

Omer Mourning No More!

Many people feel unease with the mourning practices of the Omer, an unease which stems from several factors:

1. In the Torah, the period of the Omer is a joyous time, both because of the gathering of the crops and the preparation for the holiday of Shavuot.
2. Carving three or seven weeks out of our calendar in which weddings are forbidden is extremely difficult, especially since these days usually fall in the spring, the ideal time to get married.
3. Not listening to music seems like a very harsh measure; especially today that music is ubiquitous.
4. Mourning periods for immediate relatives, who are personally known and acutely missed are only seven and thirty days. How can one mourn for thirty-three or forty-nine days for an ancient event, almost 2,000 years old?

The purpose of this article is to argue that the time has come to acknowledge the origin of the practice, and to recognize that the time has come to restore the Omer period to its biblical glory. As we shall see here, the Omer mourning practices started as a commemoration of the tragic failure of the Bar Kokhva revolt and its consequences. For hundreds of years, small numbers of people in scattered communities refrained from getting married during those days, as a sign of sorrow for the death of so many young, and usually unmarried, soldiers. They had to keep the real reason of their mourning in secret, because they were always under the heel of a foreign regime, and even the most tolerant ones among those would not have tolerated military aspirations. A memorial day for fallen soldiers would look very suspicious, and so the narrative was changed and the soldiers became the students of R Akiva, who, as we shall see, was indeed the spiritual leader of the revolt.

In the twelfth century, after the devastating dealt by the crusaders to the Jewish communities of Northern France and Germany, the remnants decided to commemorate those days, from Pesah to the 20th of Sivan, as a period of mourning. After several years or decades, the period was shortened to end on Shavuot, and at a later point, the idea of a break in the middle was introduced. The arguments for that day of break, aka Lag BaOmer, are very feeble, and are

obviously an attempt to justify the much-needed break. For several hundred years after that, the practice of mourning during the Omer was preserved only in Ashkenazi communities, since they were the main victims of the crusades.

It was only the inclusion of the practice in the Shulhan Arukh that made the practice official. It was vehemently objected by Sephardic sages at the time, and was not widely accepted among all Sephardic communities. There could be several reasons for this ruling of R Karo, but I believe that the following two are the most important:

The first is that R Karo, tried, when possible, to include customs and rulings which represented the broader Jewish diaspora. Though he seems to give priority to Sephardic authorities, he lists more Ashkenazi than Sephardic sources in the introduction his monumental work Beth Yosef.

The second reason is that R Yosef Karo was deeply influenced by the Kabbalistic teachings of R Abraham Saba, who was also his wife's grandfather of. Rabbi Saba was a Castilian kabbalist who after the expulsion wandered from Spain to Portugal and Fez, and finally settled in Adrianopolis, Turkey. R Yosef Karo studied in that city at the time, and it was there that his revealed Halakhic personality merged inextricably with his less known, Kabbalistic one¹. In R Saba's book, Tzeror HaMor, we find the following statement (צרוור המור ויקרא פרשת אמור):

לפי שהתורה אש דת, וכל דבריה כאש ונתינתה באש, אמר "וקצרתם את קצירה" והקציר הוא משעורים... להורות על מדת הדין של אש הקשה וזהו הסערה, לרמוז על רוח סערה הבא מן השעורה... ולכן מצותו בלילה להשקיט כח הדין של העומר השולט בלילה בכח מצות הספירה... ולפי שהם ימי דין אמרו שצריך להראות בהן צער ושאסורים בתספורת. ואף על פי שאמרו לפי שמתו תלמידי ר' עקיבא בלילה, זהו לפי הנגלה, כי הטעם הנסתר הוא מה שכתבת, לפי שהעומר הוא הדין ולכן אסור בתספורת כדי להראות עצבון. ומה שאמרו שמתו בתספורת מ"ג לעומר ואילך לפי שאז פסקו תלמידי רבי עקיבא למות, כבר כתבו התוספות שזה משמע ל"ג ימים של חול ומלבד שבתות ה' ומלבד המועדים נשאר ל"ג יום של חול, כי הימים של שבת והמועד אין צ"ל בהם שאסורים בתספורת, באופן שאיסור תספורת הוא עד שבועות... ולכן אין אנו אומרים במצות העומר שבא מזמן לזמן שהחיינו, לפי שזה אינו נאמר אלא על שמחה, ואנו עצבים מכה דין העומר... ועוד... ועכשיו שהבית חרב ואין לנו אלא זכרון דברים, אנו דואגים ועצבים על חרבנו, ואנו מבקשים רחמים מהש"י שיחזיר העבודה למקומה, ואם כן איך נאמר שהחיינו בעונותינו להחריב המקדש, ואין לנו זכות לחזור העבודה למקומה?

