

## Parshat Emor 5776

*שׁוֹמֵעַ כְּעוֹנֶה* serves as one of the roots of the important halakhic discussion over the nature of the concept of *שׁוֹמֵעַ כְּעוֹנֶה*, literally, “hearing is like answering.” What allows us to be “מוציא” others of their *חיוב* to perform a specific מצוה? Clearly, we rely on this concept in many aspects of our lives, including hearing *קידוש* and listening to the *מגילה*. Are there limitations to this innovation? Specifically, can it work with regard to *ספירת העומר* or does each of us have to count for ourselves?

In our *פרשה* we are commanded in the מצוה of *ספירת העומר* in (כג:טו)

“וּסְפַרְתֶּם לָכֶם מִמָּחָרֵת הַשַּׁבָּת מִיּוֹם הַבִּיאָכֶם אֶת עֹמֶר הַתְּנוּפָה שִׁבְעַת שָׁבָתוֹת תְּמִימֹת תִּהְיֶינָה:”

“And you shall count for yourselves, from the morrow of the rest day from the day you bring the omer as a wave offering seven weeks; they shall be complete.”

*ספירת* note a difference between this מצוה to count *חז"ל* (מסכת מנחות דף סה עמוד ב) and next week's מצוה to count for the *שמיטה* and *יובל* years:

וּסְפַרְתָּ לָךְ שִׁבְעַת שָׁבָתוֹת שָׁנִים שִׁבְעַת שָׁנִים שִׁבְעַת פְּעָמִים וְהָיוּ לְךָ יָמֵי שִׁבְעַת שָׁבָתוֹת הַשָּׁנִים תִּשְׁעַת וְאַרְבָּעִים שָׁנָה: (כה:ח)

“And you shall count for yourself seven sabbatical years, seven years seven times. And the days of these seven sabbatical years shall amount to forty nine years for you.”

A key difference lies in who the מצוה is addressed to. Whilst the מצוה of *ספירת העומר* is in the plural, the מצוה to count for the *שמיטה* and *יובל* years is in the singular. In turn, the former is incumbent upon each of us, whilst the latter is the responsibility of the *בית דין* to count. This difference led to an interesting *מחלוקת* among the *אחרונים*: Is one allowed to fulfil the מצוה of *ספירת העומר* through the mechanism of *שומע כעונה*? According to Rabbi Mordecai Yoffe (1530-1612), known as the *לבוש*, the *פסוק*'s stipulation that the counting must be “לכם” means that:

“מצוה על כל אחד מישראל לספור לעצמו, ואין אחד יוצא בספירת חבירו אפילו אומר אמן, שכן משמעות וספרתם לכם שתהא ספירה לכל אחד ואחד.” (לבוש אורח חיים סימן תפט)

“It is a mitzvah for each Jew to count for himself; and one does not fulfil their obligation through hearing someone else count, even if one answers Amen. For the meaning of “count for yourselves” is that each person needs to count.” In

contrast, Rabbi Chizkiyah Di Silva (1656-1695), author of the *פרי חדש*, counters that the stipulation to “count for yourselves” is simply to show that the מצוה is incumbent upon the members of the community, for without this guidance one

might have thought that the obligation to count would fall on the *בית דין*, like *שמיטה* and *יובל*. Therefore, concludes the *פרי חדש*:

“...לכתחילה מצוה... שיספור כל אחד לעצמו ולא ישמענה מחבירו, אבל אם כיון המשמיע להוציאו וכיון השומע לצאת בספירת חבירו יצא דשומע כעונה.” (פרי חדש אורח חיים סימן תפט)

“Ideally, it is a mitzvah for each person to count for himself and not to rely on hearing the count from one's friend. However, if a person intended to count on behalf of others and the person listening intended to fulfil his mitzvah through hearing his friend count then he has fulfilled the mitzvah through *shomeiah k'oneh*.”

To fully understand this *מחלוקת*, we need to appreciate the different approaches to how the concept of *שומע כעונה* operates. According to Rabbi Yosef Dov Soloveitchik (1820-1892) in his *בית הלוי* (בענין שומע כעונה בברכות כהנים) the mechanism works by the listener literally “acquiring” the words for himself. It is thus as if the listener actually said the words himself. However, Rabbi Avraham Yeshaya Karelitz (1878-1953), wrote in his *חזון איש* (אורח חיים, סימן כ"ט סעיף א) that the concept of *שומע כעונה* is the bringing together of the listener and speaker. Rather than “acquiring” the words, listening allows one to “connect” to the words and so fulfill one's מצוה.

This conceptual difference frames the two contrasting approaches to our specific issue of *ספירת העומר* and other areas of *הלכה* involving the concept of *שומע כעונה*. It would seem that where a מצוה requires a specific stipulation on the part of the speaker, such as “count for yourselves” in *ספירת העומר* then, according to the *בית הלוי*, the concept of *שומע כעונה* cannot work as the listener hasn't physically satisfied this condition. However, for the *חזון איש*, such a condition would be no limitation upon *שומע כעונה* as the listener “connects” to the speech and so “unifies” with the speaker in order to fulfil the מצוה. The outcome of this debate has tremendous ramifications in many areas of *הלכה* that would seem to rely on *שומע כעונה*. For example, with regard to the recent מצוה of *מצרים*, the *מנחת סיפור* יציאת מצרים מצוה of *סיפור* allows one to fulfil this מצוה through listening to others reading from the *גדה*. However, the stipulation of “והגדת לבנך” would mean that for those following the approach of the *בית הלוי* each person should read along for himself as the speech must be audible for others to hear, which would not physically occur by simply listening. The *מנחת חינוך*'s approach follows the understanding of the *חזון איש* as the listener connects to the reader through his speech and so fulfils the mitzvah through *שומע כעונה*.

