



Beis Medrash of Woodmere's WhatsApp Halacha Chat Presents:

Frequently Asked Questions

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1 May a child count Sefira before dark?

If a child is going to be asleep by nightfall, may they count sefira with a bracha before tzeis? If so, how early?

4/3/18

The Shulchan Aruch (O”C 489:2) writes that it is best not to count Sefira until צאת הכוכבים. Yet the Shulchan Aruch adds (3) that one may count Sefira early without a bracha, and then later on at night (when it is dark) count again with a bracha. The presentation of the Shulchan Aruch is based on numerous Rishonim who require the counting of the Omer to be at a time that it is certainly night. However, Tosfos (Menachos 66a) is clear that one may recite the bracha and fulfill the mitzvah of Sefiras HaOmer during Bein Hashmashos; between sunset and nightfall – צאת הכוכבים (3 stars). This is because in the absence of the Korban HaOmer, counting sefira is a rabbinic obligation and we can be lenient to perform this mitzvah during a time that is certainly night. While it is preferable to follow the opinion of the Shulchan Aruch and wait until “dark” there is certainly room to be lenient and count earlier. In fact, the Bach (489:1) writes that the custom was to count after sunset before the sky was dark. This is echoed by R’ Ovadia Yosef (Yechavah Daas 1:23) who points out that the minhag in Yerushalayim was to count Sefirah during maariv before צאת הכוכבים because there is concern that people would forget later on. The Mishnah Berurah (14) as well acknowledges that some rely on Tosfos and count early with a Bracha.

Most Poskim understand that the intent of the Shulchan Aruch (3) who suggests counting early refers to after sunset before it is actually dark. However, the Biur Halacha (ד”ה מבعد ים) cites a minority opinion that one can actually count after Plag Hamincha before sunset. While this opinion can possibly be relied upon for those who are unwell, to allow them to count and maintain the continuity of the Sefira, we wouldn’t suggest anyone else rely on this opinion. Children are not obligated in mitzvos and they certainly need not count Sefira. It is fair to assume that a child that is going to bed before 8pm is not yet of the age where הגיע לחינוך is applicable in the realm of Sefiras HaOmer. Nevertheless they may count sefirah with a bracha (See however Mishnah Berurah 3). Children should be trained to perform mitzvos in the proper fashion. Therefore, children can make the bracha and recite Sefira any time after Shkiah-sunset but not before that.

2 Which text is preferable: ליום or בעומר?

בעומר vs ליום?

5/10/18

In the Rishonim we find both texts ליום and בעומר. Nevertheless, when describing how one should count the Shulchan Aruch (O”C 489:1) doesn’t make mention at all the need to conclude the count with the word בעומר, only the Rema adds the word בעומר. (When discussing the mourning aspect of the Omer the SH”A 493:2 writes ל”ג ליום בעומר.) The Taz (3) explains that בעומר is more correct because that implies counting the coming day as opposed to which implies looking back from the Korban Omer. The Mishnah Berurah (8) writes that most Poskim prefer ליום but either one is acceptable. Rav Soleveitchik suggested that because ליום refers to the Korban Ha’Omer which is not brought today, and this language highlights the fact that the entire Sefira is only rabbinic. However, בעומר, which doesn’t refer to the Korban, infers that the Sefira is still is on a Torah level. While most Rishonim believe that Sefira nowadays is Rabbinic the Rambam (Temidim U’Musafim 7:24) is of the opinion that it is a Torah obligation.

Common custom is to recite either ליום or בעומר, but certain individuals actually say both. This was the custom of Rav Solevitchik as well as R Shlomo Zalman, moreover some actually repeat the entire sentence... היום...



while others just repeat the last word. Tosfos (Megillah 20b) writes that after counting Sefira one should say ה"ר שיבנה בית המקדש..... Based on this Rabbi Schachter (Pninei Harav 124) writes that Rav Soloveitchik was particular to first say בעו"ר which implies that the mitzvah is of Torah law and then לעומר which implies that it is rabbinic nowadays followed by the Teffilah for the Beis Hamikdash, hoping for the time when Sefira will be a Torah mitzvah again (See Sha'ar Hatzion 489:15). As some may have figured out my personal custom is to say לעומר

3 Which comes first: Krias Shema, Birkas Hamazon, or Sefiras Omer?

ספירת ברכת המזון, קריית שמע, and צאת הכוכבים, is there a preferable order in which to say them? I know we pasken מדרבנן nowadays but even so, does that necessarily mean it should be last?

