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PARSHA ENCOUNTERS

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Parshas Emor  Rabbi Mordechai Eisenbach

Make it Count

"You shall count for yourself, from the morrow of the rest of the day, from the day when you bring the korban Omer..." [Parshas Emor 23:15]

There is an argument amongst the Rishonim as to whether Sefiras HaOmer is a mitzva D'Oraysa or a mitzva D'Rabanan. Tosafos holds that from this posuk we see that Sefira today is only D'Rabanan. The posuk says that the counting of the Omer is dependent on the korban Omer and today there is no korban Omer, so there is no mitzva of counting either. Today, then, we count only as a Zecher L'Mikdash; a remembrance of the time of the Bais Hamikdash.

Other Rishonim hold that today the mitzva is also a Chiyuv D'Oraysa, and the Or Hachaim explains this posuk according to these Rishonim. He says that the fact that the Torah repeats itself "from the morrow" shows that it is its own mitzvah. One counts after the 1st day of Yom Tov, which happens to be the same **time** as the Omer. This is regardless of whether one holds that the mitzva of Sefiras HaOmer today is D'Oraysa or D'Rabanan.

There are Rishonim that cite different reasons for the counting of the Omer beyond the fact that it is a mitzva. One opinion is that we count every day before Shavuos to lead up to the climax of Matan Torah. We do this to show Hashem that we eagerly anticipate Matan Torah.

Other Rishonim explain that the reason we count is to focus on all forty nine days of the Omer. During this time, we try to improve on our middos – attributes, just like Klal

Yisrael did. When they came out of Mitzrayim, they were on the lowest level of tum'ah, or impurity. Hashem made it known to them that in their current state they would be unable to accept the Torah. He then instructed them to work on their middos to help pull them up from tum'ah to tahara. We can develop this idea further as follows:

The korban Omer that is brought on Pesach is made out of barley, which is food for animals. The korban of Sh'tei HaLechem that is brought on Shavuos is Maachal Adam – food that is normally eaten by people. This teaches us that the "Y'mei Sefirah" is a time to improve on our middos in order to bring us up from an animal-like state to the state of an honorable person. The Or HaChaim explains that a woman in niddah requires 7 days to purify herself. When Bnai Yisrael were taken out of Mitzrayim, because of their extremely low level of tum'ah, they required not seven days to achieve purity, but seven weeks. This idea, the Or HaChaim, says, uncovers the meaning in the words "count for yourself." We are to count days in which we improve slowly but steadily, so that by the forty ninth day, we are truly ready to accept the Torah Hakedosha.

Hashem should give us the strength to make this counting really count.

Rabbi Eisenbach heads the Zichron Aharon Mechanchim chaburah of the Kollel's night seder.

HALACHA ENCOUNTERS

Sefiras HaOmer

Rabbi Yisroel Langer

Q= If one made an early Shabbos and before Shekiyah (sunset) realizes that he forgot to count last night's sefirah is it too late to still count?

Overview

Beginning from the second night of Pesach until Shavuot we perform the mitzvah of Sefiras haomer. Although during the times of the Beis Hamikdash this was a mitzvah D'Oraisah, the majority of Rishonim hold that in our times it is only a mitzvah D'Rabanan. Some Rishonim (B'hag) are of the opinion that in order to fulfill the mitzvah one must count the sefirah every night, and if even one night were skipped he did not fulfill his mitzvah. This is derived from a posuk in this week's parsha, "You shall count... seven weeks, they shall **be complete**" (Vayikra 23:15). Others (Rabbeinu Tam) learn from this posuk that one must count over a complete day, meaning that the mitzvah can only be performed at night. We are machmir for both of these opinions. Therefore, the halacha is as follows: If one forgot to count one night he should count during the day without a beracha, and on the following nights he may still count with a beracha. However if one did not remember to count during the daytime, he may no longer count on future nights with a beracha. In this situation one should count on the following nights **without** a beracha preferably having someone else be "motzei" him with the beracha.

Returning to our original question, Hagaon Rav Moshe Feinstein ZT"L (Igros Moshe IV Siman 99) deals with it with regards to a Teshuva written by the Taz (O.C. 600:sk. 2) . The Taz discusses an incident in which a community was without a shofar for Rosh Hashanah. It was not until late Friday afternoon on the second day of Rosh Hashanah after the community had already accepted an early Shabbos and davened Maariv that a messenger arrived with a shofar. Since it was still before shekiyah (sunset), the Taz gave two reasons to allow the shofar to be blown.

Reason #1) The halacha is that if an entire community accepts Shabbos early under the false pretense that it was after nightfall, their acceptance is not valid and they may continue to do Melacha until sunset. Based on this, the Taz reasons that in the case of the shofar, the community's acceptance of Shabbos should be deemed invalid. If the community would have known that a shofar was coming shortly they would not have accepted Shabbos early. Therefore, their acceptance of Shabbos was in error and the shofar could be blown.

Reason #2) The halacha states (based on the Beis Yoseph in Y.D. Siman 262) that if a baby's bris was supposed to be on Friday, and it was delayed until after Shabbos was accepted and the tzibbur already davened, as long as it is before shekiyah (sunset) the bris can still be performed. The Taz explains this halacha with the following principle: whenever there is a mitzvah that can only be performed at a specific time, an early acceptance of Shabbos cannot push off one's obligation to perform that mitzvah. Thus although the early acceptance of Shabbos remains intact, it may not push off one's obligation to blow the shofar. Hagaon R' Moshe Feinstein ZT"L says that whether or not one can still recite Friday's Sefiras haomer after accepting Shabbos would depend on these two arguments presented by the Taz. According to reason #1 the acceptance is void, since if they would have known that a shofar was coming they would never have accepted Shabbos. So too, with regards to Sefiras Haomer. If the individual accepted Shabbos already without counting the previous night's sefirah, his acceptance of Shabbos becomes void and he may count sefirah if it is still before dark. If he davened maariv already, making his acceptance void would cause his maariv to become a "beracha l'vatala". That being the case we could not void his "acceptance" of Shabbos and he would not be able to count sefirah. (In the case of the Taz it was a whole tzibbur that accepted Shabbos in error. If a whole tzibbur accepted Shabbos in error the halacha is that Maariv does not need to be davened again.)

According to the second reason mentioned by the Taz there is a principle that an early acceptance of Shabbos does not have the strength to push off a mitzvah that can only be performed at that time. Accordingly, in our case of Sefiras haomer, even if one davened Maariv after accepting Shabbos, as long as it is before dark one can still recite last night's sefira.

Hagaon Rav Moshe Feinstein rules that one may rely on the second reason of the Taz and count Sefiras Haomer even if he accepted Shabbos and davened maariv. He can only do so without making a beracha. On future nights he may continue to count with a beracha. This is also the Psak of the Shaarei Teshuvah (O.C. 589: s.k. 4) and other Poskim.

Rabbi Langer is a full-time member of the Kollel.