

# Haircutting History: Understanding the Evolution of Omer Customs

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## Introduction<sup>1</sup>

Shulchan Aruch<sup>2</sup> (16<sup>th</sup> Century Israel) rules that from Pesach until the 33<sup>rd</sup> day of the Omer, there is a widespread custom to avoid holding a wedding or taking a haircut. Yet, Shulchan Aruch's presentation of this custom differs quite significantly from earlier records of this custom. For example, a copy of a responsum from the Ge'onim on this matter<sup>3</sup> only mentions that there is a custom to refrain from holding weddings from Pesach to Shavuot.<sup>4</sup> Even Tur<sup>5</sup> (14<sup>th</sup> Century Spain), which Shulchan Aruch is based on, writes:

*There is a custom in all places not to marry between Pesach and Shavuot, and the reason is to not excessively rejoice, for at that time, the students of Rabbi Akiva died...There are those places that have the custom not to have haircuts, and there are those who [permit haircutting] from the 33<sup>rd</sup> day of the Omer and onwards, as they say that then they ceased dying...*

Our custom, in line with the ruling of Shulchan Aruch, incorporates two major changes from the widespread custom recorded by the Ge'onim and many of the Rishonim:

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1. Many of the sources discussed in this article are analyzed at great length in Simcha Emanuel, *Minhagei Aveilut Bimei Sefirat Ha'omer* (Hebrew) Netu'im, Volume 20, pages 101–141. Some others are discussed in Mitchell First, *The Mysterious Origin of Lag Ba'omer*, Hakirah, Volume 40, pages 205–217. These works will be cited throughout by referencing the author's surname without any further identification.
  2. Orach Chaim 493:1–2.
  3. Teshuvot Hage'onim, Sha'arei Teshuva 278. No specific attribution is given in this collection of responsa; however, Rabbeinu Yerucham (Toldot Adam Vechavah, Netiv 22, Volume 2) attributes this ruling to Rav Hai Ga'on. For further discussion of this detail, see Emanuel, footnote 10.
  4. The wording in these early sources is *Atzeret*, another name for Shavuot.
  5. Orach Chaim 493.

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1. There is an additional custom not to have a haircut during this time.
2. These mourning customs cease on the 33<sup>rd</sup> day of the Omer.

Additionally, a further custom is mentioned by Shulchan Aruch,<sup>6</sup> Tur<sup>7</sup> and attributed to Rav Hai Ga'on<sup>8</sup> (11<sup>th</sup> Century Iraq), that after sunset, people would refrain from performing certain labours. Yet, this is not a common practice nowadays.

This article attempts to present and organize the various suggestions that have been made to explain why these customs are practiced during this time of year, the development of the changes to the customs in the 12<sup>th</sup>–14<sup>th</sup> Centuries and hopefully offer new suggestions to fill the gaps in some of the previous theories of these Omer customs.

## Approach 1: Mourning Rabbi Akiva's Students

According to the Ge'onic sources that discuss these customs, the clear and unequivocal rationale given is that during this exact time period, a plague erupted among the students of Rabbi Akiva (Talmud Bavli, Yevamot 62b). As a custom of mourning, we refrain from marriages during this time of year. Additionally, the additional custom of some<sup>9</sup> refraining from work at night was due to either gathering to bury the dead at that time,<sup>10</sup> or that they spent the evening hours involved in various activities that were necessary to allow for burial.<sup>11</sup>

This explanation easily allows for further stringencies and mourning practices, such as not having a haircut during this time, or even other more stringent practices.

There are three major views that can be found among both halachists and scholars as to what is being mourned:

### 1a: Ancient Plague

An overwhelming number of authorities explain that we are mourning for a plague of *askera* (commonly translated as diphtheria) that ravaged many<sup>12</sup> of Rabbi Akiva's (or, in one version,<sup>13</sup> Hillel and Shammai's) students. This is the simplest read of the Talmud, and is generally assumed to be the accepted reason for our practices.

