

# Zera Shimshon

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## Chapter XXXI: Emor (Lev. 21:1–24:23)

### Essay 17. Why we don't recite Hallel on the Yomim Noraim

**ראש השנה** פָּרַק בְּתָרָא, אָמְרוּ מְלָאכֵי הַשָּׁרַת לְפָנֵי הַקַּב"ה מִפְּנֵי מָה אֵין יִשְׂרָאֵל אוֹמְרִים לְפָנֶיךָ שִׁירָה לֹא בְּרֹאשׁ הַשָּׁנָה וְלֹא בְּיוֹם הַכַּפּוּרִים? אָמַר לָהֶם, אֶפְשָׁר אָנִי יוֹשֵׁב עַל כִּסֵּא דִין, וְסַפְרֵי חַיִּים וְסַפְרֵי מֵתִים פְּתוּחִים לְפָנֶיךָ, וְיִשְׂרָאֵל יֹאמְרוּ שִׁירָה עַכ"ל.

In tractate **Rosh Hashana, the final chapter**, the Gemara explains why Hallel is not recited on Rosh Hashana or Yom Kippur. “Rabbi Abbahu said, **‘The ministering angels said before the Holy One, Blessed be He: Master of the Universe, for what reason don’t the Jewish people recite a song of praise, i.e., Hallel, before You on Rosh Hashana and on Yom Kippur? That is, on the other holidays, Jews read Hallel, so why aren’t they doing so on Rosh Hashana and Yom Kippur? He said to them: Is it possible that I am sitting on the throne of judgment and the books of life and the books of death are open before Me, and the Jewish people are reciting a song of praise?’**” I.e., Rosh Hashana and Yom Kippur are somber days of judgment whose mood is incompatible with the recitation of Hallel, which is a joyous prayer. (Rosh Hashana 32b).<sup>1</sup>

מְקַשִּׁים הָעוֹלָם מָה זֶה שְׂאֵלָה שְׂשׂוֹאֲלִים מְלָאכֵי הַשָּׁרַת מִפְּנֵי מָה אֵין אוֹמְרִים שִׁירָה, וְכִי הוּא דְבָר חַיִּיב מִן הַתּוֹרָה שְׂעוֹבְרִים עָלָיו, כְּדֵי לֹאמַר כָּךְ לְפָנֶיךָ יְתַבְרַךְ. וּמָה זֶה תְּשׁוּבָה שְׂמֻשֵׁב הַקַּב"ה אֶפְשָׁר אָנִי יוֹשֵׁב עַל כִּסֵּא דִין וְכוּ? אֶדְרְבָּא מִפְּנֵי טַעְנָה זֶה יֵשׁ מְקוֹם לְחַיִּיב לֹאמַר שִׁירָה, שְׂנֶאֱמַר "חֲסִדֵּי־וּמִשְׁפָּט אֲשִׁירָה" וְשִׁנִּינוּ חַיִּיב אָדָם לְבָרַךְ עַל הַרְעָה כְּשֶׁם שֶׁהוּא מְבָרַךְ עַל הַטּוֹבָה, וְעַיִן קוֹשְׂיָא זֶה בְּטוֹר בְּרַקָּת (סִימָן תַּקפ"ד).

Everyone inquires what this question is that the ministering angels ask: **“For what reason don’t they recite a song of praise,”** for this is a positive Torah obligation that they violate if they don’t recite it,<sup>2</sup> to petition before Him, may He be blessed. Also, what is this answer that the Holy One, Blessed be He, responded, **“I am sitting on the throne of judgment”** etc.? To the contrary, because of this claim, there is room to obligate the recitation of a song of praise, as it is said, **“I will sing of faithfulness and justice”** (Ps. 101:1), and it is taught, **“A man is obligated to bless [G-d] for what he perceives to be something bad that has**

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<sup>1</sup> See Essay 8, which also discusses this quotation from the Gemara.

