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BEHUKOTAI

BETWEEN "REID" AND LEARNING: BEHAG ON SEFIRAT HA-OMER

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I regularly remind my *talmidim* and *talmidot* that learning, for *yeshivah* day school students, often requires *unlearning* what we first encountered while less mature. While I most commonly urge this unlearning regarding Tanakh and *midrashim* (think Vashti's tail), for *yeshivah* students, this reminder is particularly apt in regard to "*reid*," dominant analytical explanations of particular Talmudic *sugyot* which have been popularized in many Lithuanian-style *yeshivot*. While there is certainly value in becoming familiar with well-trodden "*lamdanut*," which creates a common discourse and identity among those who study in and identify with *lamdanut*-oriented *yeshivot*, the flipside is that we run the risk of uncritically receiving learning without delving deeper.

The classic opinions of Behag (*Ba'al Halakhot Gedolot*, R. Shimon Keyara, circa 8th century Babylonia) regarding *Sefirat ha-Omer* exemplify precisely this pitfall. Behag is typically presented as having maintained two independent *shitot*: 1) One who omits the count at night may still count the next day; and 2) One who misses an entire twenty-four hour period may no longer count with a *berakhah*. Tosafot (*Menahot* 66a s.v. zekher) present Behag in this fashion, cite Rabbeinu Tam as having rejected Behag's first view, and dismiss the second position as a "bewildering, implausible" position. (See also Tosafot *Megillah* 20b s.v. kol.) Tosafot and other *rishonim* (such as Rosh *Pesahim* 10:41) thus set forward Behag's two positions entirely independently of one another.

Accordingly, Tosafot explains the logical basis for Behag's two rulings differently: the former, concerning counting at night, is rooted in the comparison to the cutting of the *omer* barley, which was performed at night (*Menahot* 71a); and the latter, regarding missing a day, is based on Behag's innovative invocation of *temimot* (Leviticus 23:15), the requirement that one's count must be comprehensive.

This presentation of Behag's positions has generated a tremendous amount of well-trodden discourse among *rishonim* and *aharonim*, particularly his view regarding one who misses an entire day. According to Behag, for example, if each day is dependent on all others, shouldn't we only recite a *berakhah* on the first night? And, as the Hida (*Moreh be-Etzba* 7:207) points out, why aren't we concerned that one might forget to count at night, thus retroactively rendering all the previous nights' blessings in vain? More fundamentally, does Behag view all forty-nine as a single *mitzvah* (*Sefer ha-Hinnukh* 306 as explained by *Minhat Hinnukh* ad loc.), or does he merely think that one cannot be considered to have "counted" if he skips an entire day (Rav Joseph B. Soloveitchik, summarized here)? Finally, what are the practical implications of this conceptual question for a host of situations, including one who remembers to count during *bein ha-shemashot* at the very end of that day, becomes bar mitzvah in the middle of *Sefirah*, or had been unable to perform the *mitzvah* due to illness or *aninut* (burying a relative)?

Yet when we set aside the way Behag's view is commonly cited, and instead examine the text in its original, we arrive at a different understanding of Behag's position.[1] Behag first addresses the laws of *Sefirat ha-Omer* in *Hilkhot Atzeret* (12), writing that "where one forgot and did not recite the blessing over the counting of the Omer at night, he should recite the blessing by day." This seems to be the basis for the first view of Behag as cited in Tosafot and other *rishonim*: it is ideal to count at night, yet one who forgot may count the next day.

Later, Behag writes:

> The master Rav Yehudai Gaon said the following: Where one did not count the first night, he does not count the

[1] I will set aside the question of the various recensions of Halakhot Gedolot (see here for a brief summary). My interest is not in whether or not Tosafot "got Behag right" but whether we should satisfy ourselves with relying on received digests.

other nights. What is the reason? Because we require seven complete weeks and nights. However, regarding the other nights, where one did not count at night, he counts by day, and it is fine. (*Hilkhot Menahot*, 71)

The ruling of Rav Yehudai Gaon is cited by Behag without comment, indicating that Behag endorses this view. If so, rather than issuing a general ruling concerning one who omits a night of the count, he is discussing the first night of *Sefirah* in particular. And, apparently, his comments in *Hilkhot Atzeret* regarding one who omits *Sefirah* at night were made in reference to any night but the first.