4/16/18

This question often arises on Friday night when making early Shabbos. If one davens Maariv soon after Plag Hamincha it is still daytime and too early to fulfill the mitzvah of Krias Shema and Sefira. (Sometimes Shema is said in Shul before dark but Sefira is said at the conclusion of davening after). It is important to note that one is not supposed to sit down to dinner at night prior to fulfilling the mitzvah of Krias Shema. While the Mishnah Berura (267:6) writes that this is true from sunset, elsewhere (235:19) he writes that one may begin after sunset so long as it is before צאת הכוכבים . Thus, if one arrives home from Shul on Friday night at the time of צאת הכוכבים it is preferable to recite Shema before beginning the meal. Once one has started the meal they need not stop in the middle (Mishnah Berura 235: 21).

At the conclusion of the Shabbos meal which is after dark there are three mitzvos to perform, in my parent home when we made early Shabbos, the order was Birchash Hamazon, Shema and finally Sefira. This is because the halacha allows one to complete a meal even though it is time for Krias Shema, the meal includes Birchash Hamazon which can therefore be said before Shema. It appears that Krias Shema which is a Torah obligation should then precede Sefiras HaOmer which is rabbinic according to most Rishonim. This is line with the Tzlach (Brachos 51b) who writes that a Torah obligation is to be fulfilled before one that is Rabbinic.

However, the Shagas Aryeh devotes two pieces (21-22) to a extensive discussion surrounding this very question. He writes that Krias Shema should be recited before Birchash Hamazon because Krias Shema is obligatory as opposed to Birchash Hamazon, which is required only after eating bread. He continues that although one must eat bread on Shabbos (as in our case); nevertheless, all in all one is obligated in Krias Shema more often (תדייר) than the obligation of Birchash Hamazon. While the Shagas Aryeh agrees that Krias Shema should be recited before Sefiras HaOmer because it is a more frequently performed mitzvah, however he vacillates regarding the order of Sefira and Birchash Hamazon. His conclusion is that on Shabbos Birchash Hamazon is said first because one is obligated to eat bread, however during the week there is no specific order to these two mitzvos. Because some of the ideas in the Shagas Aryeh are debated by other Poskim, I believe the preferred order is Birchash Hamazon, Shema and then Sefiras HaOmer.



4 Should one count Sefirah with a minyan?

Is there a specific inyan to count sefirah with a Minyan, or is it simply that the timing is such that we are typically with a Minyan when we count?

5/7/18

Inherently, there does not appear to be any requirement to count Sefiras HaOmer with a minyan, nonetheless traditionally Sefira is attached to Teffilas Maariv. The juxtaposition of Maariv and Sefira is already seen in the Rishonim and in fact the opening words of the Shulchan Aruch (O"C 489:1) regarding Sefiras HaOmer highlights exactly this- **בליל** (Interprisingly the Birchei Yosef records a minhag not to count the 1st night of Sefira after Maariv but rather after the Pesach Seder.) The Biur Halacha (ד"ה אחר 1) writes that when both mitzvos of Maariv and Sefira are going to be fulfilled Maariv goes first because it is more frequent - **תדייר קודם**. Additionally, as we discussed in an earlier post (4/16/18) according to some poskim the mitzvah of Krias Shema which is a Torah obligation should precede Sefira which is rabbinic. Nevertheless, the Magen Avraham writes that one who wishes may count Sefira after dark and daven Maariv later on. However R Moshe Feinstein (Iggros Moshe O"C 4:99) assumes that **תדייר קודם** is so essential and one should specifically wait until after Maariv to recite Sefira. Rav Wosner (Shevet Halevi 6:53:3) notes that even when davening Maariv late at night Sefira should be counted toward the beginning of the night to create a fuller sense of **תמיינות** (See **מור וקציה**). However, it is customary to wait and count when davening maariv. The reason for this is because when sefira is not attached to maariv there is a propensity to forget , to ensure that individuals don't forget to count Sefira it is appended to Maariv.