Yet, a number of questions remain. Why was the burial at nighttime? Why did communities, many hundreds of years later, take on additional mourning practices? Why didn't the

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6. Orach Chaim 493:4.

7. Orach Chaim 493; he writes that he "found this written."

8. See Rabbeinu Yerucham, Toldot Adam Vechavah, Netiv 5, Volume 4.

9. Many authorities, such as Tur, mention women specifically as having this custom; see below for sources and some elaboration.

10. See Tur, Orach Chaim 493.

11. Such as sewing garments for the dead; see Knesset Hagedolah, Hagahot Hatur, Orach Chaim 493:3.

12. There are various texts that offer different numbers of students (see, e.g., Midrash Tanchuma, Parshat Chayei Sarah, 15:6, which reads "300 students"), but the numbers used are clearly intended as exaggerations; see Rabbi Tzvi Hirsch Chajes, Mevo Hatalmud, Chapter 30.

13. See Sefer Arugat Habosem (ed. Urbach), Volume 1, Page 75, s.v. raiti katuv.

Talmud write explicitly that these customs were taken on? Finally, why was there a shift of the conclusion of these customs to Lag Ba'omer rather than Shavuot?

### Ib: Bar Kochba Revolt Deaths

Others<sup>14</sup> suggest that we are in fact mourning for those killed in the Bar Kochba Revolt, based on an assumption that the Talmud intended to reference the deaths from the revolt in a coded manner.<sup>15</sup> This suggestion solves a number of the issues with the earlier view. For example, it may have been prohibited to bury these soldiers during the daytime, so they needed to spend the night burying them, which led to the custom not to work at night. The Talmud didn't write about these customs directly, since it didn't want to anger the Romans or other authorities. Finally, some scholars<sup>16</sup> argued that the date of Lag Ba'omer was a date of celebration for a military victory on that day.<sup>17</sup> Yet, based on the actual historical development of this custom, in which Lag Ba'omer only starts being celebrated in the late 12<sup>th</sup> Century, this explanation is hard to accept, since battles against the Romans would have happened at least a few hundred years earlier.

### Ic: Contemporary Tragedies Which Mirror the Past

A third group of authorities explains that while these practices began as mourning for those who perished in the past, they were modified to reflect the mourning over those who were lost at the time of the crusades.<sup>18</sup> This approach accommodates either of the above two explanations (1a or 1b) as to the source of the original mourning, but has the advantage of being able to easily explain the significant changes to these customs in the 12<sup>th</sup> and 13<sup>th</sup> Centuries. Stringencies, such as refraining from hair cuts (and nail cutting or purchasing new clothes)<sup>19</sup> were simply an outgrowth of the current mood, which was incorporated in the mourning of the Omer period (at which time much Jewish persecution was taking place). This view is taken explicitly by the writer of a manuscript entitled *Sefer Ha'asufot* (13<sup>th</sup> Century):

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14. Various scholars have advanced this theory; for a partial list, see Rabbi Professor David Golinkin, *Why is it Customary to Mourn Between Pesach and Shavuot?*, *Responsa in a Moment: Volume 1, Issue No. 8, April 2007*. For a notable example, please see my article in *The Benjamin and Rose Berger Yom Haatzmaut To Go 5779*, page 11.
  15. See *Iggeret Rav Sherirah Ga'on*, 1:9, who refers to this episode as a "*shemad*" against the students of Rabbi Akiva.
  16. See a short list in Rabbi Evan Hoffman, *Thoughts on Lag Ba'omer*, <https://anshesholomnewrochelle.org/sermons/the-origins-of-lag-Ba'omer>.
  17. Interestingly, there are some later sources that claim that there is a tradition that Rabbi Shimon bar Yochai left the cave (in which he hid from the Romans) on this day; it would work nicely with this approach.
  18. This view was famously advanced to Rabbi Dr. Daniel Sperber, *Minhagei Aveilut Bitkufat Sefirat Haomer* (Hebrew), *Minhagei Yisrael*, Volume 1, Chapter 13, who brings ample support from many earlier sources. See Rabbi Professor Golinkin's article (cited above in footnote 14) as well regarding how this pertains to the position of the modern-day Conservative Movement. See also Emanuel, page 114.
  19. See *Sefer Minhag Tov*, #61 (Weiss Edition, page 231).

