**S.A.L.T. – PARASHAT EMOR**

**By Rav David Silverberg**

Motzaei Shabbat

The Torah in Parashat Emor (23:15) introduces the *mitzva* of *sefirat ha-omer*, which requires counting the forty-nine days from the 16th of Nissan (the second day of Pesach) until Shavuot. As noted already by the Ramban, our oral tradition teaches that when the Torah here requires counting forty-nine days, it refers to verbally counting each day. This is in contrast to the commands found earlier in Sefer Vayikra (15:13,28) requiring people who have experienced certain bodily emissions to count seven days before completing their purification process. Those commands are understood as requiring not verbal counting, but rather keeping track of the days so as to ensure that the purification sacrifices are brought at the proper time. With regard to the counting from the 16th of Nissan, however, our oral tradition teaches us that we must verbally count, and not merely keep track of the passage of forty-nine days.

One of the questions that arise concerning the obligation of *sefirat ha-omer* is whether it is defined as counting, or as an utterance. Meaning, does the Torah require the mental process of counting which must be verbally expressed, or is the *mitzva* to recite each day’s number. According to the second approach, *sefirat ha-omer* requires reciting a text, similar to obligations such as *kiddush*, *havdala* and the like. According to the first perspective, by contrast, *sefirat ha-omer* is viewed as more of a cognitive experience, notwithstanding the requirement to verbally enunciate the counting.

Several debates among the halakhic authorities likely hinge on this question. Most obviously, perhaps, is the discussion concerning one who recites the Hebrew text of the counting, but does not understand what he says. As a general rule, when *Halakha* requires the recitation of a text, one fulfills the obligation by reciting the Hebrew text regardless of whether he understands what he recites (Mishna, Sota 32a; *Tosfot*, *s.v. keri’at shema*). On this basis, Rav Yaakov Emden writes in his *Mor U-ktzi’a* (vol. 2, 489) that it stands to reason that one fulfills the *sefirat ha-omer* obligation by reciting the count in Hebrew even if he does not understand what he recites. Rav Yaakov Emden questions the ruling of the *Magen Avraham* (489:2) who writes that one does not fulfill his obligation in such a case. The *Magen Avraham*, apparently, understood that *sefirat ha-omer* requires not the recitation of a text, but rather the cognitive experience of counting, and thus by definition, one does not fulfill the *mitzva* if he recites a text of the counting which he does not understand.

Another possible application of this question is the issue addressed by many writers concerning the possibility of fulfilling the *sefirat ha-omer* obligation by hearing somebody else count. The *Magen Avraham* (489:2) infers from a responsum of the Rashba that although one may hear the *berakha* before *sefirat ha-omer* recited by somebody else instead of reciting it himself, the counting itself must be done personally, and the *mitzva* cannot be fulfilled by hearing somebody else count. Normally, when it comes to obligations to recite a text, the principle of *shomei’a ke-oneh* allows one to hear somebody else recite the text and thereby be considered as though he himself recited it. According to the *Magen Avraham*, this rule does not apply to *sefirat ha-omer*. Consistent with his aforementioned position vis-à-vis one who does not understand the text of the counting, the *Magen Avraham* understood that the *sefirat ha-omer* obligation is not defined as the recitation of a text. It requires the cognitive experience of counting, and thus the rule of *shomei’a ke-oneh*, which halakhically equates hearing a text with reciting it, is inapplicable, as the cognitive act of counting must be done personally. The *Chafetz Chayim*, in *Bei’ur Halakha*, shows that some *Rishonim* in fact allow fulfilling the *sefirat ha-omer* obligation by hearing the counting. These authorities apparently understood that *sefirat ha-omer* is defined as the recitation of a text, such that the general principle of “*shomei’a ke-oneh*” is applicable.

Finally, this conceptual question may affect the status of an uncertain counting. If a person is, for example, unsure whether the current day is the 20th or 21st day of the *omer*, should he count both numbers in order to ensure to fulfill his obligation? Two *Acharonim* – Rav Shimon Shkop (*Sha’arei Yosher*, 1:5) and Rav Avraham Dov Kahana-Shapiro (*Devar Avraham*, 1:34) – maintained that “counting,” by definition, requires certainty. If one is unsure about the day’s number, then he cannot, by definition, perform an act of “counting,” and thus counting both possibilities is of no avail and does not satisfy the obligation. This argument, seemingly, works off the premise that *sefirat ha-omer* requires cognitive counting, and not the mere recitation of a text. It stands to reason that if we would define the obligation as the recitation of a text, then one who is unsure which day it is should, indeed, recite both possible texts, and he thereby fulfills his obligation.

