

# HALACHICALLY SPEAKING

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{ TOPIC }

## When and When not to Recite Tachnun



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# HALACHICALLY SPEAKING

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► Each issue reviews a different area of contemporary *halacha* with an emphasis on practical applications of the principles discussed. Significant time is spent ensuring the inclusion of all relevant *shittos* on each topic, as well as the *psak* of *Harav Yisroel Belsky, Shlita* on current issues.

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# When and When not to Recite Tachnun

There are many days of the year where *tachnun* is not recited. Some times one is in a *shul* and there will be a *bris* on that day and no *tachnun* is said. Is *tachnun* said at night? On the *Yartzeit* of a *Tzadik*? These and many other questions will be addressed in this issue.

## *Bais Avel* r"l

The custom is that *tachnun* is not recited in the house of an *avel*.<sup>1</sup> One of the reasons is because *aveilus* is comparable to *Yom Tov*.<sup>2</sup> Others say that there is *midas hadin* in a *bais avel* and saying *tachnun* would increase the *midas hadin*.<sup>3</sup> This applies to all seven days of *shivah*.<sup>4</sup>

Some say if the *avel* does not *daven* in his house during *shivah* but he goes to *shul* then *tachnun* is said, but the *avel* does not say *tachnun* in any case.<sup>5</sup> If the *avel* *davens* in *shul* during *shiva* and he *davens* for the *amud* then the congregants are exempt from reciting *tachnun*.<sup>6</sup>

1. Tur 131, Shulchan Aruch 131:4, Levush 4, Gesher Hachaim 20:3,4. However, *vehu rachum* etc should be recited after leaving the *bais avel* (Taz 9, Mishnah Berurah 20, Aruch Hashulchan 14). For additional *tefillos* not recited in a *bais avel* refer to Magen Avraham 10, Mishnah Berurah 20, Aruch Hashulchan 14.

2. Meseches Moed Kotton 15b. Refer to Bais Yosef 131, Elya Rabbah 9, Shulchan Aruch Harav 5, Lekutei Maharich 1:page 173 (new), Kaf Hachaim 55, see Aruch Hashulchan 14 on this.

3. Levush 4, Pri Megadim M.Z. 131:9, Chai Adom 32:33, Lekutei Maharich ibid, Mishnah Berurah 20, Aruch Hashulchan 14, Kaf Hachaim 55.

4. Taz 9, Mishnah Berurah 20, Aruch Hashulchan 14, Ishei Yisroel 25:19, Birchei Yosef 131:3, Asei Lecha Rav 7:12.

5. Kitzur Shulchan Aruch 22:5, Mishnah Berurah 20. Refer to Aruch Hashulchan 15, Yaskil Avdi O.C. 4:11:1. Refer to Be'er Heitiv 11, Taamei Haminhagim 135:page 59.

6. Halichos Shlomo Moadim 11:10, Ishei Yisroel 25:19:footnote 77.

איך לומר תחנון ב"בית אב"ל? ... (ברכות מ)



If a *minyán* is taking place in a home where there are no *aveilim* and the deceased did not pass away there, then *tachnun* is recited.<sup>7</sup>

### Chosson

A *chosson*<sup>8</sup> does not say *tachnun* all seven days of *sheva berochos*.<sup>9</sup> Therefore, one who *davens* in the same *minyán* together with a *chosson* does not recite *tachnun*.<sup>10</sup> Even if people who were in *shul* and left the *shul* one does not say *tachnun*.<sup>11</sup> Others say that this refers to the time before the *chupah* and not by *shacharis*, however, there are those who are lenient at *shacharis* as well.<sup>12</sup> One reason why we do not say *tachnun* is because we are rejoicing with the *chosson* on his upcoming wedding<sup>13</sup> and there is *midas ha'rachamim*.<sup>14</sup> The *Aruch Hashulchan*<sup>15</sup> says it is not to mix *din* with *simcha*.<sup>16</sup>

There is no *Tzidkuscha Tzedek* said during *mincha* at the *Shabbos Sheva Berochos*.<sup>17</sup>

7. Birchei Yosef 3, Gesher Hachaim 20:3:4.

8. This applies whether the *chosson* is marrying a *besula*, he lost his first wife or a single boy marrying a woman who lost her first husband (Be'er Heitiv 14, Kaf Hachaim 71).

9. Tur 134, Shulchan Aruch 131:4, Pri Megadim M.Z. 131:10, Terumas Hadeshen Pesakim 80, Elya Rabbah 12, Lekutei Maharich ibid, Aruch Hashulchan 16, Kaf Hachaim 69, 86. Refer to Levush 4 who argues. See Lekutei Maharich ibid and Orchos Rabbeinu 3:page 210:20.

10. Shibuley Haleket 30, Shulchan Aruch 131:4, Rama, Shulchan Aruch Harav 5, Kitzur Shulchan Aruch 22:7, Chesed Lalafim 131:14, Shulchan Haezer 12:7:1, Aruch Hashulchan 13. Refer to Radvaz 1:179.

11. Taz 10, Mishnah Berurah 21, Aruch Hashulchan 13, Kaf Hachaim 68.

12. Mishnah Berurah 21.

13. Pri Megadim Eishel Avraham 131:12, Shulchan Haezer 12:7.

14. Levush 4, Mishnah Berurah 23. Refer to Kaf Hachaim 60.

15. 15. Refer to Levush ibid.

