



PO Box 1076 Jerusalem 91009 * Tel. 972-2-628-4101

Yeshivat Ateret Yerushalayim

IN THE HEART OF THE OLD CITY OF JERUSALEM

On the Air with Ha-Rav Shlomo Aviner

Rav Aviner answers questions of Jewish Law and faith on the radio in Israel on Tuesday & Thursday nights (To listen: www.kimizion.org/shiur/shut.html). On the Air presents a sample each week.

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Prepared by Rabbi Mordechai Friedfertig

RavAviner-subscribe@yahoogroups.com

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A boy who becomes bar mitzvah during Sefirat Ha-Omer

Q: If a boy becomes a bar mitzvah during the period of Sefirat Ha-Omer, should he continue to count Sefirat Ha-Omer with a blessing after his bar mitzvah?

A: He may continue to count Sefirat Ha-Omer with a blessing based on three reasons which join together:

1. Although he did not have an obligation to count before his bar mitzvah, he nonetheless counted. Counting is counting.
2. He had a rabbinic obligation of "chinuch – education" to count before his bar mitzvah and the mitzvah of Sefirat Ha-Omer is a rabbinic mitzvah in our time. Both obligations are therefore rabbinic in nature, and one rabbinic obligation can join with the other rabbinic obligation. Nonetheless there can be discussions whether these obligations are equal since perhaps before he is a bar mitzvah there are two rabbinic laws and after he is a bar mitzvah there is only one rabbinic law.
3. There is also an opinion among the Rishonim (early authorities) which states that each day of Sefirat Ha-Omer is a separate mitzvah. There is a dispute whether there is one mitzvah to count all forty-nine days or whether each and every day is a

mitzvah in and of itself. In this dispute, the halachic authorities rule that we are strict not to continue counting with a blessing if we forget to count one day because of a doubt which opinion is correct (Shulchan Aruch, Orach Chaim 489:8). In our case, however, since we are combining a few reasons together, we can state that perhaps the opinion which states that each day of counting is a mitzvah in and of itself is the correct one.

There is in fact a dispute regarding our question. Some authorities rule that a bar mitzvah should not continue to count with a blessing, including: Shut Pri Ha-Aretz (3:1), Shut Har Tzvi (2:76) and Ha-Rav Ovadiah Yosef in Shut Yechaveh Daat (3:29). Other authorities rule that a bar mitzvah should continue to count with a blessing, including: Shaarei Teshuvah on the Shulchan Aruch (ibid.), Shut Ketav Sofer (Orach Chaim #99), Aruch Ha-Shulchan (ibid. #15) and Shut Teshuvot Ve-Hanhagot of Rav Moshe Sternbuch (1:313).

Based on a combination of the three above reasons, I say that one should follow the authorities who rule that a bar mitzvah should continue to count Sefirah with a blessing. Even though the basic mitzvah is to count and one who counts even without a blessing fulfills the mitzvah, the reality is that one who counts without a blessing feels that he is not really counting. This feeling is not correct and it is not a halachic factor, but it is an additional reason to add as to why a bar mitzvah should continue to count Sefirat Ha-Omer with a blessing.

Woman cutting hair during Sefirat Ha-Omer

Q: May a woman cut her hair during the period of Sefirat Ha-Omer?

A: The basic Halachah is that women may cut their hair during Sefirat Ha-Omer if there is a need. Sefirat Ha-Omer is derived from the laws of mourning and a woman who is in mourning may take a haircut after "shiva" if there is a need. She may therefore certainly cut her hair if there is a need during Sefirat Ha-Omer which is mourning over an event in the distant past. This is the opinion of Rav Moshe Feinstein in Shut Igrot Moshe (Yoreh Deah 2:137), although he writes that she should be strict unless there is a pressing reason. Therefore, if there is a need for her to cut her hair, such as a case where there is an issue of modesty or a need for immersion in a mikveh or her hair is bothering her, she may do so.

Changing musical ring on cell phone during Sefirat Ha-Omer

Q: Is it necessary to change a musical ring of a cell phone during the period of Sefirat Ha-Omer?

A: There are two sides to this question. 1. The one who owns the cell phone should ideally change to a ring without music. In the book "Doleh U-Mashkeh" (p. 193), Rav Chaim

Kanievsky answers this question that it is best to be careful and change it. If he does not change it, however, it is not an eternal tragedy since it is only a few seconds of music. Furthermore, this is not exactly music, it is a short snippet. 2. If you call and you receive a musical ring, it is called a "benefit which comes to a person against his will" (Pesachim 25).

Visiting Jerusalem on the holidays

Q: Is there a mitzvah in our time of "Aliyah Le-Regel" – traveling to Jerusalem for the three pilgrimage festivals (Pesach, Shavuot and Sukkot)?

A: There are authorities who say that such a mitzvah exists today, but the basic law is that it is a proper custom and not an obligation. The mitzvah of "Aliyah Le-Regel" is traveling to the Temple, offering sacrifices, etc... (see Shut Igrot Moshe, Yoreh Deah 3:122, Shut Tzitz Eliezer 10:1 #93, Shut Yechaveh Daat 1:25). Visiting the Kotel today on these three holidays is similar to a remembrance of this mitzvah.