The Torah is a law of fire, its words are fiery, and it was given through fire, therefore it is written "you shall harvest" and the harvest is barley... alluding to the rigorous judgment of the harsh fire, which is the storm (barley and storm sounds similar in Hebrew)... the Omer is counted at night, so the merit of the Mitzvah will subdue the judgment which governs at night... and because those are days of judgment, they said

that one must show sorrow and cannot have a haircut. And even though they said that the reason for the Omer is the death of R Akiva's disciples, that is the revealed reason, but the concealed reason is the concern about the judgment of the Omer. And even though they said that after Lag BaOmer one can have a haircut, the Tosafot already wrote that the meaning is that mourning is practiced only during 33 days of the Omer. If we discount the days of Shabbat and Pesah from the 49 days of the Omer, we will have 33 left, since one obviously cannot have a haircut on Shabbat, so it is clear that the prohibition continues until Shavuot... and this is why we do not say the blessing of SheHeyanu for the Omer, because it is a celebratory blessing said only during times of happiness, and we are in sorrow because of the judgment of the Omer... also, since the Temple is in ruins, we are worried and in mourning for its destruction... are we going to express thanks for our state of sin and desolation?

These words of R Saba had no doubt influenced R Karo. They are permeated with an atmosphere of despair and sorrow, associate the period of the Omer with mourning for the destruction of the Temple, and attribute to that period harsh mystical powers which could cause damage and suffering. There is no wonder that R Yosef Karo decided to include the Omer mourning practices in his Shulhan Arukh, and there is no wonder that other Sephardic rabbis, who did not share his Kabbalistic ideology, disagreed with him.

Today, as we assess the history of the Jewish People, we understand that we have come a long way since the desperate rebellion of Bar Kokhva, R Akiva, and their followers against the mighty Roman Empire. We are almost a thousand years away from the crusades which created the practice in Europe, and five hundred years away from the expulsion from Spain which might have added to R Karo's decision to adopt the practice. Finally, we are only seventy years away from the Holocaust, and there still survivors and their children leaving among us. They remember the Holocaust every minute, but the nation has officially dedicated few days to commemorate that unimaginable atrocity. The State of Israel has declared the 27th of Nissan as Yom HaShoah VeHaGevurah – the Day of Holocaust and Valor, in commemoration of the Warsaw Ghetto uprising. The Chief Rabbinate of Israel has declared the 10th of Teveth as Yom HaKaddish HaKelali – the day of global Kaddish, a day on which we recite Kaddish for all those

who perished in the Holocaust without leaving relatives or traces, and the ultra-orthodox community, still in denial and shock, refuses to create a special day and rather folds the Holocaust into Tisha BeAv.

If we dedicate one day to commemorate the Holocaust, a palpable event, whose victims and stories we all know personally, how can we justify a mourning period of 49 days, and at a time of the year deemed joyous by the Torah, for soldiers killed in a 2,000-year-old battle? Since the lamentations read on Tisha BeAv refer specifically to R Akiva, his colleagues, and their disciples, who were killed during the Bar Kokhva revolt, this should suffice.

How would this translate to the world of religious practices? Most of the Omer practices are at the personal level: not buying new clothes, not listening to music, and not shaving or taking a haircut. All these you can waive, but of course you will have to defend your appearance if you live in a frum environment.