16. Refer to Shulchan Aruch Harav 5.

17. Pri Megadim Eishel Avraham 131:16, Elya Rabbah 9, Aruch Hashulchan 17.

כל השווה הלכות בכל יום מובטח לו שהוא בן עולם הבא... (תדה עב)





There are some opinions in the *poskim* who maintain that a *chosson* should not come to *shul* all seven days of *sheva berochos* in order not to exempt those *davening* from saying *tachnun*.<sup>18</sup> However, the custom is not in accordance with this opinion.<sup>19</sup> A *chosson* brings added joy when coming to *shul*.<sup>20</sup>

A *chosson* either on the day of his wedding or during *sheva berochos*, who is learning in *shul*, still exempts the people who are *davening* from saying *tachnun*.<sup>21</sup>

According to some *poskim*, one who *davens* in the same *shul* as a *chosson* and the *chupah* will take place later that day, would recite *tachnun*.<sup>22</sup> The opinion of some *poskim* is that if the *chupah* is after *shekiah* then the *chosson* does NOT exempt the ones *davening* from *tachnun*, although he does not recite *tachnun*.<sup>23</sup> According to some *poskim* this is not true when *Mincha* is *davened* at the hall even if the *chosson* already *davened mincha*.<sup>24</sup>

One who was *davening* a long *shemonei esrei*, and the *chosson* left *shul* before he finished, he does not say *tachnun*.<sup>25</sup>

18. Terumas Hadeshen Pesakim 80, Eishel Avraham Butchatch 131, Mishnah Berurah 26.

19. Opinion of Harav Shlomo Zalman Aurbach zt"l quoted in Ishei Yisroel 25:footnote 90, Halichos Shlomo Tefillah 11:6:footnote 10, Kaf Hachaim 87, Shulchan Haezer 2:page 119:8, Kinyan Torah 2:44, Orchos Rabbeinu 3:page 210:22, Avnei Yushfei 1:21:3, Lehoros Nossan 8:96, Teshuvos V'hanugos 3:55.

20. Kaf Hachaim 87.

21. Halichos Shlomo Tefillah 11:7. Refer to Daas Torah 4, Yismach Lev 1: teshuvos of Harav Chaim Kanievesky Shlita page 376:92, Rivevos Ephraim 5:80:1. Refer to Eishel Avraham Butchatch 131 and Yaskil Avdi 7:page 290:3:1.

22. Refer to Halacha Berurah 131:29 in depth.

23. Halichos Shlomo Tefillah 11:7:footnote 11, Halichos Chaim 1:page 52:135, Shevet Ha'Levi 7:18.

24. Shevet Ha'Levi 7:18, opinion of Harav Elyashiv zt"l quoted in Yismach Lev 1:page 57:82. Refer ibid to the opinions of Harav Chaim Kanievesky Shlita and the Steipler zt"l.

25. Halichos Chaim 2:page 58:93. Refer to Shulchan Aruch Harav 5, Rivevos Ephraim 5:80:2. Some say if the *chosson* only walks into *shul* at the time of *tachnun*, the *tzibbur* is exempt from reciting *tachnun* (Avnei Yushfei 1:21:2).

## Bris - Milah

There is no *tachnun* recited on the day of a *bris milah*.<sup>26</sup> The reason is because of the joy of the *bris milah*.<sup>27</sup>

The opinion of some *poskim* is that *tachnun* is omitted only at *shacharis* (if the *bris* was in the morning) but by *mincha* it is recited.<sup>28</sup> Others maintain that even at *mincha* there is no *tachnun*,<sup>29</sup> and some say this is only if the *mohel*, *bal bris* or *sandek* are present at the *Mincha minyan*.<sup>30</sup> The custom of some is like the first opinion quoted.<sup>31</sup> However, if *mincha* is *davened* prior to the *seudas milah* or in middle, then no *tachnun* is said.<sup>32</sup> This is only if *davening* is taking place near the newborn boy.<sup>33</sup>

In any case the *bal bris*, *mohel*, and *sandek* do not recite *tachnun* because it is a *Yom Tov* for them.<sup>34</sup>

There is a discussion in the *poskim* if a *bal bris*, *chosson* etc have to say who they are in order to exempt the *tzibbur* from *tachnun*.<sup>35</sup>

26. Tur 131, Shibuley Haleket 30, Shulchan Aruch 131:4. If a *mohel* is doing a *bris* on a *ger* then *tachnun* is recited by the *ger* as well (Halichos Shlomo Tefillah 11:9:footnote 12).

27. Aruch Hashulchan 15.

28. Rama 131:4, Levush 4. Refer to Yaskil Avdi O.C. 4:11:3.

29. Taz 11, Elya Zutah 6. Refer to Be'er Heitiv 13. See Ishei Yisroel page 769:221.

30. Yabea Omer O.C. 3:12.

31. Teshuvos V'hanugos 2:78, 4:225.

32. Kitzur Shulchan Aruch 22:6, Mishnah Berurah 25. Refer to Elya Rabbah 10, Shulchan Aruch Harav 6, Aruch Hashulchan 15, Orchos Rabbeinu 3:page 210:21. Refer to Shevet Halevi 8:42:2.