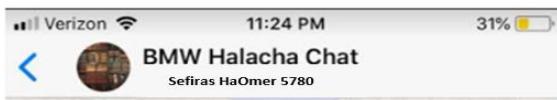
Certain Poskim do imply that there is an inherent benefit to counting Sefira with a minyan. The Chok Yaakov (489:15) cites the Shelah who advises that one join a minyan to count Sefira - **כתב בשל"ה ריש מסכת פסחים ג, ב ד"ה כתוב הרשב"א ז"ל, ובמוקם שיש חבורה שמתפללים** מעריב בזמןה ראו להתחבר להם ביום הספירה, כי אז מצוה גוררת מצוה, קריית אל תפוחש מן הציבור מלך – ברוב עם הדעת מלך and counting with a minyan is preferable. The Minchas Yitzchak (9:56:2) adds that due to the concept of **ברוב** one should count along with the minyan he attends, and therefore if one is davening Maariv after dark it is preferable to count with the Tzibbur. If the Minyan is right after sunset and one wants to wait until later to count (See SH"A and Rema 489:3) they may count later without a minyan. Common custom is to wait to count Sefira until after Maariv even if it is hours after sunset. If one arrives late to the last Maariv minyan just as they are counting Sefira, it seems that it is preferable to count with the minyan and in this way one can be certain that he doesn't forget later (he may also gain **ברוב**), even while fulfilling Sefira before the Torah obligation of Shema.

5 Counting Sefirah before or after Aleinu?

What is the basis for each of the minhagim in shuls to count Sefira first or say alenu first by maariv ?

5/29/19

The Mishnah Berurah (489:2) writes that it is customary to count Sefira before saying Aleinu to maximize – **תמיינות** in this way the counting will encompass more time of that day. The Chok Yaakov (20) explains that **קדיש תתקבל** marks the end of davening and after davening is over one moves on to the next mitzvah of Sefira. The Baal Hatanya writes that Sefira is before Aleinu due to the custom of saying other chapters of Tehillim and Teffilos that are said along with Sefira. Because it is preferable to recite a Kaddish after those Teffilos, Sefira is said before Aleinu and Kaddish. However, the Vilna Gaon (Maaseh Rav 69) is of the opinion that Sefira is said after Aleinu. Some suggest that it became customary to count Sefira after Aleinu in instances where it was not completely dark and, in this way, it will be a bit later when



counting. Rav Soloveitchik (Hararei Kedem 2:109) is quoted as suggesting that the two customs hinge upon the nature of Aleinu. The Bach (133:1 below) writes that we recite Aleinu before leaving Shul in order to instill our absolute faith in Hashem, and that he will eradicate all false gods. We express these ideas as we leave Shul and will interact with people of other faiths. It is this Tefilla and expression of belief that protects us from becoming tempted to follow the lifestyle of those around us. It emerges that Aleinu is said as we leave Shul and enter into the workplace to help protect us.

ב"ח אורה חיים סימן קלג- ואומר עליינו לשבח וכו'. הטעם הוא לתקוע לבבינו קודם שנפטרים לבטיהם יחד מלכות שמים ושיחזק לבבינו אמונה זו שיעביר הגילולים מן הארץ והאלילים כרות יכרתו לתקן עולם במלכות שדי כי אז גם כי יש לכל אחד מישראל משא ומתן עם הגויים עובדי עבודה זרה וגילולים ומצלחים לא נפנה לבבינו אל האלילים ולא עליה במחשבה חס ושלום שום הרהור עבריה:

However, the Shaarei Teshuva (233:1) cites from the Arizal that Aleinu must be recited at the conclusion of all of the three daily Teffilos, apparently it is part of Teffilah. The question of whether there is a need to recite Aleinu on Friday afternoon Mincha depends on the two reasons for Aleinu. Similarly, many have the custom not to say Aleinu at the conclusion of Mincha on Yom Kippur because many remain in Shul the entire day, and thus the reason of the Bach does not apply. Applying this to Sefiras HaOmer, if Aleinu is the last Teffila said before exiting the Shul then it should be said after Sefira. However, if Aleinu is the conclusion of every Tefillah, then based on **תzdir קודם** one should complete davening entirely including Aleinu and only then engage in the mitzvah of Sefira.

