



Harvesting the Omer on Shabbat

The tenth *perek* discusses the *minchat omer*. The *Mishnah* explains that on the night that follows the first day of *Pesach*, they would harvest barley near *Yerushalaim*, grind it into fine flour and offer it as a *mincha* offering the next day. From the time the *omer* was offered, the consumption of newly harvested grains was permitted (*chadash*). The first *Mishnah* records debates regarding whether the harvest differed on *Shabbat* both regarding the amount harvested and the number of individuals involved. Regarding the later, the *Chachamim* maintained that there was no difference and three people were involved in the harvest, with each returning with a basket containing the barley, while *R' Chanina segan ha'kohanim* maintained that it was reduced to one person on *Shabbat*. *R' Chanina* maintained that considering that the harvest of the *omer* involves *melachot* of harvesting and carrying, when coinciding with *Shabbat* there is a need to reduce this desecration. With *R' Chanina's* position in mind, we shall try to understand the position of the *Chachamim*.

First, we need to understand why it was necessary to involve more people in the harvest in general. The *Bartenura* explains that it was in order to publicise that the *mitzvah* of harvesting the *omer* was on night of the sixteenth of *Nissan*. The *Mishnah* (10:3) later explains that the harvest was performed with much fanfare with all those in the surrounding area in attendance. The reason for the public display was because the *Baitusim*, who disregarded the oral tradition, maintained that the *Omer* was always brought on Sunday, irrespective of which day the first day of *Pesach* occurred. Since the counting of the *Omer* is described as starting "the day after '*Shabbat*'", they read the verse literally (see the *Bartenura* that addresses the position of the *Chachamim* in more detail). The *Mishnah* explains that the harvest being performed in accordance with the oral tradition was publicised in order to reject that stance. The *Bartenura* explains that the involvement of more people in the harvest was part of the public display.

One may ask, despite the need to assert the authority of the oral tradition, how did this justify the increased desecration of *Shabbat* by involving more people?

The *Shaagat Aryeh* (59) explains that according to the *Chachamim* there is no difference in the desecration to *Shabbat* if one person performs more *melachot* or many perform less considering that the total *melachot* performed will be the same. Ordinarily, it may be that the *Chachamim* preferred that one perform a *melacha* that overrides *Shabbat* rather than many. Nevertheless, in this case they deemed that the necessity of publicity overrides this stringency.

The *Chatam Sofer* (Responsa 6:99) however explains that the actions were based on the following *pasuk*: "... and *Bnei Yisrael* kept the *Shabbat* in order to make *Shabbat*". The *Gemara* (*Yoma* 85b) explains that in certain extreme situation one can desecrate one *Shabbat* to ensure that many future *Shabbatot* will be observed. The *Chatam Sofer* explains the increased desecration was permitted in this case, since it was necessary to overtly reject the position of the *Baitusim* since their position, if adopted, would ruin the calculation of the future festivals (*Shavuot*).¹

Another answer may be found in the explanation of the *Rambam* on the first *Mishnah*. The *Rambam* explains that three witnesses were required by the *Torah* in order that the process could be finished quickly "...as is explained after [this *Mishnah*]". The *Chazon Nachum* explains that the *Rambam* is referring to the next *Mishnah* that teaches that the *Omer* must be brought from a location close to the *Beit HaMikdash*. The reason is that one should not "pass by" a *mitzvah*. In other words, if the opportunity to fulfill the *mitzvah* is available, it should not be delayed. That being the case, the requirement of using three people to harvest the *Omer* is part of the *mitzvah* and not just for publicity. Consequently, since the *mitzvah* is performed even if it coincides with *Shabbat*, the use of the three people would also be required on *Shabbat*.

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¹ Recall that when we learnt *Rosh Hashanah* we saw the debate regarding whether those that witnessed the new moon on a very clear night were allowed to travel to *Yerushalaim*, thereby desecrating *Shabbat*. *R' Akiva* maintained that it was unnecessary since others nearby would have also clearly seen the moon. *Rabban Gamliel* however corrected him, that they

should always travel to *Yerushalaim* out of concern it would deter them from coming in the future when they are indeed needed. The *Chatam Sofer* explains that the license for them to desecrate *Shabbat* based on this practical consideration is similarly based on the above *pasuk*.

Revision Questions

מנחות ט: ג' – י: ז'

- Regarding the previous question, what were each of the measures used for? (ט: ז')
- If the *nechasim* of which two *korbanot* got mixed up would they be invalid? (ט: ז')
- What is special about the *keves* that came along with the *Omer*? (ט: ז')
- What is the difference in the status of the contents of a dry and wet measure that spilled over the top of the utensil? (ט: ז')
- Regarding the previous question, what are the two reasons brought for this difference? (ט: ז')
- Which five sacrifices do not require *nesachim*? (ט: ז')
- Regarding the previous question, which specific *korban* is the exception to that rule? (ט: ז')
- Which communal sacrifices require *semicha*? (ט: ז')
- Which private sacrifices do not require *semicha*? (ט: ז')
- Explain how *semicha* is performed. (ט: ז')
- Which seven people do not perform *semicha*? (ט: ז')
- How is *semicha* stricter than *tenufah*? (ט: ז')
- How is *tenufah* stricter than *semicha*? (ט: ז')
- What are the two debates regarding the difference between the harvesting for the *Omer* if the sixteenth of *Nisan* fell on a *Shabbat* or weekday? (ט: ז')
- From where should the *Omer* ideally be brought? (ט: ז')
- Describe how they harvested the barley for the *Omer*. (ט: ז')
- Describe how they prepared the *Omer* once it reached the *azarah*. (ט: ז')
- What was done with the excess barley? (ט: ז')
- Describe how the *Omer* was offered? (ט: ז')
- What was permitted once the *Omer* was offered? (ט: ז')
- What was decreed (with respect to this law) once the *Beit Ha'Mikdash* was destroyed? (ט: ז')
- What was permitted once the *Omer* was offered? (ט: ז')
- What was permitted once the *Shtei Halechem* was offered? (ט: ז')
- Which five grains are obligated to have *challah* removed? (ט: ז')
- What other law listed in this *Mishnah* applies to these grains? (ט: ז')

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12 January ט"ו טבת	13 January ט"ז טבת	14 January י"ז טבת	15 January י"ח טבת	16 January י"ט טבת	17 January כ' טבת	18 January כ"א טבת
Menachot 10:8-9	Menachot 11:1-2	Menachot 11:3-4	Menachot 11:5-6	Menachot 11:7-8	Menachot 11:9-12:1	Menachot 12:2-3