What of Behag's position regarding one who omits an entire day of counting? While not explicit, his language suggests that, consistent with Tosafot's presentation of Behag's opinion, one "loses the count" if he omits an entire day of the Omer. This emerges from a close reading. It seems odd that Behag concludes by writing that "regarding the other nights, where one did not count at night, he counts by day, and it is fine." Since his point in the first section concerns one's ability to count future nights, we would have expected him to conclude by stating that regarding other nights, one may count future nights if he omits an earlier night. Instead, he writes that one who omits another night may count the next day. This suggests that Behag takes for granted that one who omits an entire twenty-four hour period may no longer continue to count.

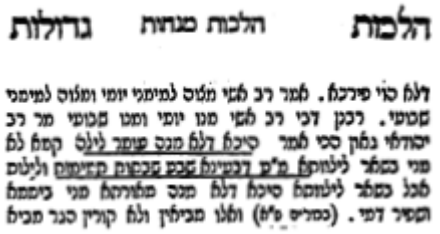
A close examination of Behag's words, then, suggests a view that is similar to but not identical with the presentation of Tosafot and subsequent *rishonim*. In general, consistent with Tosafot's presentation, Behag holds that one who omits the night may count the next day, yet one who misses an entire day may no longer count with a *berakhah*. Yet he adds one crucial point: *one who neglects to count on the first night can no longer recover the count; counting on the first day does not work*.

What is the logic for Behag's distinction? Yet again, a close reading suggests an explanation: he writes that "we require seven complete weeks and nights." This formulation indicates that Behag utilizes a dual application of the *temimot* principle. First, one who misses an entire day lacks the complete counting required for the *mitzvah*. Second, one must draw a direct link between the date of the *korban ha-omer* and the count. Accordingly, one who neglects to count the first night loses the entire count.[2] In the words of Rav Sa'adiah Gaon, who holds the same position as Behag regarding the first night, "If he forgot to recite the blessing on the first night he can no longer recite the blessing on the *omer* this year, for they are not complete [*temimot*], due to what they lack at their beginning, and they no longer begin [immediately] following the holiday" (*Siddur Rav Sa'adiah Gaon*, pg. 155).

This view of Behag was even known to some *rishonim*, if not to Tosafot. R. Nissim (*Pesahim* 28a, s.v. u-mehayevin), for instance, cites the view of Behag that we distinguish between the first and subsequent nights, then quotes Rav Hai Gaon as having rejected this distinction. Tur (*Orah Hayyim* 493), while citing Behag in the same way he is cited by Tosafot, quotes the aforementioned Rav Sa'adiah Gaon as having drawn this distinction. Bayyit Hadash (s.v. ve-khatav) explains the reasoning for Rav Sa'adiah along the same lines we outlined above.

Yet, to the best of my knowledge, this position, apparently not uncommon among the Geonim and cited in a classic *rishon*, is rarely cited in contemporary discussions of Behag's (or other Geonim's) view. My point is not that we should set aside Tosafot's presentation - it too is surely worthy of halakhic analysis. I am also not advocating for a reexamination of the practical *halakhah*; we can safely assume that no contemporary authority would entertain following Behag and Rav Sa'adiah Gaon's stringency regarding the night of 16 Nissan. Nevertheless, an overreliance on the "*reid*" impoverishes our understanding of Behag in particular, and the range of viewpoints in this *sugya* in general.

And it is not just that we neglect to look up Behag inside. Even those who do so, informed by the "*reid*" on the *sugya*, can all-too-easily misread the text. Take the following image of the text of Behag I once found online:


הלכות הלכות מנחות גרולות

Presumably seeking to underscore the classic explication of Behag's view on the basis of *temimot*, the image cuts short the first underline immediately before the word "*kamma*," a reference to the first night! This radically alters the meaning of Behag's position, bringing it in line with the classic explanation with which we are generally familiar, and missing an opportunity to "discover" an alternative viewpoint.