(Based on [*Ha-mitzvot Ba-parasha*, Parashat Emor, 5776](http://beinenu.com/sites/default/files/alonim/153_31_77.pdf))

Sunday

Yesterday, we noted the theory posited by a number of *Acharonim* that the *mitzva* of *sefirat ha-omer* cannot be fulfilled with an uncertain counting. Meaning, if a person lost track of the days, and does not remember whether that day is, for example, the 20th or 21st day of the *omer*, he does not fulfill the obligation by counting both numbers, counting the 20th day and then counting the 21st day. Although he knows with certainty that one of his two counts is correct, nevertheless, he does not fulfill the *mitzva*, because counting, by definition, requires certainty. Since this person did not count either number definitively, he cannot be said to have truly counted that day.

However, as these writers themselves noted, this theory seems to be disproved by the famous comments of the *Ba’al Ha-ma’or* (end of Masekhet Pesachim) regarding the counting of the *omer* in the Diaspora. Communities in the Diaspora observe two days of Yom Tov to commemorate the observance of two days by ancient Diaspora communities who were unsure when the month began. As it took time to receive word of whether the new month was declared on the thirtieth or thirty-first day since the beginning of the previous month, these communities did not know on which day Yom Tov fell, and so they observed both days. In commemoration, Diaspora communities even today observe two days of Yom Tov. The *Ba’al Ha-ma’or* raised the question of why Diaspora communities do not also count each day of the *omer* twice, given the uncertainty in ancient times as to which day was the 16th of Nissan. Seemingly, just as Diaspora communities observe two days of Yom Tov, they should likewise conduct two counts each day of the *omer* in commemoration of the uncertainty that existed in the Diaspora in ancient times. The *Ba’al Ha-ma’or* answers that since the *sefirat ha-omer* obligation applies nowadays only as a commemoration, as the Biblical obligation is applicable (according to most opinions) only in the times of the *Beit Ha-mikdash*, there is no need to go so far as to require a double counting in the Diaspora. Secondly, he adds, such a practice would result in counting the final day of the *omer* on Shavuot, which would infringe upon the honor of Shavuot, which celebrates the completion of the *omer* period.

This entire discussion, of course, presumes the theoretical possibility of counting twice in situations of doubt to cover both possibilities. The *Ba’al Ha-ma’or* seems to have felt that an uncertain counting qualifies as a valid counting for *sefirat ha-omer*, in direct contrast to the theory noted earlier.

It has been suggested that a distinction may be drawn between the *Ba’al Ha-ma’or*’s discussion and the case of somebody who on a given day does not know which number to count. In the system proposed by the *Ba’al Ha-ma’or*, one has not lost track of the days, but rather does not know when the first day was to be counted. He therefore conducts two parallel counts, each day counting definitively twice, knowing with certainty which number day it is according to each count. Each time he counts on any given day, he knows with certainty that he counts the number subsequent to the number counted the previous day. Conceivably, we might accept this arrangement even if we disallow a person to count when he lost track of the days. In that case, the individual does not know with certainty each time he counts whether he is truly counting the number following the previous day’s counting, and thus such a counting is invalid. (See [*Ha-mitzvot Ba-parasha*, Parashat Emor, 5776](http://beinenu.com/sites/default/files/alonim/153_31_77.pdf).)

Monday

Parashat Emor begins with the command that *kohanim* avoid contact with a human corpse, making an exception in cases of the death of an immediate family member. Immediately thereafter, the Torah commands that *kohanim* may not make a bald area in the hair on their heads or entirely remove their sideburns (21:5). Many commentators (including Rashi, Ibn Ezra, the Rashbam and Seforno) explain (based on *Torat Kohanim*, as cited by Seforno)this command as a continuation of the prior discussion concerning contact with corpses. Although the Torah allows *kohanim* to become *tamei* (ritually impure) by tending to the remains of a deceased family member, they are forbidden from excessive mourning. The Torah thus adds in this context that when *kohanim* tend to their deceased family member, they may not follow the extreme mourning practices observed by pagan cults that lived at that time.