There is another approach in understanding this issue. The Kaf Hachaim (489:102) writes that in order not to interrupt סדר התפילה it is best to count after Aleinu. However, the Mishnah Berura specifically favors counting before Aleinu so Sefira is included in the framework of Tefilla. R' Zvi Ryzman in his (1:36) cites an idea from Rav Soloveitchik that even if a mitzvah or Tefilla isn't formally part of Tefillah B'Tzibbur, nonetheless it should be done in the context of davening. One example is lighting Chanukah candles in Shul. While it certainly not part of davening, it was established to be performed in the Shul framework. For this reason, R Moshe Soloveitchik (cited in Nefesh Harav 223) believed that the menorah in Shul is kindled only when there is a minyan present and preferably after they completed Mincha.

Furthermore, while the Shulchan Aruch and Rema (681:2) write that Chanukah candles are lit prior to Havdalah, the Taz disagrees and believes based on **תzdir קודם** that Havdalah should be said first. The Mishnah Berura (3) writes that it has become customary to follow the Shulchan Aruch in Shul to light before havdalah and at home Havdalah is said prior to lighting. Rav Soloveitchik suggested that this custom is so that specifically in Shul the menorah must be lit before Havdalah, prior to the conclusion of davening. R' Ryzman suggests the same regarding Sefiras HaOmer, and thus it is preferable to count Sefira before Aleinu. He goes on to suggest that the custom that the Chazzan (not the Rabbi) counts Sefira aloud before the tzibbur is in line with this idea. Because it is part of "davening", it is appropriate that the Chazzan continue to lead through Sefiras HaOmer.

6 How does one count Sefira when traveling over the international dateline?

If one is flying over the dateline and would 'miss' or repeat a day Omer does the count still count if it is out of order?

4/26/18

The issue of travelling across the date line or for that matter travelling through time zones can present a challenge for Mitzvas Sefiras Ha'Omer. When flying over the International Date Line (a matter of great halachic debate where the Halachic dateline is) one can "miss or gain" a day. Because Sefira requires that everyone maintain his own continues count, "loosing" a day would obviously be problematic. Because one clearly needs to count the days in order. This is a very vast topic, but we will make a few points. Rav Betzalel Stern (Rav in Melbourne Australia) deals with this issue at length in his Teshuvos Betzel Hachomah (5:96-97 See Below). Firstly, he suggests that it would be best to avoid traveling



over the date line due to the complexities involved. To summarize some of the main points; when traveling from Australia to America on the 10th day of the Omer when arriving in the USA they should repeat 10 without a bracha and then continue counting. When traveling to Australia on the 10th day of Sefira one will need to count 11 while en route and, in that way, continue with the Australians on day 12. If the traveler doesn't maintain his continuity while traveling and arrives on day 12 he will no longer be able count with a bracha even though he himself didn't "miss counting a day".

He adds that while one arriving in Australia can join in the local count this is only if he arrives at night, if however he arrives during the day time of day 12 he may no longer count with a bracha because he missed the night of day 12. This seems to assume that the day count for one who missed at night is **תשломין** - make up for the night time count. (While this may be the opinion of certain Rishonim this is not the traditional approach.) Rav Shlomo Zalman (cited in Maadanei Shlomo 144) strongly disagrees and says that this individual can certainly continue to count with a bracha, no different than one who forgot to count at night. R Tzvi Pesach Frank (Mikraei Kodesh Pesach 2:63) raises the issue as to whether each day needs to be 24 hours. So that one who travels from the USA and arrives in Eretz Yisrael at 7pm while everyone counts after dark perhaps he would need to wait until 2am to count. Poskim don't seem to be concerned with this issue and one who may count Sefira once it is night in E"Y even if he didn't experience a 24 hour day.

There is a very novel approach that was expresses by the Lubavitcher Rebbe (See Below) regarding crossing over the Dateline during Sefira. He felt that each man maintains his own count so one traveling from Australia will continue his count and remain one day ahead of the Americans. The same would apply to those traveling over the date line to Australia. Because Shavuos is celebrated on the 50th day of Sefira, the Rebbe believed that Australians who traveled to the USA during Sefira will begin their observance of Shavuos one day earlier than the Americans. The Minchas Yitzchak (8:50:1) vehemently disagrees and argues that when the Beis Hamikdash stood the Korban Shtei Halechem is offered on Shavuos it is preposterous to suggest that one who crossed over the Date Line and arrived in E"Y should still be counting day 49. Rather one needs to count according to the place that he currently finds himself. Other than Chabad Chasidim this is not common practice, and even the Rebbe himself strongly discouraged traveling over the Date Line because of this thorny issue.