*It further seems to me, that which we do not hold weddings between Pesach and Shavuot is due to the pain of the decrees and the destruction of the communities in this kingdom.<sup>20</sup>*

Lag Ba'omer, then, might have been the date of a 12<sup>th</sup> Century miracle. Indeed, this has been raised by recent scholars<sup>21</sup> in explaining a passage in Sefer Minhag Tov (13<sup>th</sup> Century Italy):<sup>22</sup>

*But on the day of Lag Ba'omer it is permitted to practice all of these [aforementioned prohibited activities], due to the miracle that took place.*

There are those who even theorize that the custom to begin the mourning practices later, at Rosh Chodesh (a custom brought by Rema<sup>23</sup> as an Ashkenazic practice and ultimately practiced by many nowadays), is best understood as an outgrowth of the Jewish persecution in the 11<sup>th</sup> and 12<sup>th</sup> centuries during that time, yet others reject this.<sup>24</sup>

Almost all mainstream halachic authorities follow the initial view that we still commemorate and mourn the loss of Rabbi Akiva's students in an actual plague. Returning to our original questions; why was there a prohibition on cutting hair added 1000 years after the events that are being mourned, and how did the date of Lag Ba'omer gain significance? While there has been very little discussion concerning the addition of the prohibition on haircutting, there has been very significant discussion about the innovation of Lag Ba'omer. There are two main explanations of Lag Ba'omer found in early halachic literature.

The first explanation is found in a few early sources,<sup>25</sup> and is attributed to an anonymous Tosafist. This Tosafist explains that 16<sup>26</sup> of the 49 days of the Omer period are celebratory days (on which we recite Mussaf), which leaves over 33 days of mourning. According to this Tosafist, the cessation of the mourning customs on or after the 33<sup>rd</sup> **day** is an error based on a misunderstanding of the calculation of 33 **total days** of mourning.<sup>27</sup> Indeed, these authorities write strongly against those who "observed" Lag Ba'omer as an end date for the mourning customs.

Others defend the cessation of mourning customs on Lag Ba'omer. Although the Talmud states that the plague killed Rabbi Akiva's students from Pesach to Shavuot, there was

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20. For more on this manuscript and printed versions of the work, see First, footnote 42 and Emanuel, footnotes 46 and 47.

21. See First, footnote 40.

22. #61.

23. Orach Chaim 493:3; see Shulchan Aruch there, who decries this custom as an error.

24. See First, footnote 38.

25. See, e.g., Orach Chaim, Hilchot Kiddushin #21; Derashot Rabbi Yehoshua Ibn Shuiv, Yom Rishon Shel Pesach.

26. Different authorities provide different calculations; the critical factor is that Shabbat and Pesach will overlap at least once, and Rosh Chodesh and Shabbat may overlap as well.

27. This view of Tosfot is modified over the course of the next few hundred years, to the point that Mahari"l (15<sup>th</sup> Century Germany; Dinei Hayamim Shebein Pesach Leshavuot #7) alleges that the students of Rabbi Akiva only died on days on which Tachanun was recited, and that we celebrate Lag Ba'omer to remember that. It is also reasonable to assume that this type of calculation is very relevant to the custom of beginning the mourning practices after Rosh Chodesh Iyar. See Be'ur Halachah to Orach Chaim 493:3.