33. Chai Adom 32:33.

34. Kitzur Shulchan Aruch 22:6, Chai Adom 32:33, Lekutei Maharich 1:page 174 (new), Mishnah Berurah 25. Refer to Shevet Halevi 8:42:4-6. If the *bal bris*, *mohel* or *sandek daven* for the *amud* then the *tzibbur* does not say *tachnun* even at *mincha* (Minchas Yitzchok 8:29:3).

35. Rivevos Ephraim 8:485:4.

*Tachnun* is not recited in a place where the *milah* will occur even if the *bal bris* does not *daven* there.<sup>36</sup>

In addition, if the *bris* will take place in one's home and the *davening* is in *shul*, no *tachnun* is recited in the *shul*.<sup>37</sup>

Some *poskim* opine that if there is a *bris* in the city the entire city does not recite *tachnun*.<sup>38</sup> The reason is because *Eliyahu Hanavi* comes to the city and all are happy.<sup>39</sup> The *Lekutei Maharich*<sup>40</sup> says in his time the custom was like this opinion. However, the overwhelming custom is not in accordance with the first opinion.<sup>41</sup>

In a situation when the *baal bris* can not be present for the *bris* no *tachnun* is recited in the place where he *davens*.<sup>42</sup>

The custom is that a *mohel* who performs a *milah* every day and *davens* in a *shul* where there is no *milah*, exempts the ones *davening* from saying *tachnun*.<sup>43</sup> However, some say this may only apply to the *shul* where he *davens* since there is *simcha*. If the *bris* is taking place far away from his *shul* then he would not exempt the *tzibbur* from reciting *tachnun*. In any case he may still exempt his *shul* if he does a *milah* on occasion.<sup>44</sup> Some question this since the *mohel* receives

36. Mishnah Berurah 22, Aruch Hashulchan 16.

37. Elya Rabbah 10. Refer to Shulchan Hatohar 131:15.

38. Aruch Hashulchan 16, Nemukey Orach Chaim 131:page 70, Yesodo Yeshurun 2:page 82. This leniency does not apply to a *chossan* (Nemukey Orach Chaim ibid).

39. Nemukey Oracha Chaim ibid.

40. 1:page 173 (new).

41. Refer to Terumas Hadeshen Pesukim 81, Shulchan Aruch Harav 6, Darchei Chaim V'sholom 192:page 72, Yalkut Yosef 131:27, Halacha Berurah 131:30, Halichos Shlomo Tefillah 11:footnote 4. See Shulchan Hatohar 131:12:footnote 22. Refer to Eishel Avraham Butchatch 131.

42. Birchei Yosef 4, Lekutei Maharich 1:pages 173-174.

43. Emes L'Yaakov 131:footnote 168.

44. Teshuvos V'hanugos 5:51.

איך ללמוד להלכה של אמות של הלכה בלבד... (ברכות ח)



payment for his service, but the custom is as mentioned above.<sup>45</sup>

A common occurrence is that a *shul* may have many *minyanim* and after the first *minyan* there was a *bris*, do the other *minyanim* which follow recite *tachnun* or are they all exempt because of the *bris* which took place earlier? Some *poskim* hold that the ones *davening* are exempt from *tachnun* if a *bris* WILL be taking place but are not exempt if the *bris* ALREADY took place.<sup>46</sup>

However, if there are two *shuls* in one building and one has anything to do with the other, then if there is a *bris* in one of the *shuls* it does not exempt the other *shul* from saying *tachnun*.<sup>47</sup>

### ***Bris – Milah on a Fast Day***

In the event that a *bris* takes place on a fast day, *selichos* and *vidu* are said but no *tachnun*.<sup>48</sup>

### ***Pidyon Haben***

There is a discussion in the *poskim* if *tachnun* is recited at a *pidyon haben* when *mincha* is *davened* there.<sup>49</sup> If one does not have a *minhag* to refrain from saying *tachnun* then *tachnun* should be recited.<sup>50</sup>

45. Teshuvos V'hanugos 1:135, 5:51.

46. Shulchan Hatohar 131:14, Halichos Shlomo Tefillah 11:footnote 8, Betzel Hachuchma 4:146, Yabea Omer O.C. 3:11, Ishei Yisroel page 769:224 quoting the opinion of Harav Chaim Kanievsky Shlita. Refer to Kaf Hachaim 77. Refer to Birchei Yosef 131:4, Shiurei Beracha 4, Yabea Omer O.C. 3:11:5.

47. Halichos Shlomo Tefillah 11:footnote 8.

48. Shulchan Aruch 131:5.

49. Yalkut Yosef 131:30.

50. Minchas Yitzchok 8:11. Refer to Halacha Berurah 131:38, Halichos Chaim 1:page 53:139, Pidyon Haben Kehilchoso 8:footnote 17.