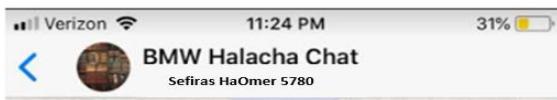
7 How should one who was an אונן for 24 hours proceed regarding Sefiras HaOmer?

What about someone who is in aninus for more than a 24 hour period ie going to Israel for kevurah? Should they listen to someone else's bracha or that wouldn't help bc they are not chayiv.

4/27/18

The Shulchan Aruch (O"C 489:8) rules that one who didn't count Sefira at night should count during the daytime without a bracha. If he neglected to count for an entire day he may no longer count with a bracha. This psak is based on the opinion of the Behag cited in Tosfos (Menachos 66a) writes that **שבע שבתות תמימות תהינה** demands that one not miss a day of Sefira. However many other rishonim believe that even after missing an entire day one may continue to count with a bracha.

Many understand the Behag to say that all of the 49 days are one mitzvah and missing one day negatively affects this mitzvah. To the extent that the Chida (Moreh B'Etzba 7:217) writes that all the brachos recites prior to the day missed are all for naught **לבטלה**. However, others understand the Behag to say that while each day is a mitzvah unto itself **תמימות** demands that there be no break, one must maintain continuity. My father Shlit'a in Am Mordechai (Moadim 38) favors this understanding of the Behag and points out that numerous halachos hinge on this understanding.



An one is not obligated in Mitzvos (Y"D 341:1) and it would therefore appear that he may not count the Omer. Thus if one became an one on Sunday and the Kevura was Monday during the day they should count on Monday after the kevra without a bracha and then continue counting with a bracha. The Biur Halacha (489:8) explains that although the one who is not obligated in mitzvos was on פטור on Sunday evening the ability to count on Monday is not and thus when he is no longer an one he may count on Monday during the afternoon. Listening to someone else recite Sefira may not work altogether, for although there is a concept of שומע עוניה according to some Poskim Sefira requires that each individual actually count themselves (See Biur Halacha 489:1). Additionally even if one can be utilized because the onen can't perform the mitzvah himself he can't be yotzei with others (See Birchei Yosef Y"D 341:19 regarding an onen listening to Havdalah).

The Nodah B'Yehuda (Kamma 27) discusses a situation where the funeral was not going to take place for some time and the period of Aninus will include an entire day of Sefira. In this case it would appear that the one will lose out on that day entirely and thus no longer be able to count with a bracha, in fact this is the opinion of the Kaf Hachaim (489:86). However, the Nodah B'Yehuda suggests that while an one is not obligated in most mitzvos if the inability to perform a particular mitzvah will have long lasting consequence, he may perform that mitzvah. Moreover, the reason one does not perform mitzvos is because he is supposed to focus on the mitzvah of קברות המת and funeral preparations, Sefiras Haomer because it has a specific and limited time will not divert his attention. Therefore, the Nodah B'Yehuda writes that the one should count at nighttime without a bracha and then continue to count the remaining days with a bracha. He concludes that although it is possible that counting during aninus didn't accomplish the desired goal nevertheless one can continue with a bracha because some allow an one to perform mitzvos and numerous Rishonim believe that even after missing a day one may count with a bracha, and thus the one should count during aninus without a bracha. Poskim accept the Pshat of the Noda B'Yehuda and therefore an one for an entire day should count and in this way maintain the continuity of Sefiras Haomer.

In a footnote in the Nodah B'Yehuda Rav Chizkiyah Feivel Plaut suggests somewhat differently that although the one didn't fulfill the mitzvah, nevertheless he maintains continuity by counting even in the state of aninus- כוון דעת"פ (תמיונות הוי לו נהי שלא קיים המצווה בלילה זו מ"מ יכול לברך בשאר לילות, ולא דמי לשכח ולא ספר Behag above). An interesting point is raised by R Shlomo Zalman (Minchas Shlomo 1:91:25:7) if one is in aninus on the last day of Sefira should they count? After all there are no consequences moving forward because it is the last day and there is no lose, or perhaps in deference to the Chida that the brachos of all the previous days are in danger of becoming לבטלה it would be correct for the one to count on the last night.

