

BECOMING BAR- MITZVAH DURING SEFIRAS HA'OMER

SEFIRAS HA'OMER

PESACH

SHAVUOS

SEFIRAS HA'OMER / OBLIGATION MIDERABANAN ABSOLVING AN
OBLIGATION MIN HATORAH / A FREED SERVANT / A CONVERT
MAKING KIDDUSH BEFORE SHABBOS / STATUS FROM A MITZVAH
SEFIRAS HA'OMER WHEN MOSHIACH COMES

לע"נ זאב ארי' ע"ה בן יבלחט"א שניאור זלמן גליק

There is a well-known machlokes in Hilchos Sefiras Ha'omer about someone who forgets to count the omer. According to the BaHaG¹ he does not continue for the rest of the days, and Tosfos² writes that this opinion is wondrous, and in fact, he does continue to count. Practically, we pasken like Tosfos, that someone who forgets to count one day continues to count. However, since ספק ברכות להקל, (that in a case where one is unsure they don't make a brachah,) the person doesn't make a brachah from the day he forgot and onwards.³

It seems that the two opinions are based on whether sefiras ha'omer is one long mitzvah that takes forty-nine days, or forty-nine separate mitzvos. According to the BaHaG, it is one long mitzvah, stretching from Pesach until Shavuos, therefore if a person misses one day, he has lost out on the entire mitzvah, and therefore can't continue to count. According to Tosfos, on the other hand, each day is its own mitzvah, and therefore even if someone missed out on a day, he can still fulfill the rest of the days' mitzvos, in their entirety.

This is also what the Sefer Hachinuch writes, "There were those that wrote that someone who forgot to count one day should not count for the rest of that year's sefira since the whole sefira is one mitzvah, and our Rabbis did not agree with this."⁴



1. Brought in Tosfos on Menachos 66b, and in the Tur at the end of Siman 489.

2. Menachos, *ibid*.

3. Shulchan Aruch Harav, 489:23.

4. Mitzvah 306.

2 The Minchas Chinuch⁵ explores according to the opinion (of the Bahag,) that sefiras ha'omer is one long mitzvah, what the halachah would be with regards to a child who becomes bar mitzvah, or a slave who is freed, during sefiras ha'omer, but counted until then, since a child and slave are both pattur from sefiras ha'omer. (A child is only mechuyav miderabanan, due to chinuch, and a slave is completely pattur since sefiras ha'omer is a מצות עשה שהזמן גרמא, a mitzvah that is limited to a specific time, which slaves are pattur from.)

The question is, do we say that “בחיוב ופטור תליא,” (that it depends whether one is mechuyav or not) and since until now they were not mechuyav, they did not fulfil the first half of the mitzvah. Therefore the fact that they counted anyways doesn't matter, and they cannot make a brachah for the rest of the sefirah, or do we say that since in practice they did count, they can continue to so with a brachah, as the count hasn't been lost.

The Minchas Chinuch paskens that the child who became bar mitzvah or a freed slave does continue to count, with a bracha. The child can continue, since we find that a mitzvah miderabanan can fulfil a chiyuv that will eventually come from a mitzvah mideoraysa, which shows that a mitzvah miderabanan has a significance even mideoraysa.

The proof for this concept, that a mitzvah miderabanan has an importance even mideoraysa, is from the Mordechai in Maseches Meggilah.⁶ He brings a teshuvah from R' Tuvia from Vienna, where

5. *Ibid*, seif 6.

6. *Siman 792. Brought in the M" A 267.*

it is written that someone who is blind, and therefore pattur from mitzvos mideoraysa, can make Kiddush for his family. He bases this psak on the halachah that when one brings in Shabbos early, which is a mitzvah miderabanan, he can make Kiddush from plag haminchah and fulfil his chiyuv of Kiddush on Shabbos, which is a chiyuv mideoraysa. Even though others sometimes disagree with R' Tuvia, according to him at least, there is a proof.

The freed slave can make a brachah because we find that if one does an action when he doesn't have a chiyuv to, it has an effect even after the chiyuv starts, that he has already fulfilled his chiyuv, even though he was pattur at the time.

The proof for this idea is from the Gemara in Masseches Yevamos, which discusses a father who became a ger. R' Yochanan holds that he is not mechuyav to have more children, since he already has, and the fact that that he has children is enough for his chiyuv of Pru Ur'vu, which is a mitzvah to father children. Reish Lakish disagrees and holds that he hasn't fulfilled his chiyuv, since someone who becomes a ger is like a newborn child, and nothing they did before has an effect on them anymore. We see from here that at least according to R' Yochanan, an action taken before a chiyuv starts can still fulfil that chiyuv.