Maharil Diskin suggests a different explanation for this prohibition. He writes that the religious figures in other faiths were identifiable solely by their external features – such as unusual haircuts. The *kohanim*, the priests among *Benei Yisrael*, were to be identifiable by their conduct, not by their attire or other external features. And thus immediately after this command, the Torah instructs, “*Kedoshim yiheyu l-Elokeihem*” – that the *kohanim* must be “sacred.” The *kohanim* are told that their distinguishing characteristic must be their refined, noble conduct, and not their appearance. Whereas the priests of other peoples acted like everybody else but distinguished themselves superficially, by appearing different and “holy,” the *kohanim* are to do just the opposite – appear outwardly the same as other people, but conduct themselves in an especially holy manner. Their status of distinction must be reflected by the way they speak and act, and not by the way they look.

Maharil Diskin’s explanation of this verse reminds us of the dangerous trap of vain superficiality, of feeling content with projecting a positive, respectable image, rather than truly building ourselves into the people we should be. While there is certainly a great deal of value in ensuring a respectable appearance, we must always remember that this does not suffice. Looking the way we should does not absolve us of the need to act and speak the way we should. Living lives of *kedusha* means not only appearing “holy,” but being “holy” in all our actions and our interactions, each and every day.

Tuesday

The Torah in Parashat Emor introduces the *mitzva* of *korban ha-omer* – the special sacrifice brought from the first portion of harvested grain on the 16th of Nissan. The amount of one *omer* of grain would be harvested for this offering on the night of the 16th of Nissan, and it was offered together with a sheep brought as an *ola* (burnt-offering). Like all *ola* sacrifices, this sheep was accompanied by a *mincha* (flour offering), however, as noted already by the Gemara (Menachot 89b), cited by Rashi (23:13), this *mincha* differed from other accompanying *mincha* offerings. Normally, a sheep brought as an *ola* (or *shelamim*) was accompanied by the amount of one *isaron* (one-tenth of an *eifa*) of flour as its *mincha*. This rule is explicitly stated in Sefer Bamidbar (15:4). The sheep brought as part of the *korban ha-omer*, by contrast, required a *mincha* consisting of double this amount – two *esronim* (23:13).

Chizkuni and Rabbeinu Yosef Bekhor suggest that the grain offering was doubled as an expression of the people’s desire for a bountiful harvest. This sacrifice was offered right at the beginning of the spring harvest, a time when people were naturally anxious about the quantity and quality of that year’s yield, and the Torah therefore doubled the grain offering on this occasion as a symbol of the blessing for which the people hoped and prayed.

Chizkuni adds another interesting comment relevant to this unique feature of the *korban ha-omer*, explaining on this basis the text of a passage recited in our *musaf* prayer. We recite the *musaf* prayer every Shabbat, Rosh Chodesh and Yom Tov to commemorate the *musaf* sacrifice offered on these occasions, and on each occasion, we cite in the prayer the verses from Sefer Bamidbar which describe the contents of that day’s *musaf* sacrifice. Thereafter, we note that a *mincha* offering would accompany each animal: “three *esronim* for a bull, two *esronim* for a ram, and one *isaron* for a sheep.” This is based on the verses in Sefer Bamidbar (15) which designate these quantities for the three different kinds of animal sacrifices. Curiously, rather than simply state in general terms that the animal sacrifices comprising the *musaf* were all accompanied by the appropriate *mincha* offerings as required, we take the time to specify the amount of flour offered as the accompanying *mincha* for each animal. Then, immediately thereafter, we make note of the *nesakhim* – the wine libations required with each animal sacrifice. The Torah in Sefer Bamidbar (15) specifies different amounts of wine required with each animal, just it specifies different amounts of flour required with each animal, and so we mention both in our *musaf* prayer. However, whereas in reference to the *mincha* we mention the specific amounts required for each animal, in speaking of the wine libations we say simply, “*yayin ke-nisko*” – that the appropriate amounts of wine were brought for different animals. Chizkuni explains that we need to specify the amounts of flour for the *mincha* offerings because they are not entirely constant. As there is an exception to the standardized system of the accompanying *mincha* offerings – namely, the sheep offered as part of the *korban ha-omer*, with which double the normal quantity of flour was offered – it would not suffice to generically state that the appropriate quantities of flour were offered with the animals of the *musaf* sacrifice. This would not be sufficiently clear, given that the Torah makes an exception, and so we make a point of specifying the amounts of flour required when offering the various kinds of animals as part of the *musaf* offering.