8 May one shave for the end days of Yom Tov? What about Shabbos during Sefirah?

What's the source for allowing shaving Lekovod Yom Tov for 2nd days in relation to the issur of haircuts/ shaving during chol hamoed? Likewise, where's the source to allow shaving Lekovod Shabbos during Sefira?

14/10/18

The Mishnah (Moed Kattan 14a) already mentions the prohibition of cutting hair on Chol Hamoed. The Gemara explains that Chazal were concerned that if they permitted cutting hair people would delay their haircuts until Chol Hamoed and thus enter into Yom Tov unkempt. Based on this the Shulchan Aruch (O"C 531:1,2) writes that one should get a haircut before Yom Tov and forbids taking a haircut on Chol Hamoed. The Tur cites the opinion of Rabbeinu Tam that it is permissible for one who cut his hair on erev Yom Tov to cut it again on Chol Hamoed, after all he did prepare before Yom Tov. The Tur rejects this opinion for numerous reasons; one reason being that not everyone will know that this individual actually shaved before Yom Tov and thus Chazal would not be lenient for such an individual. Nevertheless,



some Poskim feel that it is permissible nowadays. Rav Soloveitchik felt that in our society where the common practice is to shave daily it is understood that even those who shaved on erev Yom Tov shave again a few days later during Chol Hamoed. Rav Schachter in Nefesh Harav (24) adds in the name of the Rav that based on this logic one would be obligated to shave on Chol Hamoed in honor of Yom Tov. Rav Moshe Feinstein (Iggros Moshe O”C 1:163) as well permitted shaving on Chol HaMoed for someone who shaves regularly if he shaved before Yom Tov. Rav Moshe does add that he himself was machmir and this leniency should not be used merely for aesthetic purposes.

Regarding shaving on erev Shabbos during Sefira we mentioned this in a post yesterday : “Some argue that once one shaves during the weekdays they must shave on erev Shabbos as well; otherwise it would be disrespectful to Shabbos”. Additionally, some understand that even for those who do not need to shave during the week, they should nevertheless shave on Friday in honor of Shabbos. This idea is developed by Rav Aharon Lichtenstein (See link below) based on the approach of his father in law Rav Soloveitchik. Interestingly Rav Shlomo Zalman was asked about this approach and he responded that although a strong argument can be made to shave erev Shabbos, the custom is not to (עלתו לא יبول א:קפב.)

<http://etzion.org.il/en/shaving-honor-shabbat-during-omer>

9 Must one limit the amount of times he shaves during Sefirah?

Presuming someone has a legitimate התר to shave during sefira (e.g., for an important meeting, interview, etc.), is there any מעלת נינה to only shaving as much as is necessary (e.g., trimming the edges of a beard) versus shaving one's entire face? (Is this similar to when someone is given a התר to eat on a fast day, but only to eat as much as necessary?)

4/9/18

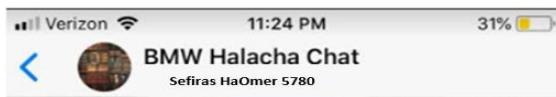
Rav Moshe (Iggros Moshe O”C 4:102) writes that if it can cause financial lose one may shave during Sefira. For this reason, many individuals shave in order to look presentable in the work environment. Rav Shlomo Zalman is quoted (Maadanei Shlomo 142) as allowing for this as well. Once this leniency is in place one may shave completely and there is no need to only trim.

10 Playing music for children during Sefirah

What are the guidelines for playing music for children during Sefira (age / type of music restrictions)? Does it matter if adults are around (e.g child's birthday party)?

