



Excerpted from Living the Halachic Process by Rabbi Daniel Mann - Eretz Hemdah, with their permission [www.eretzhemdah.org]

Can a chazan who missed a day of s'firat ha'omer recite the b'racha?

Question: If one missed a day of s'firat ha'omer and is now serving as the chazan for Ma'ariv in a place where it is customary that the chazan recites the s'fira with a b'racha aloud, may he do so?

Answer: This matter has been debated by the Acharonim, and it is worthwhile to understand the various, logical arguments and their relative strengths to help decide how to act.

We will start with the assumption that after missing a day of s'firat ha'omer, one may not continue counting with a b'racha, because the forty-nine days constitute one mitzva of counting.¹ The Pri Chadash² offers the following, tentative suggestion. Although the beracha is inappropriate personally for

one who has missed, it is proper for him to recite it as the congregation's representative for the public recital of s'firat ha'omer. The public mitzva, even if everyone present is capable of performing the mitzva himself, creates an obligation on the public level, as it does regarding chazarat hashatz. Alternatively, the Beit HaLevi reportedly³ suggested that someone in the minyan can be asked to refrain from making his own b'racha and be yotzei with the person who forgot a day. That way, the b'racha becomes appropriate based on the rule that one can make a b'racha on someone else's behalf even if the person making the b'racha is not doing the mitzva himself at that time.⁴

The Pri Chadash⁵ goes on to reject these possibilities because the person who forgot a day, assuming, as above, that he is unable to fulfill the mitzva of s'firat ha'omer, is akin to one who is not obligated in the mitzva. Such a person is incapable of making the b'racha to be motzi someone else.⁶ He reasons that although the person in question is generally obligated in s'firat ha'omer, the fact that he has no practical obligation at this time makes him equivalent to the person in the following case of the Yerushalmi. The Yerushalmi says that one whose obligation to read Megilat Esther is on the fourteenth of

¹. *Shulchan Aruch, Orach Chayim* 489:8.

². Ad loc.:8.

³. See *Mikraei Kodesh* (Frank) *Pesach* II, 66.

⁴. *Rosh Hashana* 29a.

⁵. *Ibid.*

⁶. *Rosh Hashana*, *ibid.*

Adar cannot read on behalf of those who are obligated on the fifteenth of Adar.

The Birkei Yosef⁷ cites (but rejects) those who take issue with the Pri Chadash's comparison, as follows. In the case of megila, the person in question has no obligation to read on that day. In contrast, our chazan is obligated today and just a technical (halachic) impediment prevents him from fulfilling the mitzva. Rav Frank⁸ points out that the Talmud Bavli posits that the responsibility to help another Jew fulfill his mitzva (arvut) makes it considered as if he has a personal obligation. Thus, he reasons, the Bavli must reject the aforementioned Yerushalmi. Although there is not a clear conclusion on the matter, the majority opinion seems to follow the Pri Chadash, that the person who missed a day of s'firat ha'omer should not use the Beit HaLevi's trick to enable him to make the b'racha.⁹ On the contrary, he should have in mind to be yotzei with one who has not missed a day.

One very subjective, pertinent factor is the element of embarrassment. Kavod haB'riyot (avoiding embarrassing people, including oneself) has great, halachic weight. Thus, there are those who allow a rav who customarily does the s'fira aloud and for whom it would be a disgrace to publicize that he missed a day of s'firat ha'omer to rely on the

very significant opinions among Rishonim that missing one day of s'firat ha'omer does not disqualify the mitzva thereafter.¹⁰ Someone other than the rav should probably not be so embarrassed in such a situation, and the rav can pasken for himself. Therefore, our suggestion is that a regular chazan should preferably offer to someone else the honor of saying the s'fira aloud or perhaps avoid being the chazan during that period if he will be embarrassed. (Regarding mourners, they usually do not miss days anyway.)



⁷. *Orach Chayim* 489:19.

⁸. *Mikraei Kodesh* ibid.

⁹. See *Sha'arei Teshuva* 489:20; *Yabia Omer* VIII, *Orach Chayim* 46.

¹⁰. *Shevet HaLevi* III, 96.