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בס"ד

Regarding Recital of Tahanunim on July 4th

A view widely accepted by halakhic authorities throughout the Jewish world, brought down by both the Tur and Bet Yosef in the name of Rab Netrunai Gaon (OH:131), is that the custom of the congregation reciting the special supplications of *tahanunim* after the *amida* was originally *reshut*, optional. This explains how many congregations through the centuries canceled *tahanunim* on various occasions. As the custom has continuously evolved, today we do not say *tahanunim* on any calendar day with a connection to a happy Jewish occasion or commemoration, such as Rosh Hodesh, the whole month of Nissan, Lag B'Omer, the 15th of Ab, etc. Neither are *tahanunim* recited when there is a *b'rit mila* in the synagogue or, if the circumcision is to be held elsewhere, when the *mohel*, *sandaq* or father of the baby boy is present. The same applies to a bridegroom on his wedding day and during the seven days following the wedding. In recent generations in our community the custom developed to waive *tahanunim* for the occasion of a bar misvah, even when the boy was not yet thirteen, an application not widely found in previous times.

The Fourth of July in the United States is a significant and happy commemoration for the Jewish people. It is the day the United States officially declared itself an independent nation, one based on the principles of equality, justice and freedom and on the view, as stated in the Declaration of Independence, issued on July 4, 1776 in Congress, that: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness..." These are concepts clearly inspired by the spirit and concepts of the Torah and have been so recognized by scholars and the Founding Fathers of the United States. This was a great event in human history

and influenced movement throughout the world toward universalizing these noble notions. The French Revolution followed in 1789.

With the Declaration of Independence, the revolution in thought wrought by the Torah in the days of old took a giant step forward. With the Constitution of the United States and the Bill of Rights, ratified some years later, following in the spirit of the Declaration of Independence, freedom of religion, together with freedom of speech, assembly, the press, and more, was guaranteed. In the United States it is illegal to discriminate against anybody because of race, religion or ethnic or national origin. Everybody was equal before the law and the law could not favor one religion over another. All are extraordinary innovations among the nations of the world.

The Jewish people greatly and directly benefited from these developments. They enabled the Jewish people to practice their religion freely and live without official discrimination. They could build synagogues, yeshivot, mikvaot and social centers and establish all types of communal organizations as was rarely, if ever, allowed in other times and places to the degree practiced in the United States. The writings of our great sages and rabbis throughout the many centuries of our dispersion are filled with descriptions of persecutions, expulsions, prohibitions, discrimination and evil deeds of tyrants and despots toward Jews and Judaism. In the past, even when freedom of religion was permitted it was generally only at the whim of the ruler of the time, not institutionalized in the legal code of the host nation as was done in the founding legal code of the United States.

Jews all over the world should be appreciative of the

monumental happening of July 4, 1776. American Jews particularly should express their happiness and gratitude for the Declaration of Independence and the great equality and freedom enjoyed in some manner, including communally, that demonstrates appreciation of the occasion. Those congregations and rabbis who desist from reciting *tahanunim* on July 4th – thus officially expressing their feelings for the occasion through a religious rite – are praiseworthy for their decision.

Mr. Al Azar informed me many years ago that early in our community's history in Brooklyn, Hakham Matloub Abady a"h was *posek halakha* that in America we should not recite *tahanunim* on July 4th. Mr. Azar said he heard it directly and clearly from the rabbi on a number of occasions in the course of a number of years. He prayed in the *minyan* with the rabbi that did not recite *tahanunim* specifically because it was July 4th and all present understood what the reason was.