either another text of the Talmud,<sup>28</sup> or a midrash,<sup>29</sup> or a tradition<sup>30</sup> that the deaths actually stopped on the 33<sup>rd</sup> day of the Omer. For example, Sefer Hamanhig<sup>31</sup> (12<sup>th</sup> Century France), justifies the custom to permit weddings after Lag Ba'omer in France and Provence. He claims that Rabbi Zerachiah Halevi, the Ba'al Hama'or, found an old Spanish<sup>32</sup> manuscript of the Talmud that read that the students only died until "*peros Atzeret*."<sup>33</sup> This phrase, according to Sefer Hamanhig and others,<sup>34</sup> should be interpreted as 15 days prior to Shavuot, which would mean that from the morning of the 34<sup>th</sup> day (not the 33<sup>rd</sup>) of the Omer, the restrictions cease. This view, that restrictions actually stop on the 34<sup>th</sup> day, is accepted and codified by Shulchan Aruch.<sup>35</sup>

Some modern scholars are unhappy with this resolution, since it doesn't explain the cessation of mourning on the 33<sup>rd</sup> day of the Omer, but rather on the 34<sup>th</sup> day of the Omer, which was not the practice in France (or any other) community.<sup>36</sup> However, they ignore the various resolutions offered by halachic authorities to resolve this issue.<sup>37</sup> (It should also be noted that other suggestions have been made as to how to understand the term "*peros Atzeret*,"<sup>38</sup> but the interpretation of the Sefer Hamanhig is most accepted by halachic authorities.)

Many Spanish and French/Provençal authorities accepted this change in the text of the Talmud (after all, the Spanish manuscript was found by a leading Provençal scholar), but it was much less accepted by their German and Italian counterparts.<sup>39</sup> Many of them likely considered this text ("*peros Atzeret*") to be a legitimate variant reading of the Talmud, but

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28. See below.

29. See, e.g., Derashot Rabbi Yehoshua Ibn Shu'ib, Yom Rishon Shel Pesach.

30. See Me'iri to Yevamot 62b, although exactly what Me'iri intended has been the subject of much debate; see Emanuel, pages 122–123, and footnote 37 in this article.

31. Hilchot Eirusin Venisu'in (Rafa'el Edition, page 538).

32. Chid"ra (Responsa Tuv Ayin #18) cites various sources from the Rishonim that Spanish manuscripts of the Talmud were considered more authoritative.

33. Note that while this claim is made by many reliable authorities, we have no evidence for it from the works of the Ba'al Hama'or himself.

34. Based on its usage in Talmud Bavli Bechorot 57b–58a.

35. Orach Chaim 493:2.

36. See, for example, the somewhat cynical tone of Rabbi Evan Hoffman, Thoughts on Lag Ba'omer: "This is an astounding example of halakhic development. Lag Ba'omer, a late holiday of uncertain origins, was changed to Lad 34) ט"ב) Ba'omer so that a speculative theory about the holiday's origins might suffer from fewer mathematical shortcomings." (<https://anshesholomnewrochelle.org/sermons/the-origins-of-lag-Ba'omer>).

37. Two examples follow:

Rabbi Yissachar Tamar (Ale'ei Tamar to Mo'ed Katan 3:8) writes that the Talmud in Bechorot 58a explains this phrase to mean "not less than 15 days prior to Shavuot," and that this passage may have meant 15, 16, 17 or more days prior to Shavuot. He cites Me'iri to Yevamot 62b, who explains that there is a tradition that the deaths stopped on the 33<sup>rd</sup> day of the Omer, and explains that Me'iri also had the text of "*peros*" in his version of the Talmud, and the tradition was that "*peros*" refers to the 33<sup>rd</sup> day of the Omer.

Maharikash (Erech Lechem, Orach Chaim 493:2) argues that "*peros Atzeret*" is halfway from the start of Iyar to Shavuot, which would fall out on Lag Ba'omer; see there for further elaboration.