<sup>2</sup> The rabbis disagree over whether it is a commandment to recite Hallel on the holidays. For example, the Rambam says the recitation of Hallel is not a Biblical command, but was ordained by the rabbis. (Mishneh Torah, Chanukah 3:6).

happened to him, **just as he blesses [G-d] for something good** that has happened to him.”<sup>3</sup> See **this question**, that it seems that G-d’s answer would strengthen the argument that Hallel is required, **in the Tor Bareket, siman 584.**<sup>4</sup>

וְלַעֲנִיּוֹת דַּעֲתֵי נִרְאָה דְחֻדָּא פִירוּקָא לְחַבְרֵתָהּ, וְקוּשְׁיֵית מְלֹאכֵי הַשְּׂרָת הִיא מְמַשׁ מִטַּעַם "חֻדָּא וּמִשְׁפָּט אֲשִׁירָה", שְׁמַפְנֵי זָה יִשְׁרָאֵל יֵשׁ לְהֵם לֹמַר שִׁירָה אַף עַל פִּי שֶׁהוּא יוֹם הַמִּשְׁפָּט וּמַעֲתָה שְׁאֵינָם אוֹמְרִים אוֹתָהּ הָרִי הֵם עוֹבְרִים עַל פְּסוּק זֶה.

**In my poor opinion, it appears that the solution to the second question also solves the other part, i.e., the first question. The question of the ministering angels is precisely from the viewpoint of “I will sing of faithfulness and justice,” for because of this, Israel should recite a song of praise even if it’s the Day of Judgment, and now that they don’t say this, the ministering angels argue, [the Israelites] are violating this verse.**

וְתִירֵץ לְהֵם הַקַּב"ה דְקָרָא דְ- "חֻדָּא וּמִשְׁפָּט אֲשִׁירָה", מִשְׁמַע לְאַחַר הַגְּזֵר דִּין שְׂבָא עָלָיו הָעוֹנֵשׁ הָאָדָם מְחוּבָּיב לְהַצְדִּיק עָלָיו הַדִּין וְלִיתֵן תּוֹדָה לְהַקַּב"ה עַל הָרַע כְּשֵׁם שְׁמִבְרָךְ עַל הַטּוֹבָה. אָבָל בְּכָאן שְׁעֵדִיין לֹא נִגְזֵר הַדִּין וְלֹא נִגְמָר אִם הָיוּ יִשְׂרָאֵל אוֹמְרִים שִׁירָה הִיָּה נִרְאָה שְׁנוֹתָנִים שׁוֹחֵד לְהַקַּב"ה כְּדֵי שְׁיִנְכֵם בְּדִינָם, שְׁהָרִי אָסוּר לְדַיֵּן לִיקַח שׁוֹחֵד אֲפִילוּ שׁוֹחֵד דְּבָרִים, וְזֶהוּ שְׁמִשִּׁיב לְהֵם בְּלִשׁוֹן תִּימָה אֲפֹשֶׁר שְׁסַפְרֵי חַיִּים וְסַפְרֵי מֵתִים פְּתוּחִים לְפָנֵי שְׁעֵדִיין לֹא גְמַרְתִּי הַדִּין וְיִשְׂרָאֵל יֹאמְרוּ שִׁירָה?

**The Holy One, Blessed be He, answered them that the verse of “I will sing of faithfulness and justice” has the meaning that *after* the sentence is enacted of the person who has been punished, then the man is obliged to acknowledge the appropriateness of the sentence. He is also obliged to give thanks to the Holy One, Blessed be He, for the bad just as he would bless [Him] for good. But *here*, where the judgment has not yet been meted out, and it’s not settled, if Israel were to recite a song of praise, it would have appeared that they were giving a bribe to the Holy One, Blessed be He, in order they should merit [good] judgments. For it is forbidden for a judge to take a bribe, even a bribe of words,<sup>5</sup> and this is why He answered [the ministering angels] in such strange language, “Is it possible that . . . the books of life and the books of death are open before Me, that I haven’t concluded the judgment, and the Jewish people are reciting a joyous song of praise?”**

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<sup>3</sup> Mishnah Berachot 9:5; Berachot 34a.

<sup>4</sup> The Tur, i.e., the Arba’ah Turim, Rabbi Jacob ben Asher’s compilation of halacha, includes a discussion (Orach Chaim, siman 584) of whether it is appropriate to say Hallel on Rosh Hashana and Yom Kippur, and quotes the exchange between G-d and the ministering angels from tractate Rosh Hashana. Rabbi Chaim ben Avraham haCohen, of Aleppo (“Aram Zobah”) wrote a commentary on the Orach Chaim called Tor Bareket (Amsterdam 1654). He asks the question of this paragraph: that G-d’s answer that He is sitting in judgment could actually strengthen the belief that Hallel is appropriate for Rosh Hashana and Yom Kippur, as Ps. 101:1 tells us to praise justice, and as we are obligated to bless G-d for things that we perceive to be bad, just as we are obligated to bless Him for good things..

<sup>5</sup> Shulchan Aruch, Choshen Mishpat, siman 70, se’if 1.