally accepted\(^27\), even in Israel where Simchat Torah is on first day Yom Tov and can even fall on Shabbat\(^28\).

E1] THE SEFARDI PSAK

• Most Sefardi poskim rule strictly on the issue and prohibit dancing on Shabbat and Yom Tov\(^29\), even for a mitzva and even at a Shabbat Chatan. As noted above, shuffling in a circle is NOT considered dancing and will be permitted.

• As such, Yalkut Yosef rules that a Sefardi individual who dances on Shabbat should be politely rebuked and told to stop\(^30\).

• Clapping with a shinui - eg on the back of the hand - is permitted.

E2] THE BASIC ASHKENAZI PSAK

• Many Ashkenazi poskim understand the Rema strictly and prohibit dancing and clapping on Shabbat and Yom Tov.

• For instance, the Shulchan Aruch HaRav\(^31\) rules that dancing is prohibited and that, even though people DO dance on Shabbat, this is incorrect and we do not rebuke them only because they will not listen. He quotes the lenient position of Tosafot as a ‘limud zechut’.

• Many Ashkenazi poskim (such as R. Moshe Feinstein\(^32\)) take the view that, although the leniency of Tosafot is questionable today - since we see that most musicians tune and fix their instruments - since the Rema quotes this opinion, it can be relied upon in some situations\(^33\). Although he rules that it is preferable\(^34\) to be strict, R. Feinstein writes that he has met many God-fearing Jews who dance and clap on Shabbat\(^35\).

• All Ashkenazi poskim permit clapping with a shinui.

• Most also prohibit drumming or banging on the table during Shabbat Zemirot.\(^36\)

• Many also prohibit clapping without rhythm to wake someone. Many permit applauding\(^37\) on the basis that the clapping is not rhythmic.

E3] ASHKENAZI LENIENCIES - 1: FOR A MITZVA

The Maharshal (16C Poland) rules that, even though most poskim do not accept the lenient position of Tosafot, when combined with a ‘tzorech mitzva’, one can rely on this. As for young girls who dance all the time on Shabbat, even absent a mitzva need, they should not be rebuked since they will not listen, and Tosafot is also a position on which they can (bedieved) rely.

\(^{26}\) R. Ovadia Yosef (Yechave Da’at 2:58) understands, based on the Shach (YD Issur VeHeter 242) that the general rule in understanding the psak of the Rema is that where he quotes two opinions and the second is a ‘yesh oranim’, he rules like the first and brings the second only to justify a prevailing custom.

\(^{27}\) See Magen Avraham 339:1, Taz OC 339:2, Rema OC 669, Yalkut Yosef 668:5.

\(^{28}\) This is an interesting extension of the original heter of R. Hai Gaon which explicitly refers only to Simchat Torah on Yom Tov Shen, which in chu‘i can never fall on Shabbat.

\(^{29}\) See R. Ovadia Yosef (Yechave Da’at 2:58). R. Ovadia rejects the leniencies suggested by many of the Ashkenazi poskim - see below. See also Kaf HaChaim 339:13.

\(^{30}\) See Yalkut Yosef 339:4-8.

\(^{31}\) OC 339:2. The Shulchan Aruch HaRav was written by R. Shneur Zalman of Ladiy - the founder of Chabad Chassidut. Evidently, dancing on Shabbat was NOT encouraged (at least in theory) in early Chabad chassidut. This is not the case today. For instance www.chabad.org/library/article_cdo/aid/965540/jewish/Why-no-music-on-Shabbat.htm states “So, while playing music on Shabbat and holidays is forbidden, song and dance are permitted and encouraged.”

\(^{32}\) Igrot Moshe 2:100.

\(^{33}\) Note that some people mistakenly tried to apply the leniency of Tosafot to actually playing musical instruments on Shabbat and some poskim had to specifically refute that practice – see Shulchan Aruch HaRav 1 OC 50. Many Rabbanim also had to fight against mixed dancing between men and women - see Blaustein 339:3 s.v. lehakel.

