On the Proper Use of Niggunim for the Tefillot of the Yamim Noraim

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Song has been the paradigm of Jewish Prayer from time immemorial. The Talmud Brochos 26a, states that "Tefillot kneged tmidim tiknum", that "prayer was established in place of the sacrifices". The Mishnah Tamid 7:3 relates that most of the sacrifices, with few exceptions, were accompanied by the music and song of the Leviim.11 It is therefore clear that our custom for the past two millennia was that just as the korbanot of Temple times were conducted with song, tefillah was also conducted with song. This is true in our own day as well. Today this song is expressed with the musical nusach only or, as is the prevalent custom, nusach interspersed with inspiring communally-sung niggunim.

It once was true that if you wanted to daven in a shul that sang together, you had to go to your local Young Israel, the movement that first instituted congregational melodies c. 1910-15. Most of the Orthodox congregations of those days – until the late 1960s and mid-70s - eschewed the concept of congregational melodies. In the contemporary synagogue of today, however, the experience of the entire congregation singing an inspiring melody together is standard and expected.

Are there guidelines for the proper choice and use of “known” niggunim at various places in the tefillot of the Yamim Noraim? Many are aware that there are specific tefillot that must be sung "...b'niggunim hanehugim......b'niggun yoda um sukon um'kubal b'chol t'futzos ho'oretz...mimei kedem." - "...with the traditional melodies...the melody that is known, correct and accepted

11 In Arachin 11a there is a dispute as to whether song is m’akeiv a korban, and includes 10 biblical sources for song that is required to accompany the korbanos. The gemorrah states there that song is essential (“m’akeiv”) and mandated biblically, but says that the lack of it does not invalidate a korban. Aruch Hashulchan “L’Atid” on Kodashim 1:20 says that shira is not m’akeiv a korban. Rambam in Hilchos Klei Hamikdosh seems to agree. The Yerushalmi Psachim 3:1 says that shira is m’akeiv a korban. The Bavli in Taanis 23 agrees, but mentions “kli shir” - the instruments of the Leviim only. The above source in Arachin implies that if instruments are required, then certainly vocal music is required.
throughout the (Jewish) world...from ancient days." (Mateh Ephraim), and that for these particular texts no “popular” niggunim can be substituted. The essence of the question is what tefillot fall under this category and what can be sung to any melody of the chazzan’s choosing?

When you pray, use those tunes that are pleasant and sweet in your eyes... which will draw your heart after what is spoken from your mouth. For supplication, use a tune that readies the heard. For praise, use a tune that gladdens the heart, so that your mouth be filled with a love and joy for the One Who Sees your heart.

Sefer Chasidim 158

There are some in our contemporary minyanim that have taken this statement as a matir that anything goes when it comes to utilizing niggunim for tefilla, even for the Yamim Noraim. However, there is one difference between the citation of the Sefer Chassidim when it was written in the 12th century and our minhag today, and that is the appearance of the halachic presence/authority of the Maharil almost 200 years later.

The Maharil, Rabbi Jacob Möllin (1365-1425 CE), decreed l’halacha that there are rules, parameters and musical guidelines that must be followed and that dictate the use of any and all niggunim/melodies in our tefillot. This was codified as part of our halachic tradition.

One should not digress from the customs of the place, even with regard to tunes and piyutim that are used. (Maharil)

Rama 619:1

The Maharil “sanctified” more than 50 niggunim plus another 50 or more “corollary”, related phrases, which he referred to as "Missinai", (a euphemism for “very old”). He gave these melodies, found in our tefillot throughout the year but primarily on the Yamim Noraim, the force of an ancient tradition/minhag that cannot be changed. His minhag also determined the musical form of most of the paragraphs of our tefillot. Therefore, no longer do the words of the Sefer Chassidim apply, but they are superseded by the ruling of the Maharil. No longer can a Baal Tefilla choose “any melody that gladdens his heart”, but the melodies he sings must be chosen within the guidelines of the Ramah and his ruling based on the Maharil.

It is the task of this article to describe the parameters by which we can clearly determine where the sanctified musical nusach of the Yamim Noraim tefillot is unchangeable, sacrosanct, and must be sung in the manner that has been accepted and heard in every Ashkenazic synagogue of the East/West European tradition for almost seven centuries since the Maharil. We can then detail where a Baal Tefilla is allowed to utilize spiritually effective congregational melodies to inspire and uplift the congregation if it is the desire of the congregation that he do so.