38. See First, 207–209.

39. Those who change the "no weddings" custom to end at Lag Ba'omer include (in no particular order): Sefer Hamanhig, Me'iri, Abudarham, Rabbi Ibn Shu'ib, Kaftor Vaferach, Kolbo, Rav Avraham Min Hahar, Rashbatz. For the Italian and German authorities that also mention Lag Ba'omer, see below.

would not have been willing to change the well-established custom of not marrying until Shavuot. However, a new custom was emerging – many had ceased cutting their hair during this same time period. Therefore, while these authorities were not willing to compromise in regards to the old custom of not holding weddings, in regards to the new stringency of hair cutting, almost all of them allowed for Lag Ba’omer to serve as the end date, based on the alternative text. This view, which differentiates the two customs of haircutting versus marrying, can be found explicitly in 13<sup>th</sup> and 14<sup>th</sup> Century works such as *Shibbolei Haleket*<sup>40</sup> and *Tur*,<sup>41</sup> and was likely also the view of the influential German Rabbi Meir of Rothenburg.<sup>42</sup> Over the next few hundred years, the customs of Lag Ba’omer and avoiding haircuts spread widely, until there was virtually no difference across all of Europe.

## Approach 2: Unlucky Time of Year

Sefer *Shibbolei Haleket* (13<sup>th</sup> Century Italy) writes:

*There are those places who have the custom not to have haircuts after Pesach until the 33<sup>rd</sup> day of the Omer, and there are also those who do not marry between Pesach and Shavuot because the days are disposed [towards catastrophe], as a plague fell among Rabbi Akiva’s students.*<sup>43</sup>

According to *Shibbolei Haleket* and others,<sup>44</sup> we avoid weddings not out of mourning, but because this is an unlucky time. Additionally, nighttime activities, especially those outside the house, might have been something that people avoided out concern that something dangerous would happen.<sup>45</sup>

The significance of Lag Ba’omer could be explained with the argument that once Rabbi Akiva’s students stopped dying (in accordance with the “*peros Atzeret*” reading), the days were no longer inauspicious.<sup>46</sup> However, the additional prohibition to refrain from haircutting

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40. #235.

41. Orach Chaim 493.

42. There are two sources affiliated with his school that this topic comes up. Firstly, in the *Tosfot* to *Yevamot* 62b ascribed to him (and actually written by a student; see Emanuel, footnote 69), it says: “And they all died from Pesach until Atzeret – it is found in a midrash [that they died] until Lag Ba’omer. Therefore, the population refrain from holding weddings until after Shavuot.” Emanuel (pages 119–120) is bothered by this source, which seems contradictory, and he suggests that there was a scribal error here. Yet, the intention of this writer was likely to say that it is only a midrash which supports that the students ceased dying on Lag Ba’omer, and based on the strict reading of the Talmud, the appropriate custom is to refrain all the way until Shavuot. This can be supported from another source referenced, yet not cited, by Emanuel (see footnote 50), namely, the work *Minhagim Debei Maharam*. In the section entitled *Techinah*, although the author(s) mention that while *Tachanun* was not recited on the 33rd day of the Omer, they also write that most communities refrained from marrying until after Shavuot, and only a minority will hold weddings after Lag Ba’omer.

43. 235.

44. Such as *Sefer Ma’aseh Hage’onim*; see Emanuel, footnote 33 for a list.

45. See *Talmud Bavli*, *Pesachim* 112b about venturing out on certain nights. This detail may also bring the reader’s mind to “*Nittel Nacht*”; however, it will not be explored further in this article.

46. Similarly, it is possible that a later starting date for the restrictions would be viable, if we consider Nissan to be a very positive time. See *Ma’aseh Hage’onim* cited in Emanuel, page 110, and his discussion there.

seems quite strange – why would people avoid cutting their hair during this time of year just because it is unlucky?

