



# Omitting Tachanun in Selichot in the Presence of Simcha

לעילוי נשמת  
 יואל אפרים בן אברהם עוזיאל זלצמן ז"ל

**Question:** At our pre-*Shacharit Selichot* during Elul, do we omit *Tachanun* if a *chatan* or a principal to a *brit mila* is present, as we omit it during *Shacharit*?

**Answer:** The Shulchan Aruch (Orach Chayim 131:4) rules to omit *Tachanun* in the “house of a *chatan*,” a *shul* that will host a *brit* that day, and a *shul* which a *chatan* is attending. While the Rama (ad loc.) says that only a *chatan* on his wedding day pushes off *Tachanun*, *Acharonim* rule that it applies throughout the week of *Sheva Berachot* (Mishna Berura 131:26), which is the *minhag*. The *minhag* is also to push off *Tachanun* if the father, the planned *mohel*, or the *sandek* of a baby on the day of his *brit* is *davening* there (ibid. 22). The idea is that the *simcha* that the *tzibbur* absorbs from these people is incongruous with *Tachanun*, as we find on happy days throughout the year. While it is not fundamentally severe to say *Tachanun* anyway, we have no reason not to follow the *poskim*’s instructions.

There is more than one reason not to push off *Tachanun* in this way at *Selichot*. One applies to the *simcha* of *brit* if the *Selichot*

finish before daybreak. As opposed to the *chatan*, whose halachic status of *simcha* lasts throughout the entire time period, those related to the *brit* do not have a formal status. Rather, the proximity of the important *mitzva* of *brit* conveys through them an atmosphere of joy that precludes *Tachanun*. The Pitchei Teshuva (Isserlin) 581:1 is among those who posit that if they get up to *Tachanun* when it is too early for a *brit mila*, *Tachanun* should be recited. He is unsure what to do between *alot hashachar* and *netz hachama*, when the Torah-level *mitzva* of *mila* has begun but the Rabbis required to wait until sunrise (Megilla 20a). Machazeh Avraham (OC I:154) says that since *mila* at that time is valid *b’di’aved*, *Tachanun* is omitted.

B’tzel Hachochma (IV:146) sees the exemption as applying pre-daytime even though *brit mila* must be performed during daytime. He bases this on the fact that the baby’s status of requiring *brit mila* exists from the beginning of the baby’s eighth day, i.e., from the previous night. Arguably, the baby’s halachic status is less relevant than the fact that people have awoken for the day on which the *brit* will take place. It is unclear if according to B’tzel Hachochma, we would omit *Tachanun*

at a late-night *Selichot* when the *brit* will be the next morning.

Shevet Halevi (IV:54) succinctly presents a broader reason not to skip *Tachanun* for a *brit* or a *chatan*, upon which we will expand. Unquestionably, we do not waive the entire *Selichot* due to a *chatan* or a *brit*. He argues, then, that the role of *Tachanun* in *Selichot* is not as a relative “add-on,” like it is in during regular *tefilla*, which sometimes is said and sometimes not (e.g., Shabbat, major and minor *chagim*, *Ma'ariv*). Rather, *Tachanun* is part and parcel, in terms of structure and content, of the fabric of *Selichot*. Therefore, given we are doing *Selichot*, we cannot allow ourselves nor will we gain much by omitting *Tachanun*. Some point out that similarly while *Erev Rosh Hashana* is too festive to recite *Tachanun* in *Shacharit*, we recite it in *Selichot*.

One can argue whether this viewpoint fits well with the following general approach to *Selichot*, championed by Rav Soloveitchik (see Batei Yosef 581:2-3). *Selichot* of Elul and Tishrei have a semi-status of an independent

*tefilla*, introduced with *Ashrei*, ending with *Kaddish Titkabel*, and including *Tachanun*. One can claim that *Tachanun* has a similar role in *Selichot* as in standard *tefillot*, so it can be omitted due to *simcha*. However, there is stronger logic to say that we lack precedent to amend the internal structure of *Selichot*, and also that the moods of *Selichot* and *Tachanun* are too similar to do one and not the other.

Both practical approaches have serious proponents (see opinions in B'tzel Hachochma *ibid.*), and each *shul's minhag* is fully acceptable. Some communities have a preference to make *Selichot* short, while some communities prefer consistency; factoring in these preferences is also legitimate. ■

## Having a dispute?



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