\(^{34}\) This is based on the fact that there is a prohibitory heter - ba’al nefesh.

\(^{35}\) Rabbi Ribiat in his 39 Melachot, vol 4, p 1160 writes that, based on the Rema, many people permit themselves to clap and drum their fingers while singing and he quotes Igrot Moshe in the footnote.

\(^{36}\) R. Eliezer Melamed (Shabbat 22:18) prohibits this EVEN according to the views which are more lenient since this is very similar to the action of an actual drum, which all agree is prohibited, even for the sake of a mitzva. He permits drumming on the bima during davening and perhaps also for the person leading the Zemirot at the table. R. Melamed also permits jumping up and down with enthusiasm if there is no music playing!

\(^{37}\) See https://torah.org/torah-portion/weekly-halacha-5773-vayakhel/.

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The general position in hilchot Shabbat is that only a DOUBLE level Rabbinic mitzva — this explanation of the Mishna is dismissed by R. Ovadia Yosef as untenable. Nevertheless, many Chasidim strongly defend the psak of the Minchat Elazar. Shu’t Dvar Yehoshua

R. Chaim Elazar son of R. Tzvi Shapira was born in Hungary, in 1871. He studied from his father, the author of Darchei Teshuvah on Shulchan Aruch. In 1922 he became the rabbi of the Cracow ghetto. He was included in the “Kastner train,” escaping to Switzerland. In 1945, he moved to Yerushalayim. In November of 1947, he heeded to request of Rav Herzog to be the Chief Rabbi of the internment camp on Cyprus; he stayed until the camp was entirely dismantled and came back to Eretz Yisrael on the last ship. He was appointed Av Beit Din in Yaffo. When Yaffo was joined to Tel Aviv, he served as a specialist on Gittin, and was widely regarded as the foremost posek in this area. He died in 1976.

The Munkaczer rules that dancing in simcha on a regular Yom Tov and Shabbat is an extension of the heter of dancing on Simchat Torah. Even though the Mishna did not define dancing as a mitzva (but rather as a shevut), the Munkaczer understands that this depends on the person. For Chasidim who are imbued with simchat hachaim, dancing and clapping on Shabbat and Yom Tov is a mitzva. For others, it is simply a bother!

This was also the position of the R. Menachem Mendel Schneerson

The Aruch Hashulchan finds it very hard to justify overriding a clear Rabbinic prohibition of dancing (even on Simchat Torah) just because of a mitzva or kavod haTorah. He therefore proposes that our amateurish dancing today is not even close to the professional dancing Chazal were speaking about. We do not smash our thighs, or even clap in time to the music. So our dancing and clapping was NEVER prohibited.