4/9/18

The Tur (O”C 493) writes that because the students of Rabbi Akiva passed away in tragic fashion during the period of סופת ספירת ה’ו, wedding celebrations do not take place כלל מקום לא לישא אשה בין פסח לעצרת והטעם שלא להרבות בשמחה. This halacha is codified in Shulchan Aruch (1), the Magen Avraham (1) writes that celebrating an engagement is allowed, but dancing is prohibited during Sefira. Based on this the Aruch Hashulchan (2) assumes that listening to music is prohibited as well. R Moshe Feinstein (Iggros Moshe O”C 1:166) discusses the general possible prohibition of listening to music after the destruction of the Beis Hamikdash; there he mentions that music during Sefira is prohibited. In fact, Rav Moshe (Iggros Moshe Y”D 2:137) assumes that listening to instruments would be prohibited even when one is all alone. Rav Moshe (Iggros Moshe O”C 4:21:4) adds that once children are of Chinuch age they should be trained not to listen to instruments playing music during Sefira. (Interestingly while many listen to A cappella music during Sefira, numerous Poskim feel that this too is prohibited See Shevet Halevi 2:57) Many Poskim rule in this fashion and prohibit live and recorded music alike (See Yechava Daas 3:30). According to Rav Moshe one should not play



music for “older” children. If the music is being played for younger children and the adult has no “intention” to enjoy the music, he would be allowed to remain and listen to the music. If the adult “hangs around” because he wants to enjoy the music it would be a problem. Rav Elyashiv is cited as allowing an adult to actually play music for young children during Sefira, because it is a form of livelihood and there is no intention to enjoy the music.

While everyone should maintain their own customs, my father Shlit”a believes that one may listen to recorded music during Sefira, after all there is no explicit source that prohibits music. The Tur warns against excessive joy and because it is commonplace to listen to music it doesn’t engender abundant joy, and in fact it doesn’t have the same excitement as dancing would. Then it would certainly be allowed to “hear” the music that is being played for the children.

11 Shaving on the night of Lag BaOmer

Must one wait until the daytime to shave on lag bomer?

5/21/19

The Shulchan Aruch (493:2) writes that one may not take a haircut until the 34th day of the Omer. The Rema however allows for haircuts on the 33rd but only during the day and not at night, he adds that day 33 is a happy day- **ומרבים בו קצת שמחה**. Interestingly while Sephardim follow the SH”A and wait until day 34 to take a haircut, many Sephardim do engage in practices of **שמחה** on day 33 (See Iggros Moshe O”C 1: 159, and Minchas Yitzchak 4:84 who discusses the Sephardic custom at length). The Mishnah Berurah (11) cites the Elyah Rabbah who allow for haircuts on the night of the 33rd, but questions if this leniency should apply to weddings (See Shaar Hatzion 12). However many Achronim disagree entirely with the Elyah Rabbah and they feel that marriage is a mitzvah and thus we are lenient on the night of the 33rd as opposed to taking a haircut one needs to wait until the morning of the 33rd. Additionally the Shevet Halevi (1:168:5) writes that even if one allows for weddings on the night of 33rd, haircuts which are not time sensitive should wait until morning. It is customary to wait until the morning of the 33rd day to shave and take a haircut.

12 Music on the night of Lag BaOmer

Does music on 33rd night especially live music have the same parameters?

5/22/19

As stated above while the Elyah Rabbah is lenient, the consensus opinion is that the aveilus of the Omer is not lifted until the morning of day 33. Nevertheless R Moshe Feinstein (Iggros Moshe O”C 1: 159) felt that the Elyah Rabbah may be relied upon to allow for weddings on the night of the 33rd. R Moshe’s opinion has been widely accepted; in fact it appears that many have adopted this leniency to allow for music and dancing at the traditional hilula on the night of the 33rd. While it is not a “mitzvah” because this joyous event is specifically at this time many are lenient. This has become the common custom and in fact many Poskim allow for live music and dancing at a Lag BaOmer fire (See Machatzis Hashekkel 1). Nevertheless, it seems that this leniency is only at the hilula, but for those who do not listen to music during the Omer, they should refrain from music on the night of 33 as well.

13 Early Yom Tov on the second day of Shavuos?

Can one make Early Yom tov on the second night of Shavous (Sunday night)?