Wednesday

Yesterday, we noted the observation made by the Gemara (Menachot 89b) regarding the grain offering which accompanied the *korban ha-omer*, the special sacrifice brought on the 16th of Nissan, as the Torah commands in Parashat Emor (23:13). The *korban ha-omer* consisted of the first *omer* of harvested grain, as well as a sheep which would be offered on the altar. Normally, when a sheep is offered as a sacrifice, it is accompanied by a *mincha* (grain offering) consisting of an *isaron* (a unit of volume) of flour. When it comes to the sheep of the *korban ha-omer*, by contrast, the Torah requires bringing double this amount – two *esronim* of flour.

Interestingly, Rabbeinu Yosef Bekhor Shor suggests an alternative reading of the Torah’s command. He proposes that when the Torah here speaks of two *esronim* of flour accompanying the sheep of the *korban ha-omer*, it refers not to a unique, double-sized *mincha* offering, but rather to a standard *mincha* offering plus the *omer* of newly-harvested grain that was mentioned earlier, and which stands at the center of the *korban ha-omer*. Earlier, in Sefer Shemot (16:36), we read that an *omer* is equivalent to an *isaron*. Therefore, Rabbeinu Yosef Bekhor Shor suggests, we can easily explain that in truth, the *mincha* accompanying the sheep of the *korban ha-omer* was no different than an ordinary accompanying *mincha*, and consisted of just one *isaron* of flour. The Torah mentions two *esronim* in this context because this special sacrifice also included an *isaron* of newly-harvested grain, in addition to the standard accompanying *mincha*.

The advantage of this interpretation, Bekhor Shor adds, is that it explains the discrepancy between the amount of flour required for the accompanying *mincha* and the amount of wine required for the accompanying libation. While the Torah here mentions double the amount of flour – two *esronim* as opposed to a single *isaron* – it commands bringing the usual amount of wine for the accompanying libation – one-quarter of a *hin*, the same amount always required when offering a sheep (Bamidbar 15:5). Seemingly, Bekhor Shor contends, if the Torah made an exception for the sheep of the *korban ha-omer*, doubling the quantity of its accompanying offerings, then it should have doubled the quantity of the libation just as it doubled the quantity of the flour offering. It thus appears preferable, Bekhor Shor writes, to explain that the Torah does not, in fact, double the required amount of the accompanying *mincha*, but rather speaks of a standard accompanying *mincha* in addition to the *omer* of newly-harvested grain mentioned several verses earlier.

Chizkuni, however, convincingly rejects this explanation of the verse. He notes that the flour required for this *mincha* offering, like for virtually all other *mincha* offerings, is *solet* – fine wheat flour. The *omer* of grain offered as part of the actual *korban ha-omer* sacrifice, by contrast, was, according to tradition, barley. Hence, if the Torah here requires offering two *esronim* of “*solet*,” it must, necessarily, refer to a double-sized accompanying *mincha*, and not to a regular *mincha* plus the *omer* of newly-harvested grain.

Thursday

Amidst the Torah’s discussion of the festivals in Parashat Emor, it introduces a number of *mitzvot* relevant to the harvest season. It commands offering the first portion of newly-harvested barley in the early spring as part of a special sacrifice – the *korban ha-omer* – brought on the second day of Pesach (23:10-13), and then requires offering two loaves of bread made from newly-harvested wheat seven weeks later, on Shavuot (23:16-21). The Torah concludes this section by reiterating the commands presented earlier in Sefer Vayikra (19:9) to leave certain portions of one’s agricultural fields for the poor – one corner of the field, and the gleanings that drop during harvesting.

Rashi, based on *Torat Kohanim*, offers an explanation for why these mandatory gifts to the poor are reiterated here, in the context of the festivals and the special sacrifices offered on these occasions. He writes that whoever leaves these gifts to the poor is considered “as though he built the Temple and offered his sacrifices in it.”

What is unique about these particular *mitzvot* – the charitable gifts left to the poor from one’s fields and orchards – that they are equated with the sacrifices in the *Beit Ha-mikdash*?

The Lubavitcher Rebbe (*Bei’urei Ha-Chumash*, originally in *Likutei Sichot*, vol. 17), amidst a lengthier discussion carefully analyzing the differences between Rashi’s comments and their source in *Torat Kohanim*, explains by noting Rashi’s very next remarks. Rashi observes that the Torah does not command one to “give” these portions of his fields to the poor, but rather to “leave” them (“*ta’azov otam*”), implying that one may not give to any particular needy person. He must passively allow all needy people equal access to this produce, without giving it to any particular person he decides he wishes to help. This provision, the Rebbe explains, lends these *mitzvot* a unique quality that is not shared by other forms of charity. Normally, a person is entitled to choose to whom he makes charitable donations, and in this way, he derives a degree of benefit from his charity. He has the freedom to choose to assist those people whom he desires to befriend, whom he happens to like and whose admiration and gratitude he seeks to earn. When it comes to the portions of the field left for the poor, however, there is no such benefit, as the owner is required to allow any needy person to come along and help himself to this produce. This is the unique quality of these gifts that sets them apart from other forms of charity, and which makes them so significant.