כל השנה הלכות בכל יום מובטח להשתדל בן עולם הזה... (תדה עב)

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## **Bar-Mitzvah**

There is a discussion in the *poskim* if *tachnun* is recited on a day when one becomes *bar-mitzvah*. Some *poskim* are lenient,<sup>51</sup> because a *bar-mitzvah* boy is comparable to a *chosson*,<sup>52</sup> while the custom is in accordance with those *poskim* who are stringent.<sup>53</sup> Even according to the lenient opinion, regarding the day in which *tefillin* are put on, if it is before the actual day of his *mitzvah* he does not exempt the *tzibbur* from saying *tachnun*.<sup>54</sup>

## **Hachnoset Sefer Torah**

If a *hachnoset Sefer Torah* is taking place AFTER *Mincha* then *tachnun* is not recited.<sup>55</sup>

## **Giving a name to a newborn Daughter**

*Tachnun* is recited at the *tefillah* where one gives a name to his new born daughter.<sup>56</sup>

## **Mincha - After Shekia**

Based on *kabbalah*, *tachnun* is not recited after dark,<sup>57</sup> however, during *ben hashmushos* it is permitted to recite

51. Yabea Omer O.C. 4:14, O.C. 6:23:2. Yalkut Yosef 131:24, Rivevos Ephraim 8:531.

52. Otzer Taamei Haminhagim 1:page 94:14.

53. Ketzos Hashulchan 24:badi 19, Tzitz Eliezer 11:17, 18:33:4, Halichos Shlomo Tefillah 11:9 (only if mincha is *davened* at the hall), Oz Nedberu 11:48:page 129, Yaskil Avdi O.C. 4:11:2, Halichos Chaim 1:page 55:145.

54. Tzitz Eliezer *ibid*. Refer to Yechaveh Daas 2:15 who argues.

55. Refer to Yalkut Yosef 131:34.

56. Rivevos Ephraim 5:80:3.

57. Shulchan Aruch 131:3, Taz 8, Be'er Heitiv 9, Pri Megadim M.Z. 8, Levush 3, Elya Rabbah 8, Shulchan Aruch Harav 4, Birchei Yosef 2, Keshet Gadol 19:11, Yufei Leleiv 10, Ben Ish Chai Ki Sisa 1:8, Shulchan Hatohar (Karmarna) 232:5, Mishnah Berurah 16, Aruch Hashulchan 11, Yechaveh Daas 6:7, Halacha Berurah 131:16:page 23 in depth. (In regard to Selichos at night refer to Magen Avraham 9, Elya Rabbah 8, Aruch HaShulchan 11, Kaf HaChaim 51, 52) The Tur 237 quotes some who had the custom to recite *tachnun* at *maariv*, however, this is not the custom (Bach, Darchei Moshe 2, see Daas Torah 131:3).

איך לומר תפילות של הלכה בלבד... (במקומות)

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כל השנה הלכות בכל יום מובטח לו שהוא בן עולם הבא... (גדה עב)

*tachnun*.<sup>58</sup> Some say one has up until thirteen minutes after *shekia* to recite *tachnun*.<sup>59</sup> If one began to say *mincha* before dark, and the *tefillah* continued until nightfall, then one should not recite *tachnun*.<sup>60</sup> In earlier days *mincha* was always followed by *maariv*, and when it was time to say *tachnun* it was after *shekia*, therefore, no *tachnun* was recited.<sup>61</sup> Today, many places do not recite *tachnun* at *mincha*, even if they *daven* before *shekia*. However, many *poskim* stress that this is not commendable,<sup>62</sup> and if one does *daven* in a place that has this custom, he should say *tachnun*, but only by placing his head on his arm, without saying any other *tefillas* (*ash'amnu*, *shomer yisroel* etc.)<sup>63</sup> The custom could be from the fact that *mincha* used to be *davened* very late in the day- close to *shekia*.<sup>64</sup>

58. Taz 8, Be'er Heitiv 9, Shulchan Aruch Harav 4, Mishnah Berurah 17, Aruch Hashulchan 11, Kaf Hachaim 51, Rivevos Ephraim 6:pages 69-70.

59. Yechaveh Da'as 6:7, Ohr L'tzyion 2:9:3:footnote 3, Halacha Berurah 131:25. Harav Moshe Feinstein zt"l maintained one has until eight minutes after *shekia* to recite *tachnun* (Divrei Chachumim 16:203). See Shulchan Hatohar 131:22, 232:5, Halichos Shlomo Tefillah 13:4:footnote 6, Ve'aleihu Lo Yeibol 1:page 298, Tefillah K'hilchoso 18:footnote 64 quoting the opinion of Harav Elyashiv zt"l.

60. Magen Avraham 9, Elya Rabbah 8, Shulchan Aruch Harav 4, Mishnah Berurah 17, Aruch Hashulchan 11, Kaf Hachaim 51.

61. Divrei Torah 3:8:3, Nemukey Orach Chaim 131:3, Darchei Chaim V'sholom 323:page 97, Yabea Omer O.C. 3:12:3:page 31, Shraga Hameir 3:46.

62. Harav Yisroel Belsky Shlita, see Teshuvos V'hanugos 1:134, 3:53, 3:56, Chai Ha'Levi 2:15:4, Be'er Sarim 6:14:1, Shemiras Haguf V'hanefesh 80:footnote 2, Minhag Yisroel Torah 131:page 224. If you have the custom not to say *tachnun* at *mincha*, and you are in a *shul* that does, say it with them (Shraga Hameir 3:46). Some say the reason why no *tachnun* is ever recited at *mincha* is because *tachnun* needs great concentration and this is hard to accomplish at *mincha* because it is in middle of the day and everyone's mind is busy with other things (Zivchei Tzedek 3:9, Teshuvos V'hanugos 1:134, 3:53). Refer to Avodas Ephraim 1:pages 262-263.

