

KOLLEL MAYAN CHAI
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KOVETZ
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PILPULIM AND CHIDDUSHIM
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OVERVIEW OF PAS AKUM

SHIUR FROM RABBI YOSEF DOV SOLOVEITCHIK ZT"L
ON SEFIRAS HAMOER

MAAMAR FROM AVODAS HALEVI ON SEFIRAS HAOMER

Shiur on the Bracha of Sefiras Haomer

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One of the old Nusachos for counting Sefiras Haomer after the Bracha was “שהיום יום...” (See Magen Avraham Siman 489:5). What is the meaning of this choice of words? Where did they come from, what do they mean? Do they have Halachic Implications? Is there a difference between and our formulation.

In order to understand, we must examine a sugya discussing the fundamentals of how we designate special days. With regard to the biblical obligation to recite Kiddush, we would essentially be Yotzei by saying the verse *זכור את יום השבת לקדשו*, but Chazal made a special long Bracha. Similarly, we find this regarding Birchas HaMazon, where one would fulfill his obligation by simply saying *הודו לה' כי טוב כי לעולם חסדו*, but Chazal added a Bracha to the Nusach.

It is clear that there is a practical difference regarding how we count the Omer, even though we could merely count the number.

During Sefiras Haomer there is a second peculiarity. Amen is said after the Bracha made by the Shaliach Tzibur, and then we count the Omer. However, following the old Nusach as recorded in the Magen Avraham, by using the word *שהיום*, we would say the Bracha followed by the counting, and then Amen would be said. This is because the counting is part of the formulation of the Bracha.

1. Based on notes from R' Yosef Moshe ben R' Tuvia halevi Aufrichtig from a Shiur given in 5725. R' Yosef attended the Rav Ztz"l's shiur for many years. We thank his son Nesanel and the rest of his family for sharing these notes with us.

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Kovetz Mayan Chai

Due to this opinion of the Magen Avraham, one might have thought that you would not be Yotzeh without reciting the Bracha. Since we know that one must use the Matbeas Habracha (the formulation of the Bracha as prescribed by Chazal) or he will not have fulfilled his obligation. However, the Rambam (Hilchos Tmidim Umusafim Chapter 7:25) says that he would be Yotzei anyway, by simply counting.

What is the meaning of this Machlokes? Is the counting part of the Matbeas HaBracha or is it done simply by counting the day of the Omer, not requiring a separate Nusach. [It is interesting to note that the Mechaber (Siman 489:1) does not include the word **בעומר** in his Nusach. It was later added by the Rama].

It would seem that there are three basic approaches amongst the Rishonim in how we formulate the counting of the Omer, based on the amount of days and weeks. Is there a separate mitzva to count weeks and days? Only days or only weeks?

1. Avi Ha'ezri: We count individual days until day 7 (where we will also count “one week”), then we count “1 week and X days,” and then at the end of each Sefirah week, we also count the total amount of days counted.

2. Baal Hamaor & Tur: We count individual days. Then, as we complete each week, we *also* count the weeks.

3. The Minhag is to count individual days, and then X weeks and X days.

(See Minchas Chinuch - Mitzvah 306).

What is the practical difference between these opinions? It is possible that these two are separate Mitzvos. If this is the case, Rebbi Daniel HaBavli² says that any time one part of a Mitzvah is not **מעכב** the other, they are considered two separate Mitzvos. For example, here, with regard

2. See question of Rebbi Daniel HaBavli to Rabeinu Avraham - son of the Rambam, printed at the end of Sefer Hamitzvos: Question 5.

to Sefiras Haomer, the counting of weeks vs. days are not מעכב each other. Another example is by Tzitzis with Techeiles.³

How do we understand the Rambam's approach? Why don't we count in the first week that each day is part of the first week?

The second way of counting (which is representative of the opinion of the Baal Hamaor and the Tur above) seems to be the opposite of the Rambam's interpretation. He explained that the Rambam holds that we only count the weeks in order to organize the count of the *days*. The second approach is that the Mitzvah is to count the *weeks*; the days are just to help count the weeks. Accordingly, during the first week, it's simply not yet a week, so we have no other option other than counting the days. But from seven days and onward, we are able to count in weeks.⁴

This discussion regarding our formulation of Sefiras Haomer touches on another question as well. When is it appropriate to count Sefirah? 'משתחשך' - when it gets dark. It appears that we have three different time definitions for this word.

1. Plag Hamincha- an hour and a quarter before sunset
2. Bein Hashmashos- a period of doubt between sunset and when three stars are visible, it is still too much day to be night, yet too much night to be day.
3. Tzeis Hakochavim- when three stars are visible, when it is definitely nighttime.

The Beis Yosef seems to say that A and B are not good enough to be Yotzei the Mitzvah. How do we know? The word 'משתחשך' means Tzeis Hakochavin, [we know this from a Mishnah in Pesachim 69b regarding eating Matzoh].