It is a wonderful basket of choices that we have today at our disposal from which to choose beautiful niggunim to uplift the tefillot of our shuls: Modzitz, Carlebach, Chabad or Dveykus niggunim and
The Problem

Whenever we hear a beautiful melody being sung in shul, as the entire tzibbur erupts in song and harmony, it inspires us and gives us an incredible sense of unity. The question begs whether or not we can use any melody anywhere we wish.

I have developed a mnemonic that can serve as general guideline to the proper use of niggunim in tefilla all around the year. It is my “Three M” Guideline System of using Niggunim for Tefillah: Mode, Mood, and Min Hakodesh.

Mode

It is very difficult for those who are not musically trained to understand or be able to distinguish the different musical modes upon which Nusach Hatefillah is built. Most of us viscerally know how a section of tefilla sounds from years of attending services in shul. It may not be necessary for a good Baal Tefilla to know that Tikanto Shabbat is in the mode of “Phreigish” (or its’ Hebrew name, “Ahava Rabba”), or that Shochein Ad is in the mode of “minor” (or “Mogein Avos”). However, when describing a nusach that is not well known or unknown to the individual, it becomes necessary to have a way to define and identify the musical format, or “mode”, with which this tefilla must be sung. This is also part and parcel of the takkanot of the Maharil, who not only was mekadesh specific melodies, but insisted that the general modes of all our tefillot be zealously protected and adhered to as well.

In America, we are generally the inheritors of the Eastern European branch of Ashkenazic minhag. It differs in only minimal ways to that of the original West European minhag known in the days of the Maharil. Over the centuries it became its own distinct custom while adhering to the Maharil’s guidelines in a majority of cases. This is our minhag, and according to the dictum of the Maharil, we must adhere fastidiously to it. The Maharil understood the importance of entering a shul any time of day or month and being able to identify which tefilla is being prayed simply by its sound - its melody. Whether Mincha Shabbat or Yom Tov Musaf, the recognizable strains of the nusach’s melody surrounds us and puts us into the atmospheric aura of the prayer experience. This becomes a crucial step in raising us to the proper heights of kavannah, as required by the Shulchan Aruch. The nusach “speaks to us” from within the framework of the musical mode.

The question remains: How do we convey the structure of the musical modes to the average, non- musically literate Jew with a good voice who wants to know how to daven properly? Solution #1 is to have him study at the Belz School of Jewish Music at YU, or #2, to privately study with a mumcheh who can record the proper nusach for him. Solution #3 is to get a CD of the nusach, and there are some very good CDs out there. However, there are also some “not very good” CDs out there that can mislead the buyer.
The purpose of this article is not to teach nusach, which is a very long and complicated course of study. It is my intention to give the individual who is interested in the subject or who is already davening as a Shliach Tsibbur the tools to discern where, when and what kind of niggunim are or are not appropriate for a particular tefilla on the Yamim Noraim.

**A Guide to the Hebrew Music Modes**

<table>
<thead>
<tr>
<th>Hebrew Mode</th>
<th>English Name</th>
<th>Style/Description (Sounds Like)</th>
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</thead>
<tbody>
<tr>
<td>Magein Avot</td>
<td>Minor</td>
<td>Fri. Eve.Magein Avot; Shochein Ad</td>
</tr>
<tr>
<td>Hashem Moloch</td>
<td>Mixo-Lydian</td>
<td>Kabbalat Shabbat (i.e Arbaim Shana) Shabbat Chazarat Hashatz – Avot</td>
</tr>
<tr>
<td>Ahava Rabba</td>
<td>Phreigish/Hejaz</td>
<td>Tikanta Shabbat /Y.N. Avinu Malkeinu</td>
</tr>
<tr>
<td></td>
<td>Standard Major</td>
<td>Pre-Musaf Ashrei; Ein Keilokeinu</td>
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</tbody>
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There are three additional modes, but the differences between these and the modes cited above are subtle and not sufficiently different than the ones I have written down to list and possibly cause confusion.

In the chart of all the tefillot of the Yamim Noraim in the appendix, whenever one of the above modes is mentioned, compare it with the guide above to approximately determine what the mode sounds like, and whether or not the niggun is appropriate for a particular tefilla. My hope is that this will make the examples of the “musical mode” clearer to the non-musician.