63. Harav Yisroel Belsky Shlita, see Ishei Yisroel 25:footnote 46, Ve'aleihu Lo Yeibol 1:page 95:103, Avodas Ephraim 1:pages 260-261.

64. Nemukey Orach Chaim 131, Minhag Yisroel Torah 131:pages 224-225.

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## Siyum

Some *poskim* say when a *siyum* will be taking place in a *shul* later that day, no *tachnun* is said.<sup>65</sup> Others say *tachnun* is recited even in this situation.<sup>66</sup> Harav Yisroel Belsky Shlita holds, if *mincha* is *davened* prior to the actual *siyum* then no *tachnun* is recited. Some say *tachnun* even in this case.<sup>67</sup>

## On A Yartzeit

*Rashi* in *Meseches Yevomos*<sup>68</sup> states that the *yartzeit* of a *tzaddik* is a *regel*, and some *poksim* say based on this, no *tachnun* is recited on this day.<sup>69</sup> Harav Yaakov Kamenetsky zt"l<sup>70</sup> maintains that one does not recite *tachnun* on a *yartzeit* only if a *siyum* is conducted in memory of the *tzaddik*. Many *poskim* say that there is no exemption of saying *tachnun* on the day of a *yartzeit* (when no *siyum* is made).<sup>71</sup> In the aforementioned situation, *tachnun* would never be said because each day of the year a *yartzeit* is observed for a *tzaddik*.<sup>72</sup> In addition, choosing amongst

65. Refer to Shulchan Haohar 131:17, Yabea Omer O.C. 4:13, Darchei Chaim V'Shalom 192, Piskei Teshuvos 2:page 67 footnote 142. Refer to Yoma Tova L'rabanan pages 262-264, Chai Moshe 2:page 48.

66. Tzitz Eliezer 11:17:6, Pri Hasada 3:182, V'yivorech Dovid 1:24:page 126 quoting the opinion of Harav Chaim Kanievesky Shlita.

67. Pri Hasadeh 3:182, see Shulchan Hatohar 131:17, Halacha Berurah 131:35, Avodas Ephraim 1:pages 315-322, Shevet Ha'kehusi 4:45.

68. 122a "Tulsa." Refer to Meshmeres Shalom 12:4, Avodas Ephraim 2:pages 510-515 on why some have the custom not to recite *tachnun* on a *yartzeit* of a *tzaddik*. Some say a *yartzeit* is like a *chasuna* (ibid). See Kaf Ha'chaim 580:24 who brings that the day of a *yartzeit* of a *tzaddik* is a day to fast not a *regel*. Refer to Shem Aryeh O.C. 14.

69. Meshmeres Shalom ibid, Ketzos Hashulchan 24:badi 19.

70. As heard from Harav Yisroel Belsky Shlita, see Avodas Ephraim 2:page 483.

71. Lekutei Sichos 1:page 175, Nemukei Orach Chaim 131, Sharei Halacha U'Minhag 1:page 175, Ketzos Ha'shulchan 24:badi 19, Yalkut Yosef 131:33, Vayivorech Dovid 1:24, Nishmas Yisroel 2:37:29 Minhag Yisroel Torah 131:page 168, Chai Ha'Levi 2:15:4, Shearim Metzuyainim Behalacha 22:1, Be'er Sarim 6:14:2. If a *chazzon* recited *kaddish* after *mincha* by mistake refer to Dinim V'hanhugas Chazzon Ish 8:6, Lehoros Nossan 6:7, Orchos Rabbeinu 3:page 225:29.

72. Divrei Torah 3:46, Nemukei Orach Chaim 131:page 72, Minhag Yisroel Torah 131:pages 227-228.

different *yartzeit's* and only refraining from saying *tachnun* on some of them, could be misconstrued as implying that the *tzaddik* on whose *yartzeit tachnun* is not said is “greater” than other *tzaddikim* on whose *yartzeit tachnun* is recited.<sup>73</sup> Many *shuls* have the custom that *tachnun* is not said when it is the *yartzeit* of a *tzaddik*, and this is not the proper manner.<sup>74</sup> If one finds himself in a *shul* that has this “custom,” he should recite *tachnun* in a corner without saying *ash'amnu, shomer yisroel, etc.*<sup>75</sup>

## On The Road

Many *Chassidim* do not recite *tachnun* when they are traveling.<sup>76</sup> Some explain this since when one is on the way he shortens his *tefillah*,<sup>77</sup> so *tachnun* is not recited.<sup>78</sup>

## Tachnun is not recited on following Days

The following days *tachnun* is not recited.<sup>79</sup>

73. Divrei Torah 3:83.

74. Refer to Yabea Omer O.C. 3:11:9. Most *Chassidisha shuls* do not say *tachnun* on the *yartzeit* of the Noam Elimelech, and Harav Mendel M'Riminov, because of their *shleimos* (Otzer Chaim 77, Darchei Chaim V'Sholom 193, Nishmas Yisroel 2:37:29, Minhagei Mahariv 91, Avodas Ephraim 2:page 360). The same is true for Moshe Rabbeinu's *yartzeit* (Avodas Ephraim 2:pages 322-323).