6/12/19

It appears that there are three distinct questions that need to be dealt with in answering this question. The first hurdle is possibly diminishing or taking away from the first day of Yom Tov which is Torah ordained as opposed to the 2nd day of Yom Tov which is rabbinic. The Taz (489:10) appears to believe that bringing in the 2nd day early diminishes the Kedusha



of the first day, however the Ksav Sofer (printed in the comments of the Chasam Sofer) disagrees that when one recites Kiddush they do not diminish the sanctity of the previous day. The Minchas Yitzchak (10:41) cites this debate in discussing early Yom Tov on the 2nd day, and he favors the outlook of the Ksav Sofer.

The second hurdle is unique to Shavuos. The Magen Avraham and Taz (494) cite a well-known custom to wait until nightfall to daven Maariv or make Kiddush on Shavuos. This is based on the fact that Sefiras HaOmer demands complete days and weeks, and by bringing in Shavuos early one doesn't complete the entire seven weeks. The Pri Megadim (M"Z) quotes some Poskim who feel that the idea of not starting early applies to the 2nd day of Yom Tov as well. However, he rejects this notion because after all we do not count the 50th day and thus there is no need to "complete" the first day of Shavuos. However, the Netziv (Haamek Davar Vayikra 23:21) finds the reason of תמיות to be difficult and he suggests an entirely different basis for this old custom of davening Maariv late on Shavuos night. He notes that the Pasuk refers to Shavuos using the word **בעצם** – which he interprets to mean that Shavuos is to be sanctified only on "that" day and not before. The inference in the Pasuk to eliminate **תוספת י"ט** on Shavuos is already suggested by the Ramban (23:28). (See also Binyan Shlomo 2:35). If one accepts the reasoning of the Netziv then it would emerge that even on the 2nd day of Shavuos should not be brought in early, for **בעצם** applies to the 2nd day as well. This point is made by both Rabbi Schachter and Rabbi Yerucham Olshin (Yerech L'Moadim 25:9). Nevertheless, if one assumes the more classic approach that **תמיות** is the reason for not beginning Shavuos early it would not apply to the second day, and thus one should be allowed to begin the 2nd day early.

The last issue is the one that is most daunting. The Shulchan Aruch (O"C 503:1) writes that while we celebrate two days of Yom Tov outside of Eretz Yisrael, we are not certain which day is the "real" Yom Tov. For this reason, one may not cook or bake on the first day for the second day. Based on this the Levush (O"C 488:3 below) writes that it is proper to wait until night to daven Maariv on the 2nd day of Yom Tov. This is because the 2nd day may just be a "weekday" and then some of the work done to prepare the food will be done while it is still light, to be used at night which can possibly be a weekday, i.e. preparing from one day to another. **ושווין בין מנהה למערב עד הלילה כדי שלא יעשן מלאכה ביום טוב זה ליום זה מבعد יום לצורך הלילה, דשמא שני חול הווא, אסור להזכיר מיום טוב לתוך** It is for this reason Shul calendars notify that candle lighting and preparations should not be done before nightfall. The Levush does mention that lighting candles may be permissible because one benefits from the light during that time, but otherwise one shouldn't do any "work" for the 2nd day of Y"T until nightfall.

Interestingly, R Akiva Eiger (Nedarim 69b) wonders about doing work during the time of **בין השמשות**, he points out that because **בין השמשות** is one of uncertainty, it is possible that one actually does work while still the 1st day of Y"T and then when benefiting from the work a few moments later it is already the 2nd day of Y"T. It seems that the accepted psak is not to do work during **בין השמשות**. Due to this it is customary not to bring in the 2nd day of Y"T early. This is the view of the Shemiras Shabbos (47:23) who writes that one should not bring in the 2nd day of Yom Tov early. Nevertheless, he cites (footnote 111) from Rav Shlomo Zalman that when necessary (i.e. for the elderly) one may begin the 2nd day of Yom Tov early. In fact, earlier Poskim discussed particular instances where it was necessary to make early Yom Tov on the 2nd day, and they were lenient in such cases. See **רב פעלים אורח חיים ד:כג התעוררות תשובה ב: לט**.

Thus, under regular circumstances it is not advisable to bring in 2nd day of Shavuos early. Nevertheless, in a situation when one does bring in Yom Tov early one needs to be careful not to prepare for the 2nd day before it is dark. Practically speaking this can be challenging certainly on the communal level. When necessary the best option is to bring in 2nd day right after Plag Hamincha and eat the entire meal before sunset and in this way all of the preparations were really done for the first day of Yom Tov.