3 We said earlier that the reason the Bahag holds that someone who forgot to count sefirah one day shouldn't count anymore is because he holds that the chiyuv of sefiras ha'omer is one long chiyuv. However, there are two difficulties with this.

1. We make a brachah every night when we count the omer. Seemingly, if it is one long mitzvah, and we aren't doing a new mitzvah each night, why do we make a daily brachah? We should make one brachah, either at

the beginning or the end?

2. We should only make a brachah on the last night, as we don't know until then if the mitzvah will be done right, perhaps we'll skip one night and then every brachah made until then was a brachah levatalah, since he didn't end up doing the mitzvah?

We must therefore say that even according to this opinion each night is its own mitzvah, and there is another reason one doesn't continue if he missed a day. First, the words of Tosfos when he quotes the Bahag are "He also paskened in the Halachos Gedolos that if one missed a day, and didn't count it, he doesn't continue, since the mitzvah requires wholeness." This means that the mitzvah (at least according to the Bahag) is that each day is complete. Therefore, when one counts "today is ten days" that has to be the tenth day of counting, he can't have skipped the ninth day, since he would not then have ten full days of counting.

4 Now we can say that the entire question of the Minchas Chinuch is not relevant. His question was based on the presumption that all the days are part of one long mitzvah, and therefore, if someone was not mechuyav to count in the beginning of the sefira, such as a child or a slave, there would be a doubt as to whether they can, or must continue counting. (The Minchas Chinuch then needs to bring different proofs why a chiyuv can be combined with actions that preceded it.)

However, based on what we explained, that each day is a separate mitzvah, it is obvious that even if someone was

pattur for part of sefiras ha'omer, they would still be able to do the mitzvah for the rest of it.

The question is a different one: Can this still be considered a complete counting? If he counted from the beginning, even though he wasn't mechuyav, can it still be significant enough to continue as a complete count?

5 Seemingly we'd have to say that there is no proper count, but first: The entire concept of sefira, that one day is the first, and the next is the second, is a fabricated idea. For who decided that this day is first, and the next is second? If someone else will come along and say that day one is earlier and that today is really the third day, would that also be the mitzvah of sefira? It is obvious that it would be meaningless!

However, since the Torah has commanded us to count these days, they become days that one can count. In the words of our Chachamim, "the fact that it is a mitzvah makes it important," and they now have a significance. Based on this we must say that if someone counted when he did not have a mitzvah to, his counting was worthless and now (that he is mechuyav,) he cannot continue to count with a brachah.

However, this is not really the case. Since whenever the Torah commands us to do something, for example, eating matzah, this makes it necessary for there to exist in the world a concept called "matzah." So too we can say here, that since there is a mitzvah to count these days, they become a significant entity for all, even for those who are not mechuyav in this specific mitzvah. What comes out from this is that if someone who didn't need to count did so anyways, the days

that he did the mitzvah can count for him, in order for him to count with a brachah once he is mechuyav.

6 This has a practical application for each and every one of us. Nowadays sefiras ha'omer is miderabanan, (since we don't bring the korban ha'omer on Pesach, at the beginning of sefira, or the shteihalechem on Shavuot, at the end of the sefira,) and if we go according to the Minchas Chinuch, then we need to bring all sorts of proofs that our current counting has a significance mideoraysa. (As was explained previously.)

However, based on what he explained, that since there is a mitzvah mideoraysa to count, and it's just that we can't do the mitzvah mideoraysa, (since we can't bring the korban ha'omer and the shteihalechem,) if we count now then once Moshiach comes we will be able to count with a brachah mideoraysa, and the counting will indeed be a sefira mideoraysa and we will be able to bring the shteihalechem in the third Beis Hamikdash, even though we didn't bring the korban ha'omer, may it happen speedily, and in our days!

STUDY AID

1. The machlokes between the BaHaG and Tosfos about someone who misses a day of sefiras ha'omer. The explanation, whether each day is its own mitzvah or the sefira is one long mitzvah.
2. The Minchas Chinuch's question about a freed slave and a child who becomes bar mitzvah, his answer (and the proofs).
3. Questions on the BaHaG, an alternative explanation.
4. Why the Minchas Chinuch's question is irrelevant, and a question about the sefira.
5. Explanation that the mitzvah of the sefira gives it an importance.
6. The practical application that when Moshiach comes we'll be able to count mideoraysa.

Source:

על פי ליקוטי שיחות חלק ל"ח שיחת חג השבועות