75. Harav Yisroel Belsky Shlita, see Tefillah K'hilchoso 15:18:footnote 37 quoting the opinions of Harav Moshe Feinstein zt”l and Harav Elyashiv zt”l, Ohr L'tzyion 2:9:2:footnote 2, Ishei Yisroel 25:footnote 46 quoting this as being the opinion of Harav Chaim Kanievesky Shlita, Sharei Halacha U'Minhag 1:page 175, Rivevos Ephraim 2:46:2, Divrei Chachumim page 45:footnote 91, Hatefilla V'hilchoseha page 408, Ohr L'tzyion 2:9:2, Nishmas Yisroel 2:37:29, Siach Tefillah (Sefer Zichoron) page 688:4. Refer to Kinyan Torah 5:12, Bais Boruch 32:191 Halichos Shlomo Tefillah 13:5:footnote 7, who say one should not recite *tachnun* in the above situation.

76. Shulchan Hatohar 131:23, Otzer Ha'chaim pages 70-71, Ohelecha B'amisecha page 119:69, Minhag Yisroel Torah 131:page 228, Avodas Ephraim 1:pages 328-330.

77. Refer to Meseches Berochos 28b.

78. Otzer Taamei Haminhagim 1:page 95:16.

79. Some have the custom not to eat legumes (*kitniyos*) on the days in which *tachnun* is not said (Magen Avraham 14, Be'er Heitiv 17, Lekutei Maharich 1:page 174 (new), Kaf Hachaim 131:94).

כל השנה הלכות בכל יום מובטח להשתדל... (תודה עבה)



- **Erev Shabbos** at *mincha*.<sup>80</sup> Some do not recite *tachnun* on *Erev Shabbos* at *shacharis* because reciting *tachnun* might diminish from the preparations of *Shabbos*.<sup>81</sup>
- **Shabbos** (because one is not allowed to ask for personal needs),<sup>82</sup> **Erev Yom Tov**<sup>83</sup>
- **Tom Tov**,<sup>84</sup> **and Chol Hamoed**.<sup>85</sup>
- **Rosh Chodesh**,<sup>86</sup> since it is called a *Yom Tov*.<sup>87</sup>
- **Rosh Hashanah** because all *Yom Tovim* are comparable to each other.<sup>88</sup>
- **Erev Rosh Hashanah** even at *shacharis*.<sup>89</sup>
- **Yom Kippur**,<sup>90</sup> **Erev Yom Kippur**<sup>91</sup> (because we consider it like a small *Yom Tov*).<sup>92</sup>
- **Between Yom Kippur and Succos**,<sup>93</sup> because that time was when the *Bais Hamikdosh* was completed.<sup>94</sup> Others say the reason is because for these four days *Hashem* is *mochel* our

80. Rambam Hilchos Tefillah 5:15, Levush 267:1, Mishnah Berurah 1, Biur Halacha "ein."

81. Lekutei Maharich 2:page 305 (new), Minhag Yisroel Torah 131:pages 225-226, Vi'hiy B'nsoa pages 70-71.

82. Ishei Yisroel 25:footnote 57.

83. Shulchan Hatohar 131:26.

84. Shibuley Haleket 30.

85. Halacha Berurah 131:45.

86. Rambam Hilchos Tefillah 5:15, Bais Yosef 131, Shulchan Aruch 6, Aruch Ha'shulchan 12.

87. Shibuley Haleket 30, Bais Yosef 131, Gra.

88. Rambam Hilchos Tefillah 5:15, Shibuley Haleket 30, Bais Yosef 131.

89. Rama ibid, Aruch Ha'shulchan 12, Minhag Yisroel Torah 131:page 223.

90. Aruch Ha'shulchan 12. Refer to Emes L'Yaakov 131:6.

91. Shibuley Haleket 30, Rama ibid, Aruch Ha'shulchan 12, Shulchan Aruch 604:2.

92. Mishnah Berurah 604:3.

93. Shulchan Aruch 131:7, Aruch Hashulchan 12, Lekutei Maharich 1:page 174 (new). Refer to Sharei Teshuva 131:19 regarding omitting *tachnun* the whole month of *Cheshvan* since it is mostly *Yomim Tovim*, see Aruch Hashulchan 12, Lekutei Maharich 1:page 174 (new). Others did not recite *tachnun* on the seventeenth day of *Cheshvan* (Darchei Chaim V'Sholom page 71:191).

94. Bais Yosef 131, Gra.

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 אמת של הלכה בלבד... (ברכות ה)



כל השנה הלכות בכל יום מובטח להשתדל בו עולם הנא... (גדה עב)

sins.<sup>95</sup> In addition no *tachnun* is recited from after *Succos* until the beginning of *Cheshvan*.<sup>96</sup>

- **Chanukah**,<sup>97</sup> since we read *Hallel*.<sup>98</sup>
- **Tu B'shevat**,<sup>99</sup> because it is the new year for tress.<sup>100</sup>
- **Purim** and **Shushan Purim**<sup>101</sup> and **Purim Kotton**.<sup>102</sup>
- The custom is that *tachnun* is not recited the **entire month of Nissin**.<sup>103</sup>
- Some have the custom not to recite *tachnun* **the entire Sefira**.<sup>104</sup>
- **Pesach Sheini**

Although the custom of refraining from saying *tachnun* on *Pesach Sheini* is not discussed in the *Shulchan Aruch*,<sup>105</sup> the custom of many is that *tachnun* is not recited at *shacharis* or *mincha*<sup>106</sup> since that was the day the *korbon Pesach* was brought.<sup>107</sup> Some say this applies even to

95. Otzer Taamei Haminhagim 1:page 92.

96. Tashbatz 2:248, Eishel Avraham Butchatch 131.

97. Rambam Hilchos Tefillah 5:15, Bais Yosef 131, Shulchan Aruch 131:6, Aruch Ha'shulchan 12. Some did not recite *tachnun* a day before and a day after Chanukah (Darchei Chaim V'Sholom page 71:191).