The Rebbe further suggests (in footnote 76) that this might explain why Rashi equates this *mitzva* with the privilege of building the *Beit Ha-mikdash*. Building the *Beit Ha-mikdash* is a service that one provides for the entire nation, rather than for any particular person or group of people within the nation, facilitating the service of God by everybody, not by any specific segment of the population. And herein lies the point of comparison between the *Beit Ha-mikdash* and the mandatory charitable portions of agricultural fields. Both signify the great merit of assisting all *Am Yisrael* equally, without singling out or showing preference to any particular person or type of people. They express the value and importance of not only extending oneself to help other people, but of extending oneself to help anybody in need – including people whom one may not particularly like, who are outside his familiar socioeconomic circle, or who hold views and opinions considerably different from his own. This is the level of kindness and generosity to which we should strive, the level where we are driven and motivated to offer assistance to all our fellow Jews in need, regardless of who they are.

Friday

Parashat Emor begins with the command forbidding *kohanim* from exposing themselves to *tum’at meit* – the impurity resulting from direct contact with a human corpse. The Torah formulates this command by saying, “*Le-nefesh lo yitama be-amav*” – “He [a *kohen*] shall not become defiled to any soul among his people” (21:1). The word “*be-amav*” (“among his people”) is explained by Seforno as a sort of introduction to the next verse, in which the Torah makes an exception for a *kohen*’s immediate family members. The Torah forbids a *kohen* from coming in contact with the remains of people who were just “*be-amav*” –ordinary members of the nation, but not those who were part of the *kohen*’s immediate family. Rashi, citing *Torat Kohanim*, explains the term “*be-amav*” differently, suggesting that it refers not to the *kohen*, but to the deceased person with whom the *kohen* may not come in contact. This prohibition applies only to the remains of a person who is “among his people” – meaning, who has people caring for his burial needs. In the case, however, of a “*meit mitzva*” – a deceased person whom nobody cares to bury, this prohibition does not apply, and a *kohen* who is in a position to bury the body is allowed (and in fact required) to do so.

The word “*be-amav*” in this verse led one classic Chassidic commentator – the *Yismach Moshe* (Rav Moshe Teitelbaum of Ujhel) – to a fascinating and meaningful secondary interpretation of this command. The *Yismach Moshe* suggests that the Torah here warns the *kohanim* – representing religious leaders in general – not to expose themselves to the impurity of sin when working “*be-amav*,” with the people, tending to communal affairs and shepherding their flocks. Within the sacred confines of the *Beit Ha-mikdash*, and, more generally, when devoting themselves to study and prayer, there is less risk of “impurity,” of spiritual contamination. But when religious leaders work “*be-amav*,” with the commoners, as they are expected and required to do, they are vulnerable to the contamination of arrogance, anger, and petty fighting. The Torah here commands the *kohanim* to ensure not to defile the “*nefesh*,” their own exalted souls, the pure character and spirit they’ve worked so hard to nurture, through inappropriate conduct in their interpersonal affairs and communal involvement. Displaying anger and impatience, humiliating people, and instigating fights are sources of “impurity” that is no less damaging than that resulting from contact with a human corpse, and these forms of impurities can easily surface when even sincere, well-intentioned religious leaders work to lead, elevate and inspire the masses. The *Yismach Moshe* thus teaches that just as *kohanim* are required to avoid *tum’at meit*, so are they – and all religious figures – expected to steer clear of the impurity of misconduct in their social and public roles, and ensure that the lofty spiritual ideals they represent are reflected in all their interpersonal dealings.

**THE FIRST DECADE OF SALT ARCHIVES CAN BE FOUND AT:**

<http://etzion.org.il/en/salt-surf-little-torah-archives>

**MORE RECENT INSTALLMENTS OF SALT DIVREI TORAH CAN BE FOUND**

**AT:**

[www.etzion.org.il/en/topics/salt-surf-little-torah-weekly-files](http://www.etzion.org.il/en/topics/salt-surf-little-torah-weekly-files)