**Mood**

Mood is understandably important when choosing a melody for tefillah. Too often, Baalei Tefilla are so enamored with a particular melody that they, perhaps unaware, use that melody inappropriately. An example would be for the tefilla of the Shabbat Av Horachamim, where the Chazzan recites the last lines: “Ki Doresh Domim....” ”For the Avenger of Blood has remembered them. He has not forgotten the cry of the humble”. To sing a joyous melody here would be very inappropriate, yet it is not uncommonly heard. Even in the Musaf Kedusha, where we recite:” Mimkomo hu yifen b’rachamim ...” “From His place may he turn with compassion...,” the tone of the words begs a melody that is slower or at least introspective in quality, rather than a “simcha” type melody which is often utilized and is inappropriate as well. Certainly, for a very emotionally charged text, such as:”Mi Yichye, Mi Yomus...” in the “Unesaneh Tokef” prayer, it should almost be unnecessary to say that the use of a “popular” niggun here would be highly inappropriate. It is the rare niggun that can properly interpret intense words such as these. My humble but firm suggestion is to generally avoid niggunim for
such a tefillah, and to proceed with the musical nusach form - a format that baalei tefillah have utilized for centuries, that pleads and cries in amplification of the poignant words written by the heartbroken paytan, in this case, Rabbi Amnon. Here one does not have to be musically conversant. One only needs to use forethought and “seichel” when planning the use of a congregational melody. Discretion is the rule here.

Min Hakodesh
This third guideline refers to the origin of the niggunim that we choose for congregational singing – not only on the Yamim Noraim but during the entire year as well. It is clear from the writings of many of our most authoritative commentaries that melodies taken from non-holy sources are to be frowned upon, and in some cases, forbidden.

Acher (Elisha Ben Avuya) [was an apostate from] Greek tunes constantly in his mouth.
Chagiga 15b

A chazzan who … sings with non-Jewish tunes should be warned not to do so, and if he does not stop, he should be removed.
Rama OC 53:25

The Sefer Chassidim also strongly condemns those who sing or even imitate “foreign” or non-Jewish tunes in Tefilla. Such warnings occur again and again in the halachic literature of minhag Ashkenaz. It is clear, even from a simple visceral reaction to the concept, that one should only use melodies that come from a “kosher” source.

The Use of Melodies in the Liturgy of the Yamim Noraim
Where there is song there is prayer.
Brachot 6a

The question is where should there be tefilla only, and where can there be rinah, or song, that can be joined in by the congregation? The answer is, as long as it follows certain defined guidelines it will be acceptable. Let us examine what these are.

12 The Aruch Hashulchan OC 53:26 substitutes the phrase “Shirei Agavim”, meaning secular love songs, and Rabbi Eliezer Waldenburg, Tzitz Eliezer 13:12 suggests this is the correct version of the text of the Rama as well.
13 The numerical equivalent of shira (שירה) is that of tefilla (תפלה), a remez to the need for song in the conduct of our prayers.
14 In truth, there are certain “Niggunei Maharil” that already seem to lend themselves to congregational participation. One well-known example is the sanctified Missinai Kaddish before Musaf of the Yamim Noraim (also used for the introduction to Slichot), wherein the entire synagogue sings along to the words starting at the second line - at “B’chayeichon”. However, this “sing-along” melody is actually a choral composition by Cantor Wolf “Velvele” Schestopol (1832-72) of Odessa! Before Schestopol added his embellishment, the second line of this Kaddish was not a sing-along in any manner or form. However, it became so popular and accepted by Am Yisrael that it has, in effect, practically become our minhag yisrael.
The Three Kinds of Tefillah Melodies

There are three kinds of melodies that we utilize in our tefillot, and on the Yamim Noraim, in particular. 1) Missinai” niggunim, the special, time-honored melodies of the Maharil, such as V’hakohanim, Aleinu, etc. that must be sung note for note without change. 2) “Corollary Missinai/Traditional” chant, or *nusach*, in a given musical mode/style, which is utilized in the body of the chazzan’s tefilla for the bulk of the words of every paragraph. 3) Sing-a-long melodies that are inserted by the chazzan, that also must conform to certain rules and regulations, but are flexible to the degree that the chazzan has the freedom to make his choice within the rubric/structure of those rules and regulations. The chart that is being provided as an appendix below will attempt to clarify which tefillot of the Yamim Noraim conform to 1, 2, or 3.

It is the hope of the author that, by encouraging the preservation of the sanctified melodies and modes of the Yamim Noraim, all of us will find our tefilla experience meaningful and effective, and that we will be blessed with a year of health, success and fulfillment of all our hopes and prayers. *V’chayn Y’hi Ratson!*

The Complete and Comprehensive Chart of Missinai and Corollary Missinai/”Traditional” Tefillot

**LEGEND**

MISSINAI in bold caps – untouchable.
COROLLARY MISSINAI/TRADITIONAL in non-bold caps – may not be changed.
Niggunim are allowed within the traditional nusach- in lower case letters.
*Niggunim are allowed to be used without restriction* – italics.
M = Major, mixo-lydian; mi = minor; P = Phreigish. Refer to the chart in the article.