There is a world of difference between learning the "*reid*" and learning Behag. By being overly reliant on summarized quotations and canned *sugyot*, we impoverish our ability to more fully appreciate the words of Behag - and, ultimately, the word of God.

"Of Persons and Peoples" - a Review of Gleanings: Reflections on Ruth

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Big city, hmm?
Live, work, huh?
But not city only.
Only peoples.
Peoples is peoples.
No is buildings.
Is tomatoes, huh?
Is peoples, is dancing, is music, is potatoes.
So, peoples is peoples.
Okay?
-Pete, *The Muppets Take Manhattan* (1984)

[2] In principle one might have accepted one of these *hiddushim* without the other. Tosafot's presentation of Behag, of course, accepts the point regarding the importance of each day without granting unique status to the first night. On the flipside, R. Sa'adiah Gaon holds like Rav Yehudai and Behag that one who misses the first night fails to fulfill one's obligation, but simultaneously maintains that "one who forgot to bless one of the nights of the Omer may bless the coming nights."

In 1983, Rabbi Shlomo Goren published an article entitled "Denial of Jewish Peoplehood Regarding Matters of Conversion" ("*Kefira be-Am Yisrael le-Inyanei ha-Giyyur*").[3] He posed the following question:

> Regarding the question of a non-Jew who accepts observing the commandments according to the law, but does not accept his connection to the Jewish people, but rather prefers to remain British or Hollander or French etc.; is it permissible to convert such a person based on Jewish law or not?

The questioner gave a response of his own, which Rabbi Goren deemed close to heresy "in the continued existence of the Jewish people." Still, the question is a fascinating one. Normally, we think of conversion as a ritual that concretizes an individual's commitment to God and His commandments. What role, then, does Jewish peoplehood have in such a process? Sure, it's easier to convert to Judaism when you love Jewish people, Jewish culture, and Jewish identity. But, aside from a welcome opportunity to expand your social circle, is connecting to Jewish peoplehood strictly necessary in order to convert?

While this question is not explicitly addressed in *Gleanings: Reflections on Ruth*, ed. Rabbi Dr. Stuart Halpern (Jerusalem: Maggid Books/Yeshiva University Press, 2019), it hovers throughout. The volume features an eclectic cast of writers that approach the Book of Ruth from a dizzying variety of perspectives including Midrash, American history, immigration law, and comparative ancient literature. Collectively, the book reflects the wide-ranging breadth of interests of the editor, along with an attempt at reimagining the discourse of *Torah u-Madda* into an interdisciplinary renaissance that represents the full gamut of scholarship within Yeshiva University's orbit. This collection recasts a classic text through a kaleidoscopic lens, forging scholarly connections where they otherwise may not have been seen. In the words of the Introduction, "these essays, replete with sophisticated observations, theoretical and practical frameworks, and keen social analyses, demonstrate how our perspectives on the challenges and opportunities of our era, and on the Book of Ruth itself, can be enhanced through the synthesis of Torah Umadda (Torah and general wisdom)" (ix).

The scope of voices and ideas contained within the volume are certainly a novelty for Yeshiva University Press, which normally publishes authors and voices with a narrower scope, more in line with the classical *Beit Midrash*. It is an interesting time, particularly in Yeshiva University, to experiment with new models of Torah discourse. Recently, after years of ossification, the Yeshiva College Judaic studies requirements have been retooled, and whether a new direction in *Torah u-Madda* can be reclaimed remains to be seen. At the very least, this book represents one important model for future consideration.

The challenge of interdisciplinary studies, of course, is developing a well-balanced approach to the disciplines that are being integrated. While the book is necessarily somewhat uneven - not every contributor can be equal parts expert in Ruth and an ancillary field - the goal is ambitious if not aspirational. Many of the contributions amaze with insight, joining worlds previously separated in scholarly silos, drawing on interdisciplinary insights to confront the question of "Ruth, the Rabbis, and Jewish Peoplehood," to borrow the title of Dr. Malka Simkovich's essay.