38. 339:10 and also Sha’ar HaTzitun 339:7 who quotes the Maharshals leniency. See also Sha’ar HaTziyun 426:12 who explicitly rules that dancing for a mitzva would be permitted on Shabbat and Yom Tov, as an extension of the specific heter of Simchat Torah.
40. Chavot Yair (Mekor Chaim 511:11), R. Chaim Palagi’i (Lev Chaim 2:9); Eishel Avraham Butchekhet 339:3; R. Shlomo Zalman Auerbach (Shalmei Simcha page 115). The Chazon Ish is also cited as saying that the custom is rule leniently (Maaseh HaShit vol. 5 page 17).
41. 3rd Ed. 16:43.
42. 1:29.
43. R. Chaim Elazar son of R. Tzvi Shapiro was born in Hungary, in 1871. He studied from his father, the author of Darchei Teshuvah on Shulchan Aruch. In 1922 he became the rabbi of the city of Munkatch, where was also a Chasidic Admor and Rosh Yeshiva.
44. There is a significant debate as to whether there is din in simcha on Shabbat. A number of sources suggest that there is - see https://queensvaad.org/halacha-weekly-parshas-behaalaotsha-obligation-of-simcha-on-shabbos/. See also Yechav Da’at 2:58.
45. The Minchat Elazar rejects any halachic suggestion to separate the two - where dancing is permitted, so is clapping and vice versa.
46. This explanation of the Mishna is dismissed by R. Ovadia Yosef as untenable. Nevertheless, many Chasidim strongly defend the psak of the Minchat Elazar. Shu’t Dvar Yehoshua 2:42:4 takes a similar view to the Aruch HaShulchan (see below) and argues that Chassidic dancing is so lacking in order that it could not have been the dancing prohibited by Chazal which was far more rhythmic and one which men may fix an instrument to. (R. Yechezkel Menachem Ehrenberg was born in Kornesk, Hungary. In 1921, he moved to Tarnow to learn in the yeshiva of Rav Meir Ark. Living in Cracow, Rav Ehrenberg published his first sefer, Rashei Besamim on the Rokeach, in 1937. During WWII, he was interned in the Cracow ghetto. He was included in the “Kastner train,” escaping to Switzerland. In 1945, he moved to Yerushalayim. In November of 1947, he heeded to request of Rav Herzog to be the Chief Rabbi of the internment camp on Cyprus; he stayed until the camp was entirely dismantled and came back to Eretz Yisrael on the last ship. He was appointed Av Beit Din in Yaffo. When Yaffo was joined to Tel Aviv, he served as a specialist on Gittin, and was widely regarded as the foremost posek in this area. He died in 1976.
48. The general position in hilchot Shabbat is that only a DOUBLE level Rabbinic mitzva - shevet deshevet - is set aside for a mitzva.
49. R. Ovadia Yosef dismisses this explanation as ‘words of prophecy’.

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• R. Shlomo Aviner is lenient and permits dancing on Shabbat for a number of reasons, including the reasoning of the Aruch HaShulchan⁵⁰.

E6] ASHKENAZI LENIENCIES - 4: OUR DANCING DOESN'T MAKE ANY NOISE

• R. Yehuda Henkin⁵¹ quotes the Sefer HaAguda⁵² who, in turn, cites the R’i who permits dancing which does not generate any noise - hashma’at kol.⁵³

E7] ASHKENAZI LENIENCIES - 5: DANCING FOR KABBALAT SHABBAT

• The Ashel Avraham⁵⁴ rules that dancing during bein hashemashot from Friday into Shabbat would be permissible since the prohibition is rabbinic and is not applicable in the same way during bein hashemashot⁵⁵.⁵⁶.

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50. R. Aviner quotes a story about R. Moshe Feinstein: a student in his yeshiva finally got married after many, many years. At the Aufruf, they were so excited that they began to dance around the Bima. Ha-Rav Feinstein participated. A student asked him: Isn’t it forbidden to dance on Shabbat? Ha-Rav Feinstein responded: You call this dancing?! He also notes that R. Chaim Kanievski related that he once asked the Chazon Ish about dancing on Shabbat for an Aufruf or Bar Mitzvah, and the Chazon Ish answered that the custom is to be lenient. He said, however, that his father, the Steipler, would walk around and not dance (Ma’aseh Ish vol. 5 p. 17).

51. Shu’t Bnei Banim 1:12.

52. Beitza 44.

53. R. Henkin brings a proof from Eruvin 104a where the Gemara rules that one may not clap or stamp loudly (yirkod) on Shabbat to scare off birds. On that basis, it may be that the prohibition of dancing, like clapping, is related to making noise.


55. See Shulchan Aruch OC 261:1. Note also that, according to Rabbeinu Tam, whose view was followed widely in Europe until the 19th Century, bein hashamashot extends over an hour after sunset. See https://rabbimanning.com/wp-content/uploads/2018/08/The-Late-Shabbat.pdf

56. For a detailed source sheet on this topic by R. Ari Kahn see http://mishkanetrog.blogspot.com/2014/05/sources-for-clapping-on-shabbat.html

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