**Maariv Rosh Hashana**
- **BOR’CHU**
- **ALL BROCHOS ENDINGS**
- **TIKKU BACHODESH**
- **KADDISH**
- Kiddush – “Akdomus” phrases
- L’Dovid Mizmor (mi, P)

**Shacharis Rosh Hashana**
- **HAMELECH**
- **1st THREE PARAGRAPHS**
- **SHIR HAMAALOS**
- **KADDISH**
- **BOR’CHU**

- **Zochreinu (mi)**
- **ATO GIBBOR**
- Gevurots (mi)
- **AD YOM MOSO**
- **YIMLOCH/V’ATO KODOSH**
- **Ato Hu Elokeinu (M)**
- **ROM UMISNASEH**
- **TOIR V’SORIA, TSETSOEHO, etc.**
- **SH’MO M’FOARIM, EDER VOHOD**
- **HASHEM MELECH**
- Melech Elyon – *alternate with nusach (M)*
- **L’KEIL ORECH DIN**
- **KEDUSHA – N’KADESH, OZ**
- **MIMKOMCHO (mi)**
- L’dor Vador thru Vatiten Lanu (mi)
Musaf Rosh Hashana

- **Hin’ni (P, mi)**
- **MUSAF KADDISH**
- **OVOS**
- **MISOD**
  - KEREN, TOSHUV, ASUMO
  - Zocheinu (mi)
  - ALL BROCHOS
  - Gevuros, M’chalkeil, (P, mi)
  - L’HOSIR
  - YIMLOCH, V’ATA KODOSH
  - KEIL EMUNOH, IM LO
  - Melech Elyon (M)
  - Unesaneh Tokef (mi,P)
  - MI YONUACH
  - Usehuvo Usefilo Utzedoko (mi)
  - Ki K’shimcha (mi)
  - V’ato Hu Melech
  - Ein Kitzvo, Hamakdishim Shimcho (M)

**KEDUSHA – K’VODO, MIMKOMO**

- Sh’mu, Hu Elokeinu (M, mi)
- Adir Adireinu through B’ein Meilitz (mi)
- V’chol Maaminim - *alternate with nusach* (mi)
- V’CHOL MAAMINIM/SHOFET TZEDEK
- Tussgav through Uv’cheinos (mi)
- V’yeesoyu Chol (M)
- V’simloch (mi)
- KODOSH ATO and BROCHO
- Ato V’chatru to Aleinu (mi)
- OLEINU
- Heyei Im P’fyos (mi)
- OCHILO LOKEIL

Kol Nidre/Yom Kippur Maariv

- B’yeshiva Shel Maaloh (mi)
- **KOL NIDRE**
  - V’nislach (mi)
  - VAYOMER HASHEM
  - SHEHECHEYONU
- **BOR’CHU**
  - ALL BROCHOS ENDINGS
  - KI VAYOM HAZEH
- **KADDISH**
  - Yaaleh, Shomeia Tefilloh (mi)
  - OSONU AL SHIMCHO
  - DARK’CHO; L’MAANCHO
  - **TAALEH ARUCHO**
    - Keil Melech Yosheiv (mi)
    - VAYERED HASHEM B’ONON to Al ponov vayikra
  - HASHEM, HASHEM KEIL RACHUM
  - SLACH NO LAAVON HO’OM HAZEH
  - S’lach No, Omnom, Ki Hinei (P, mi)
  - Zchor Rachamecho (mi)
- **AL NO SOSHEIS, HEIN**
  - Zchor Lonu Bris Ovos (mi)
- **SHMA KOLEINU - FOUR P’SUKIM**
  - Elokeinu Veilokei Avoseinu (mi)
  - Ki Onu Amecho (mi)
  - ELOKEINU/TOVO
- **OSHAMNU**
  - ELOKEINU/SLACH
Yom Kippur Shacharis

- AL KEIN N’KAVEH (Malchiyos, 1st paragraph)
- ALL ELOKEINU PARAGRAPHS
- All Hayom, Areshes paragraphs (mi)
- ATO ZOCHEIR (Zichronos – 1st paragraph)
- ATO NIGLEISO (Shofros – 1st paragraph)
- ALL BROCHOS ENDINGS
- R’TSEI TO BIRKAS KOHANIM