3. Note: We hold that Techeiles does in fact affect the completeness of the Mitzvah of Tzitzis). [See the **Ramban's** opinion regarding this subject in his comment on Sefer Hamitzvos of the Rambam - Mitzvah 33].

4. *(Note: See Rashi מנחה חדשה יום, והקרבתם מנחה חדשה יום, which explains that the '50 days' applies to the bringing of the Korban, but not on the counting. The counting is primarily learned from the phrase '7 weeks').

Kovetz Mayan Chai

Tosfos in Menachos (66a, ד"ה זכר) says that Sefiras Haomer, is no longer a biblical Mitzvah, "A d'orisa", as there is no Beis Hamikdash, and no Korban, the force of the obligation is only Miderabanen (Rabbinic in nature) The general rule is that when we have a Safeik Derabanen (a doubt with regard to a Rabbinic commandment) we are lenient. Because of this, the Shulchan Aruch (Siman 489:2) says that those who count after Tzeis are stringent. Why? Since bein Hashmashos might be considered night, and it's a mitzvah miderabanen, those who count before Tzeis would be Yotzei Miderabanen This is to say that there is a minimalistic fulfillment of Sefiras Haomer.

The Pardes tells us that Rashi davened with a tzibur after Plag Hamincha, and counted Sefirah with them, so that at least he would be able to count the rest of the Omer, in case he would forget after Tzeis and lose his ability to count the following nights (according to the opinion that if someone misses counting one of the nights, then he can no longer count the Omer). This is however difficult to understand, (because if one had fulfilled the Mitzvah at that time, how can he make a Bracha later? And if one is not Yotze, how does it allow him to keep counting?).

The Rashba explains that Rashi counted Sefirah with a tenai (on condition) that if he remembered to count later, then he wouldn't be Yotzei with this counting, but if he forgot later, then he would be Yotzei with this one. (I.e. relying on those Rishonim who hold that counting from Plag Hamincha and onward is Yotzei).

Accordingly, a way for our early Friday Minyanim to conduct Sefiras Haomer (in a place where the people are learned), is to announce this tenai out loud to the congregation.

How can there be any opinion that Plag Hamincha is a time that's Kosher for Sefiras Haomer? It is moving towards the next day. Why would we have this opinion? Rebbi Yehuda (Brachos 26b) holds that the Korban Tamid Shel Bein Ha'arbaim (the second communal sacrifice of the day, parallel to our Mincha Tefilla) was not brought after the time of Plag Hamincha. Meaning, the time to sacrifice Korbanos of each day in the Beis Hamikdash ended at Plag Hamincha. Therefore,

according to Rabbi Yehuda, Mincha is not allowed to be Davened after Plag Hamincha, and from Plag and onward, one may Daven Maariv. Based on this understanding many people will add extra time to Shabbos or “taking it in early” beginning at Plag Hamincha.

Along those lines, we must ask ourselves. When must the Sefira be counted? 'משתחשך' or when it is definitely night? Let us investigate the meaning of Mitzvos which depend on the night. There are 2 concepts regarding the night:

1. Night is the beginning of the *next day*, and called by the number of the following day.

2. Certain things must be done at night itself, like eating Matzah. (The next day doesn't count, nor does Plag Hamincha of the past day). Unlike Kiddush, where if it was not made at night, it can be made the next morning. It's just usually made at night, because it's the start of 'the day of Shabbos'.

Maariv was instituted in place of the bringing of eimorim- these were the leftovers from Korbanos which did not have a chance to be burned up. That's why there is no specific law about Davening Maariv at night, because the eimorim could have been brought while it was still day, hence Maariv could be davened after Plag.

Returning to our topic, how does Sefira interact with the night time? Does Sefirah specifically need to be counted at night? If so, counting after Plag Hamincha is not considered the night.

However, if the Halacha allows one to count the next day when he missed counting at night (the Rambam's opinion), and the reason for initially counting at night is only in order to have '49' תמימות, “Complete days,” as indicated by the Pasuk, then counting at Plag Hamincha may be okay. Sefirah is counted in a way which demonstrates the day has been completed, but not that it must be counted only at night time.

This discussion raises another question in our understanding of how the stipulation of “תמימות” works. Must there be a complete count, or is

there a way to continue counting even with an interruption? For example: if one missed counting one night, and didn't make it up the next day -

1. **Bahag:** He can no longer count.
2. **Tosefos:** He can still continue counting.

To resolve this Safeik between the Bahag and the Tosfos, the Shulchan Aruch (Orach Chaim 489:8) says that one should continue counting the rest without a Bracha.