An answer may be found in another strange practice that is mentioned by those who subscribe to this view. Orchot Chaim<sup>47</sup> (14<sup>th</sup> Century France/Spain) writes:

*There are some who refrain from bloodletting and [other] health treatments, since these days are disposed towards disaster, but “he who trusts in Hashem will be surrounded by kindness.”<sup>48</sup>*

Thus, it seems that around the 13<sup>th</sup> Century or slightly earlier, some laypeople began to avoid bloodletting, but Orchot Chaim is not clear whether this extended until Lag Ba’omer or Shavuot. It seems that since this was initiated by the masses, they actually only felt that this applied until Lag Ba’omer, which may have been a more “popular” date.<sup>49</sup> Indeed, Sefer Ha’asufot writes:

*There is a practice in this kingdom not to hold weddings between Pesach and Shavuot, and not to bloodlet until Lag Ba’omer, because the days are disposed [towards catastrophe].<sup>50</sup>*

This works well with Ra’avyah (12<sup>th</sup> Century Germany),<sup>51</sup> who, in listing times that people avoid bloodletting, mentions the period between Pesach and Lag Ba’omer, among other minor (and recent) customs. It may also be that since this was a practice of the masses to begin with, they did not want to go such a long time between bloodletting.

It is extremely well-known that barbers (known as barber-surgeons) were in charge of bloodletting and other medical procedures during the Middle Ages.<sup>52</sup> Therefore, as the masses began to avoid bloodletting because of how nervous they were about this practice, they also stopped getting haircuts during the same time period. This explains why sources prohibiting haircutting only come after earlier sources which record that people stopped bloodletting. It also explains why Lag Ba’omer was used almost universally for the end date for both bloodletting and haircutting. (This connection can hopefully serve as a basis for further research into the history of the Omer customs).<sup>53</sup>

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47. Hilchot Kiddushin #21.

48. Tehillim 32:10, which is being used here by Orchot Chaim to argue that people should not be afraid to bloodlet during this time of year.

49. Orchot Chaim spent significant time in the previous paragraph denigrating the custom of observing Lag Ba’omer (see above, where he calls it an error). It therefore makes more sense that the masses would err in this manner as opposed to great halachic authorities of the time.

50. See footnote 20.

51. Shabbat #276; see Emanuel, footnotes 41 and 42.

52. See, e.g., Roderick McGrew, Encyclopedia of Medical History (McGraw-Hill), pages 30–31. For a connection of bloodletting and haircutting in regards to the Omer, see Leket Yosher, page 97.

53. Those well-read in Jewish laws of bloodletting are likely aware that there is another practice to avoid bloodletting prior to Shavuot (see Shabbat 129b). This, as well as many other details, may assist scholars in forming new theories about the development of the actual date of Lag Ba’omer.

### Approach 3: Time of Judgement and Fear

Rabbeinu Yerucham<sup>54</sup> (14<sup>th</sup> Century France/Spain) offered another interpretation of this custom. In discussing why there is no blessing of *shehecheyanu* over the mitzvah of counting the Omer, he explains that this time is a time of judgement, and concludes:

*And [the Korban Omer] is equivalent to the offering of a sotah (a suspected adulteress) from barley [se'orim in Hebrew], which is the same tone as "G-d's tempest" [sa'arat Hashem in Hebrew], and therefore, we do not wed, and we grow our facial hair. [This reason is given] despite the [other reason] that there were 12,000 pairs of Rabbi Akiva's students that died...*

Similarly, Rabbi David Abudarham<sup>55</sup> (14<sup>th</sup> Century Spain) writes that because we are judged during Omer (see Rosh Hashanah 16a), it is a time of sorrow. According to these sources we avoid weddings because it is not a happy time (akin to mourning). The avoidance of haircutting may be for the same reason, or it may be a sign of nervousness, akin to the midrash that many people, in advance of their judgement, wear dark clothing and grow out their hair.<sup>56</sup>

In regards to not working at nights, a similar comparison to the case of a *sotah* (a suspected adulteress) is made by Rabbi Binyamin, the brother of the Shibbolei Haleket.<sup>57</sup> Building off those authorities who write that the prohibition on working at night is strictly for women,<sup>58</sup> Rabbi Binyamin suggests that women wanted to avoid any suspicion of adultery and show that they were G-d-fearing, so they remained at home with their husbands during this time of year.