- ATO HU ELOKEINU
- ONO SLACH NO; ONO RACHUM
- MELECH SHOCEHIN TO ZEH EL ZEH
- HAYOM YIKOSEIV
- Imru l’eilokim - alternate with nusach (M)
- Asher Ometz thru Rom’mu (mi)
- L’YOSHEIV TEHILLOS, ZEH EL ZEH

- L’KEIL ORECH DIN
- KEDUSHA – NAARITZ’CHO, KVODO, MIMKOMO, Sh’ma, Hu Elokeinu (mi)
- Adir Adirei thru Vatiten Lonu (mi)
- Yaaleh V’yavoh (mi)
- Zchor Rachamecho (mi)
- AL NO SOSHEIS
- ALL BROCHOS
- Zchor Lonu Bris Ovos (mi)
- SHMA KOLEINU - FOUR P’SUKIM
- Elokeinu Veilokei Avoseinu (M)

Yom Kippur Musaf

- SHIMCHO MEILOM
- ATO YODEIA ROZEI OLOM
- Al Cheit to Uvizman Koriv (mi)
- Avinu Malkeinu (mi)
- L’Dovid Mizmor (mi)
- Kaddish Sholeim to Yigdal/Adon Olom(mi)

- SHMA YISROEL, ECHOD, GADLU of Hotso’oh
- Yizkor (P, mi)
- ASHREI YOSHVEI, Y’HAL’LU
- L’Dovid Mizmor, Uv’nucho (M)

- SHMA YISROEL, ECHOD, GADLU of Hotso’oh
- Yizkor (P, mi)
- ASHREI YOSHVEI, Y’HAL’LU
- L’Dovid Mizmor, Uv’nucho (M)
- Ki Onu Amecho (mi)
- ELOKEINU/TOVO
- OSHAMNU thru Al Cheit - as in Maariv
- Dovid Avdecho to Mimei Kedem (mi)
- ELOKEINU/M'CHAL
- R'TZEI THRU SIM SHALOM
- Ovinu Malkeinu (mi)
- Seder Hotso'oh (M, mi)
- AL NO SOSHEIS
- Eileh Ezk’ro (mi)
- Zchor Lonu Bris Ovos (mi)
- SHMA KOLEINU - FOUR P'SUKIM
- Elokeinu Veilokei Avoseinu (mi)
- Ki Onu Amecho (mi)
- ELOKEINU/TOVO
- OSHAMNU
- ELOKEINU/SLACH
- SHIMCHO MEIOLOM
- ATO YODEIA ROZEI OLOM
- Al Cheit to Mimei Kedem (mi)
- ELOKEINU VEILOKEI AVOSEINU
- M'CHAL
- ALL BROCHOS ENDINGS
- R'TZEI TO BIRKAS KOHANIM
- BIRKAS KOHANIM (chanting of the words)
  and duchenen niggun (mi)
- SIM SHALOM, B'Sefer Chaim (mi)
- Hayom T’amtseinu (M)
- K’HAYOM HAZEH, BROCHO
- Final Kaddish Sholeim (mi)
- Ato V'chartonu to Oleinu (mi)
- OLEINU
- Heyei Im P’fiyos (mi)
- OCHILO LOKEIL
- AVODOH ENDINGS (Mazim Olov, etc.)
- V’CHACH HOYO OMER
- V’HAKOHANIM
- Enes Ma Nehdor, Ashrei Ayin (M, mi)
- Zchor Rachamecho (mi)

Tefillas Neila

- KADDISH
- OVOS
- MISOD, GOSH, AVUR
- Gevuros (mi), ZOAK, GEULOSEINU,
  YIMLOCH, SH’MA NO
- KEDUSHA – K’VODO, MIMKOMO
- Sh’ma, Hu Elokeinu (M, mi)
- L’DOR VADOR thru YAALE V’YAVO
- PSACH LONU, HAYOM, ONO
- Keil Melech Yosheiv (mi)
- VAYERED HASHEM B’ONON to Al ponov
  vayikra
- HASHEM, HASHEM KEIL RACHUM
- SLACH NO LAAVON HO’OM HAZEH
- Hateh (mi)
- Z’CHOR BRIS AVROHOM
- ENKAS MISALDECHO, etc.
- HASHEM HASHEM KEIL RACHUM
- RACHEIM NO, SHAAREI SHOMAYIM
  Ki Onu Amecho (mi)
- ELOKEINU/TOVO
- OSHAMNU
- Ato nosain, Ato Hivdalto (mi)
- Elokeinu Veilokei/M’chal (mi)
- Conclude as in Yom Kippur Shacharis
- FINAL SH’MA, BORUCH SHEM,
  HASHEM HU HOELOKIM.