98. Shibuley Haleket 30, Bais Yosef 131, Lekutei Maharich 1:page 174 (new).

99. Bais Yosef 131, Shulchan Aruch 6, Aruch Hashulchan 12. Some did not recite *tachnun* a day before and a day after *Tu B'shevat* (Darchei Chaim V'Sholom page 71:191).

100. Bais Yosef 131, Magen Avraham 16, Mishnah Berurah 31, Lekutei Maharich 1:page 174 (new).

101. Rambam Hilchos Tefillah 5:15, Shulchan Aruch 697:1, Mishnah Berurah 131:33, Aruch Hashulchan 12, Lekutei Maharich 1:page 174 (new). Some have the custom not to recite *tachnun* from Rosh Chodesh Adar until after Purim (excluding Taanis Esther) (Shulchan Hatohar 131:28).

102. Mishnah Berurah 33.

103. Shibuley Haleket 30, Shulchan Aruch 131:7, 429:2, Tashbatz 2:248, Mishnah Berurah 429:7, Shulchan Hatohar 131:18, Aruch Ha'shulchan 12, Minhag Yisroel Torah 131:page 222.

104. Shulchan Hatohar 131:20.

105. Aruch Hashulchan 131:12. Some say there is no reason to list it since it is mentioned in the Torah (Mor V'oholos mamer berochos v'hodos 39:page 37).

106. Sharei Hamoadim page 275, Ben Pesach L'Shavuos pages 203-204. Refer to Peas Sudcha 2:43.

107. Refer to Pri Chadash 131:7, Sharei Teshuva 131:19, Eishel Avraham Butchatch 131, Siddur

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the *mincha* beforehand,<sup>108</sup> while others argue with this premise.<sup>109</sup> Some say that on the fifteenth day of *Iyar* no *tachnun* is recited since that is the day when the *korbon* was eaten,<sup>110</sup> while others say *tachnun* is recited.<sup>111</sup> Others have the custom to refrain from saying *tachnun* seven days from *Pesach Sheini*,<sup>112</sup> but this custom is not practiced by most people.<sup>113</sup>

■ **Lag B'omer**,<sup>114</sup> because then the students of *Rav Shimon Bar Yochai* ceased dying.<sup>115</sup>

■ **Rosh Chodesh Sivan** until after *Shavuos* (including *Isru Chag*).<sup>116</sup> The custom of many is not to recite *tachnun* until seven days (see footnote)<sup>117</sup> after *Shavuos* (thirteenth day of

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Yaavetz 2:page 103:21, Mor V'oholos mamer berochos v'hodos 39:page 37, Shulchan Hatohar 131:18, Da'as Torah 131:7, Sharei Ephraim 10:27, Otzer Dinim U'minhagim Iyar page 14, Divrei Yatziv O.C. 75, Darchei Chaim V'Sholom page 71:191, Nemukei Orach Chaim 131:page 71, Lekutei Maharich 1:page 174 (new), Kaf Hachaim 131:98, Tefillah K'hilchoso 15:footnote 34, Avodas Ephraim 2:pages 415-429, Birurei Chaim 3:page 941:footnote 19, Yalkut Yosef 131:36 page 435, Halichos Shlomo Tefillah 11:9, Halacha Berurah 131:45:page 48, Shulchan Hatohar 131:18, see Natei Gavriel Pesach 3:page 325:footnote 3 who quotes from the Chazzon Ish z"l who did recite *tachnun* (also quoted in Dinim V'hanugos of the Chazzon Ish 4:37, Orchos Rabbeinu 1:page 68:11, Rivevos Ephraim 1:339, see Pri Megadim 131 M.Z. 15). Refer to Moadim L'Simcha 6:page 96.

108. Natei Gavriel Pesach 3:page 325.

109. Rivevos Ephraim 6:258, Ben Pesach L'Shavuos pages 203-204, Halichos Shlomo Moadim 2:page 264:20:footnote 29, Rivevos V'yovlovs 2:pages 255-256, Ishei Yisroel 25:18:footnote 70.

110. Darchei Chaim V'Sholom page 71:191, Nemukei Orach Chaim 131, Shar Yissochor page 91.

111. Machzik Beracha 131:5 (custom in Eretz Yisroel), Sharei Hamaodim page 276, Mikadesh Yisroel 101:2, Rivevos Ephraim 6:258:page 293, see Sharei Teshuva 131:19.

112. Mor V'oholos mamer berochos v'hodos 39:page 37, Taamei Haminhagim page 282:footnote 2, Sharei Yissochor page 88, Lekutei Maharich 1:page 174 (new), 3:page 572 (new).