The understanding that the Omer days are a time of judgement of sorrow has very significant kabbalistic aspects to it, in that it is a time where G-d's attribute of judgement is heightened. Rabbi Avraham Saba (15<sup>th</sup> Century Spain)<sup>59</sup> explains that kabbalistically, the 33<sup>rd</sup> day of the Omer is when G-d's attribute of judgement subsides, and that would justify ceasing these kabbalistic practices at that time.<sup>60</sup>

Perhaps an additional explanation can be suggested for the date of Lag Ba'omer according to this approach. Emanuel<sup>61</sup> noted various 13<sup>th</sup> Century Germanic sources that spoke about completing the fasts of Bahab (the practice of many communities to fast and recite *selichot* on Monday-Thursday-Monday at the start of Iyar) prior to the date of Lag Ba'omer. Yet, Emanuel fails to account for the fact that it is actually mathematically impossible for

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54. Rabbeinu Yerucham, Toldot Adam Vechavah, Netiv 5, Volume 4.

55. Tefillot Hapesach.

56. See Tur, Orach Chaim 581.

57. #235.

58. See footnote 9.

59. Tzeror Hamor to Vayikra 23:15; see also Kaf Hachaim, Orach Chaim 493:5 for further sources pertaining to the kabbalistic discussion of Lag Ba'omer.

60. Additionally, the interest of the general populations in kabbalistic matters was significantly growing at that point in history, as opposed to during Ge'onic times; this may serve to explain the changes in behaviour during the times of the Rishonim.

61. Page 134 and footnote 131.

the fasts of Bahab to extend past Lag Ba'omer – the last possible date for a Bahab fast is the 32<sup>nd</sup> day of the Omer!<sup>62</sup> Also, he fails to explain why it is primarily German authorities that comment on this, and not their counterparts elsewhere.

To solve these problems, it is sufficient to note that while in other locales, the fasts of Bahab in Iyar were given various different reasons,<sup>63</sup> in 13<sup>th</sup> Century Germany, the leading Rabbis, Mordechai<sup>64</sup> and Ra'avayah,<sup>65</sup> explained that these fasts were for agricultural success. Thus, once the Bahab fasts were completed (in the latest possible scenario, by the 32<sup>nd</sup> day of the Omer), other practices that were related to worrying about the upcoming yield could be suspended, since the fasts had been completed!<sup>66</sup> There would be no need to be concerned about the yield once the prayers and fasting for it had been completed, no later than the 32<sup>nd</sup> day of the Omer, which is why the 33<sup>rd</sup> day of the Omer was a day on which those practices could be suspended.

#### Approach 4: Other Mourning

Shibbolei Haleket cites his brother, Rabbi Binyamin (13<sup>th</sup> Century Italy), who explained these customs as mourning for all those who sinned during their lifetime,<sup>67</sup> rather than for Rabbi Akiva's students. In support, he cited Rabbi Yochanan ben Nuri,<sup>68</sup> who took the position (based on Yeshayah 66:23) that the judgement of evildoers in *Gehennom* is from Pesach to Shavuot. Although we appear to rule<sup>69</sup> in accordance with the opposing view cited there, that their judgement takes place in the twelve months following their passing, nevertheless, it is possible that this view also has halachic validity.<sup>70</sup>

Somewhat similarly, Rabbi Evan Hoffman<sup>71</sup> points out that the Ba'al Hama'or (12<sup>th</sup> Century Spain/France)<sup>72</sup> rules that we only count the Omer as a Rabbinic remembrance for the Biblical counting. Ba'al Hama'or elaborates that this is a sad time, since he considers this time period to be one of mourning for the Temple (as opposed to for people).