In the Shulchan Aruch's teaching of this Halacha, he says "Whether [one misses] the first day, whether one of the other days..." The Shulchan aruch is distinguishing between missing one random day and the first day. Why does it make a distinction of which night was missed?⁵

The Bahag's opinion cited above agrees with Tosfos in Menachos (61a.) However, in Maseches Megilah (20b) The Bahag is quoted saying that (after missing one full day,) one can no longer count with a *Bracha*, but he can continue counting without a Bracha. The Bahag holds that all 49 nights are one Mitzvah, and are Me'akev (hold back) one another. Tosefos holds that it's 49 separate Mitzvos. If this is the understanding of the Bahag, what difference does it make to Rabbeinu Hei Gaon which night he misses? Rather, according to The Bahag, it's a matter of "continuity of counting:" How can someone count 5 after 3? Tosefos holds that each day must be counted, and this is established by itself, or through Klal Yisroel, but not that the individual has to make the continuity of counting.

A proof for the Bahag is the fact that we count "Yom Echad" and not "Yom Rishon;" we say '7th day' or '8th day' [in his count], and not 'day 7' or 'day 8' [of general order]. The focus is on the *amount* of days [that he counted] (= 'cardinal'), rather than the *order* of days (= 'ordinal').

(After number 10, cardinal and ordinal numbers are said the same way in Hebrew, so there is no difference in its expression).

5. The first, Bahag does not differentiate between the first night and the other nights, but Rabbeinu Hei Gaon only says that someone only loses his ability to count if he missed the first night. It seems that the shulchan Aruch is responding to both of these opinions.

The Bahag in (Tosefos in Gemara) Megillah seems to say that (if someone misses a day,) he has fulfilled one (part of the Mitzvah) but missing another (part) He has performed “חמישים יום” The idea of counting (each and) **every** day individually. But “שבע שבתות תמימות” is lacking: The idea of counting **all** the days collectively. And since the Mitzvah isn't complete, he doesn't make a Bracha, yet, he still counts.

The Bahag in (Tosfos in Gemara) Menachos leaves no way of fulfilling the Mitzvah after missing one day, because the only way to fulfill the Mitzvah is when there's תמימות - that each day's counting has in it the element of yesterday's counting, because of the continuity idea.

Actually, it seems that even if he misses a day (of counting), as long as it's not on any night that would conclude the weeks (like night 7, 14 etc.), then he can still count with a Bracha to fulfill the Mitzvah of counting the weeks. This, of course, only works with the Pshat of the **Baal Hamaor**, that it's two separate Mitzvos: Weeks and days. On the other hand according to the Bahag, it's all one count.

Rabbeinu Hei Gaon says that the Mitzvah is to count each day separately, but the 'Kevius' (established order) is made by the person, so if someone misses the first night, he hasn't set up his series, but after he counted the first night, there is a defect in his existing series.

Once we have understood all of this, we now can unravel the unique formulation of the Magen Avraham. Since a Bracha is said on a *Kiyum* HaMitzvah (performing an action through which he has accomplished a Mitzvah), and also on a *Machshir* Hamitzvah (Something which is done to enable a Kiyum Hamitzvah.)

For example:

1. We will make a Bracha on an Eruv Techumin (Eruv to allow a person to walk more than 2000 Amos outside of his town on Shabbos).
2. Shechita.
3. Or a Bracha on Eruv Chatzeros (Eruv to allow people to carry between properties on Shabbos).

Kovetz Mayan Chai

So in actuality, the Mitzvah is a total of 49 days, but how are these 49 days connected? - by 49 separate nights of counting. So we say a Bracha in a manner similar to Eruvin, we are doing a mitzvah in order to prepare for the kiyum of counting 49 days.

There's the *Ma'aseh* Hamitzvah (action) to blow the Shofar, even though the *Kiyum* Hamitzvah (fulfillment) is to hear the sound of the Shofar.

Why must a person blowing Shofar have (Kavana) intent for the listener if the Mitzvah is *to hear the Shofar*? Since there is no Kiyum Hamitzvah without the Ma'aseh Hamitzvah, therefore, there must be Kavana to be Motzei the other person through this action.

Furthermore, a Bracha itself needs intention. A person has to know which Bracha he's saying, even when he's saying the parts that all Brachos share in common. Example: Before saying "Ata Chonen" he has to know that he's saying "Birkas Hadaas." If he's holding a cup thinking that it's wine, and thinks in his mind (when beginning the Bracha) 'Borei Pri Hagafen,' and then finds out that it's actually water, than even though he finished the Bracha with "Shehakol," and even has *Kavana* on that Shehakol, there is a problem with that Bracha.

The Avi Haezri says, if someone starts making a Bracha thinking today is 42, and before ending the Bracha he realizes that today is actually 45 days, it's similar to the problem quoted above, and he holds it's not a good Bracha. Why should that be? These Brachos of Shehakol and Hagafen are two different Brachos, so when saying 'Baruch Atoh Hashem,' you need to know which one you're saying; but regarding Sefira, shouldn't the Bracha be the same each day?

It seems he holds that each one is a separate Bracha, because of the different counts.

Therefore, the Nusach mentioned by the Magen Avraham, includes the count in Nusach of the Bracha. We say "שהיום," and answer Amen after the count. [See סימן ו].