113. Refer to Darchei Chaim V'sholom page 71:191, Nemukei Orach Chaim 131:page 71, Lekutei Maharich 3:page 572 (new).

114. Rama 131:6, Shulchan Hatohar 131:18, Kitzur Shulchan Aruch 120:6, Aruch Ha'shulchan 12, Lekutei Maharich 1:page 174 (new).

115. Gra 131, see Magen Avraham 17.

116. Rama 131:7, 494:3, Aruch Hashulchan 12.

117. Refer to Machtzis Hashekel 131 who says this is really only five days after Shavuos.

כל השנה הלכות בכל יום מובטח לה שיהא בו עולם הנא... (מדה עב)

*Sivan*)<sup>118</sup> because they can bring the *korbon* of *Shavuot* until that day.<sup>119</sup>

- **Tisha B'Av**<sup>120</sup> even though we are like *aveilim* on *Tisha B'Av*, it is called a *Yom Tov*<sup>121</sup> but at *mincha* it is recited because it is a time of *nechama*.<sup>122</sup>
- **Tu B'Av**,<sup>123</sup> because it was a big *Yom Tov* during the time of the *Bais Hamikdosh*.<sup>124</sup>
- The only time *tachnun* is recited the day before we omit *tachnun* (from the above days) is on *Erev Rosh Hashanah* and *Erev Yom Kippur*.<sup>125</sup>

## Sunday

Certain *shuls* do not say *tachnun* on Sunday, because the warm and holy feeling from the *melava malka* is still felt.<sup>126</sup> One who does not have the aforementioned customs should not accept this upon himself.

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118. Magen Avraham 18, Darchei Chaim V'sholom page 71:191, Mishnah Berurah 36, Shulchan Hatohar 131:19, Aruch Ha'shulchan 12, Kaf Hachaim 107. Refer to Sharei Teshuva 131:19 regarding the custom of some to refrain from *tachnun* until the thirteenth of *Sivan*.

119. Rambam Hilchos Chagigah 1:7, Magen Avraham 18, Mishnah Berurah 36, Aruch Hashulchan 12.

120. Shulchan Aruch 131:7, 559:4, Chai Adom 135:21, Aruch Hashulchan 131:12. Some say no *tachnun* is said from *Rosh Chodesh Av* until the tenth of *Av* (Refer to Shulchan Hatohar 131:21:badi 35).

121. Meseches Moed Kotton 15b. Refer to Shulchan Aruch 559:4, Chai Adom 135:21, Mishnah Berurah 17.

122. Bais Yosef 131.

123. Bais Yosef 131, Shulchan Aruch 6, Aruch Hashulchan 12.

124. Magen Avraham 15, Mishnah Berurah 30, Lekutei Maharich 1:page 174 (new). Refer to Shibuley Haleket 30.

125. Mishnah Berurah 32, 33, 35, Aruch Hashulchan 12. Refer to Halacha Berurah 131:46 in great depth.

126. Lekutei Maharich ibid, Minhag Yisroel Torah 131:page 225.

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## Shatz Made Mistake

In a situation where *tachnun* is supposed to be recited and the *shatz* made a mistake and said *kaddish* after *chazaras hashatz*, *tachnun* may be recited after *kaddish*.<sup>127</sup> However, if it is a *laining* day and the *sefer Torah* was taken out, then *laining* should be done and after the *sefer Torah* is put back in the *aron kodesh*, *tachnun* should be said.<sup>128</sup>

## Telling the Shatz

In the cases above which are not commonly known that *tachnun* is not said, it should be told to the *shatz* before *davening*, so he can recite *kaddish* after *chazaras ha'shatz* and people will not start saying *tachnun*.<sup>129</sup>

127. Halichos Chaim 1:page 54:141. Refer to Orchos Rabbeinu 3:page 225:29.

128. Halichos Shlomo Tefillah 11:2:footnote 5. See Lehoros Nosson 6:7.

129. Yalkut Yosef 131:39.

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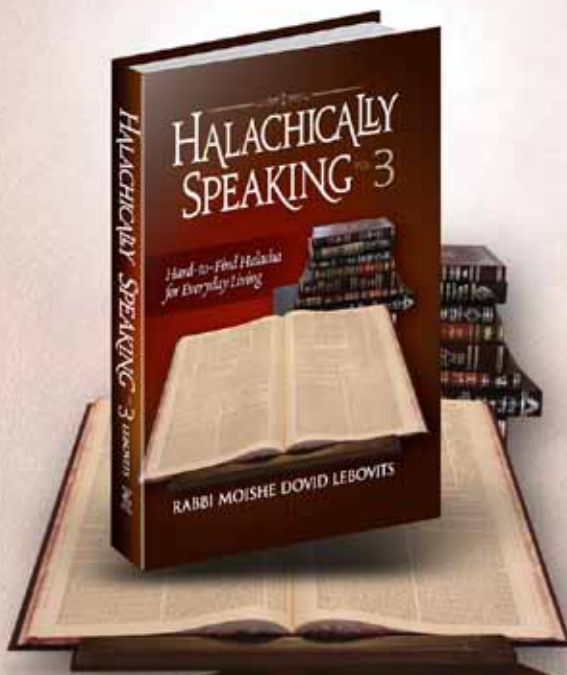
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