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62. Even if the first of Iyar falls out on Shabbat, which means that the blessing for those fasting Bahab may only take place on Shabbat, the 8th of Iyar, the fasts will still be completed on the 17th of Iyar, the 32<sup>nd</sup> day of the Omer!

63. For a selection, see Tur, Beit Yosef and other commentaries to Orach Chaim 492.

64. Ta'anit, Remez #629.

65. Hilchot Ta'anit #863.

66. It is surprising that we do not see more explicit evidence of this in German writings (neither Rabbeinu Yerucham, nor Abudarham were German); see Emanuel, pages 114–115, who notes the general paucity of German sources that discuss the Omer restrictions.

67. The technical term used by the Mishnah is "*resha'im*"; however, in practice, we assume that we ourselves might have this status for any sins we may have done.

68. Mishnah Eduyot 2:10, Seder Olam Rabbah Chapter 3.

69. See, e.g., Shulchan Aruch, Yoreh Deah 240:9 and 376:4, which discuss practices one can perform on behalf of a deceased parent during this timeframe.

70. See Chok Ya'akov, Orach Chaim 493:3.

71. Thoughts on Sefirah, <https://anshesholomnewrochelle.org/sermons/thoughts-on-sefirah>.

72. To Rif, Pesachim 28a.

While the additional haircutting stringency makes sense since it is a form of mourning, it is very hard to justify any reason whatsoever for ceasing mourning at Lag Ba'omer. Both the destruction of the temple, and those who have passed away continue to be mourned until Shavuot. There also seems to be no reason to avoid work during the nights of the Omer, and indeed, Rabbi Binyamin himself suggested another rationale for that practice.<sup>73</sup>

## Approach 5: Chol Hamo'ed

Sukkot contains a first day of celebration on which all creative labour is prohibited, followed by six days of Chol Hamo'ed (commonly referred to as "intermediate days," on which there are certain leniencies regarding performing labours prohibited on Yom Tov), and then another full holiday on the 8<sup>th</sup> day where there is a total ban on creative labour. Ramban (13<sup>th</sup> Century Spain)<sup>74</sup> notes that the same pattern is present from Pesach to Shavuot, just with weeks replacing days. There is one week of Pesach, followed by an additional six weeks of the Omer, followed by Shavuot, which is referred to using the term "Atzeret" (akin to Shemini Atzeret). Talmud Bavli (Mo'ed Katan 8b-9a) writes that it is prohibited to marry on Chol Hamo'ed, since one may not mix two joyous occasions. Thus, it is possible that another source for not holding weddings during this time is that it is somewhat joyous, akin to Chol Hamo'ed, and therefore, one may not hold weddings.

To explain another custom, Rabbi Yaakov Emden<sup>75</sup> writes that this comparison is the reason why some had the custom to avoid prohibited labours during the nights of the Omer. It was not feasible to prohibit all labour for everyone the entire period of the Omer, so the partial prohibition took place for the nights only.

Additionally, haircutting is another practice that is prohibited on Chol Hamo'ed, so that an individual will not enter the initial holiday unshaven.<sup>76</sup> This rationale does not hold true for the full period from Pesach to Shavuot, which might be why shaving was permitted at an earlier date (i.e., Lag Ba'omer) or right before Shavuot.

In summary, there are a number of positions taken by the Rishonim as to why there may be certain restrictions during the Omer period. However, not every approach can justify each of the restrictions and their full development. In many cases, they may have to be combined, or rely on other explanations that don't fall into any category at all.

The beauty of studying Jewish customs and their development not only allows us to experience "*eilu ve'eilu divrei Elokim Chaim*," "these and these are the words of the Living G-d," but also to gain a deeper appreciation and connection to our past as we practice many of these customs today.

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73. See above.

74. Vayikra 23:36.

75. Mor Uketzi'ah, Orach Chaim 493.

76. See specific exceptions in Mishnah Mo'ed Katan 3:1 and the associated passages in the Talmudim.