One of Dr. Halpern's contributions, "It's in the Gene(alogy)," speaks clearly to the book's overarching motif, highlighting the invocation of Rachel, Leah, and Tamar as "the only time in the entire Bible where characters are blessed through the invoking of female characters" (11). He argues, echoing a central principle in the volume that returns us to the motif of Jewish peoplehood, that "[b]y telling the story of King David's genealogy through the Book of Ruth, the text is offering a nuanced framework for thinking about our own stories" (14). Individual sacrifice is elevated to communal fabric.

The threads of our national narrative as refracted through the story of Ruth are also masterfully retold in Dr. Zev Eleff's contribution, "For Insiders or Outsiders? The Book of Ruth's American Jewish Reception," which considers how different American Jewish communities used Ruth's story to formulate their own communal boundaries. An internal debate emerged in the United States as to whether Ruth was the model for a more open Jewish community, or, as many in the Orthodox community insisted, she was the model for the level of commitment needed to maintain our boundaries. As Eleff concludes, "the malleable image of Ruth mattered much to Jews and other religious people looking to anchor themselves and their experiences in the swift-changing currents of American culture" (209).

Perhaps most fascinating is the book's section on "Conversion and Peoplehood," which considers how Ruth serves as a template for much of the rabbinic conception of conversion (see *Yevamot* 47b). Conversion is a curious ritual. Seemingly, it ritualizes an individual's commitment to God and His commandments. Consisting of the acceptance of the commandments, ritual immersion, and, for men, circumcision, the process distills the essential components to canonize one's relationship with God and Torah. At first glance, there doesn't seem to be much emphasis on Jewish peoplehood. Primarily, conversion seems to focus on the individual and God.

Of course, there are aspects of conversion that touch on the question of Jewish peoplehood, even if they don't directly address the mechanism of conversion per say. Rabbi Zvi Romm, Administrator of the RCA-affiliated Manhattan Beth Din for Conversions contends that "the primary conversion-related lessons to be drawn from the Book of Ruth have less to do with the convert's embrace of Judaism and more to do with the Jewish community's embrace of the convert" (113). Dr. Yael Ziegler suggests that Ruth's role is to reverse the morally depraved path of Sodom and her ancestor Lot, and instead lead "the nation from the path of Lot to the path of Abraham" (240). And Dr. Simkovich notes that an influential strand of rabbinic thinking underscores Ruth's gentile roots "in order to conscientiously paint gentiles into the rabbinic portrait of Israelite tradition and to promote a universalist worldview that presumes an interactive dynamic in which the fate of Israel affects and interacts with the fate of all of humankind" (256).

Yet, all of this having been said, Rav Goren's question remains: can Judaism be separated from the Jewish people?

Much of the politics about conversion, whether in the United States or in Israel, has surrounded the role of *Beit Din* within the conversion process. Many have bristled at the onerous requirements and conditions a rabbinical court imposes on a process whose focus

[3] Rabbi Shlomo Goren, "Denial of Jewish Peoplehood Regarding Matters of Conversion," *Shanah be-Shanah* (5743): 149-156.

should ostensibly be on the intimate relationship between the convert and God. Yet Rabbi Shaul Yisraeli suggests that the role of *Beit Din* in matters of conversation is actually unique, serving a different function than a *Beit Din* in most situations. In matters of conversion, he argues, the role of the *Beit Din* is not to discern sincerity or oversee the ritualistic details, but to represent the Jewish people. And the act of conversion, explains Rabbi Yisraeli, is the ritualized act of joining the Jewish people. Jewish peoplehood, he argues explicitly, and so many of this collection's authors implicitly consider, is not an ancillary outcome of the conversion process—it is its very definition.[4] In Ruth's timeless phrase, "Your nation is my nation, and your God is my God" (1:16).

Gleanings: Reflections on Ruth is a reminder of this principle, recasting the individually heroic story of Ruth into the everlasting narrative of national peoplehood. Like interdisciplinary studies in general, integration is not easy. But when performed well, the product which emerges is stronger than each discipline independently. Ruth's story, a model of interdisciplinary experiential integration, is a potent model for how to coalesce an individual into the greater whole of Jewish peoplehood.

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[4] See Rabbi Shaul Yisraeli, *Havot Binyamin* #67; see also Rabbi Hershel Schachter's *Ginat Egoz*, 35:5.