More complicated is the issue of weddings. Those are public events and the bride and groom would like to take into consideration the practices of their guests. In addition, Kashrut organizations today have become dictatorial and will not allow their supervised caterers to serve at an event held not on an approved date. However, if you are not bound by those restrictions and are interested in having a wedding during the days of the Omer, whether this year or future years, I would be glad to officiate at the wedding, which will not only be blessed, but will send a message to observant Jews that the words they read every Friday night have been fulfilled:

התנערי, מעפר קומי, לבשי בגדי תפארתך

Rise, my nation, rise from the dust and wear your glorious garments.

There was, perhaps, a reason to mourn during the long years of exile, wars, and persecution, but the time has come to limit that mourning to Tisha BeAv, Yom HaShoah, and Yom HaZikaron, and embrace our blessings, independence, prosperity, and security.

Temporary Practice:

R Moshe Bochco (1917-2010), the head of the Etz Chaim Yeshivah in Montreux, Switzerland, wrote in 1997 that the practice of Omer mourning was a temporary one, established as a response to the crusades, and suggested that it should be changed²:

ובעניין ימי הספירה הגם שלא נזכר בגמרא לא לאיסור ולא להיתר, אמנם דווקא מזה שלא נזכר, רואים אנו שחזו"ל לא התקינו שום תקנה בזה.

Regarding the days of the Omer, the Talmud does not speak of things which are forbidden or permitted during those days. The lack of reference to any practices shows that the Talmudic sages made no decree regarding that event [the death of the disciples]. ואפילו אם נאמר, שגם בימי חזו"ל כבר היה איזה מנהג סמלי של אבלות על מות תלמידי רבי עקיבא, מכיוון שלא נזכר זה בשום מקום, הרי דווקא ראייה שלא רצו לקבוע מנהג זה להלכה, אלא להשאיר אותו כמנהג יחיד. ואם כן איך אפשר שבימי חכמי התלמוד שאחר מות תלמידי רבי עקיבא היה העולם שמם לא רצו לתקן דבר של אבלות? ואולי רצו בזה להדגיש שאין תורה מתה ואם ישיבה אחת שממה קמה מייד ישיבה במקום אחר? ואלף שנה אחרי כן, איך נעמוד אנו לשנות את ההלכה הנהוגה?

Even if we argue that already in Talmudic times there was a symbolic mourning practice for the disciples of R Akiva, the lack of reference to it is a proof that the sages wanted to maintain its status as a practice of individuals (maybe the relatives of the victims). They did not want that practice to become binding Halakha. If anyone should have established mourning practices, it would have been Talmudic sages, who felt the impact of the tragedy and what they called "desolate world". How come they did not do so? Maybe because they wanted to show that the Torah never dies, and that a new yeshiva will rise from the ashes. How then is it possible for us to change the Halakah [and declare a period of mourning] a thousand years after the event [in the 12th century]?

והגם שוודאי יתכן שהנהיגו המנהג בתקופה של רדיפות שהיו דווקא חזקות נורא בימים של בין פסח לעצרת... אמנם רשמית הלא המנהג בשביל מיתת תלמידי רבי עקיבא, ואם חכמי התלמוד לא ראו על נכון לתקן תקנות אֶכָּל על זה בטח שאין אפשרות לתקנם אחרי חתימת התלמוד! וכל מנהג שהונהג נשאר בתורת "מנהג" שתלוי בנסיבות הזמן.

While it is probable that the practice was established at times of persecutions [the Crusades] which were extremely severe between Pesah and Shavuot, the official reason for the is the death of the disciples of R Akiva. Since Talmudic sages did not see the necessity to create mourning practices for it, we have no authority to make such a decree following the conclusion of the Talmud. Any such practice, therefore, becomes a temporary one and depends on current circumstances and conditions.

רואים אנהנו שחז"ל טרם גזרו גזרה, שקלו וטרו מה אפשר ומה לא אפשר. עיין בבא בתרא (ס:ב): "אמר להם [רבי יהושע] בואו ואומר לכם שלא להתאבל כל עיקר אפשר שכבר נגזרה גזרה, להתאבל יותר מדי אי אפשר שאין גוזרים גזרה על הציבור אלא אם כן רוב הציבור יכולים לעמוד בה..." וצריכים גם חכמי כל דור ודור לחשוב היטב מה אפשר להנהיג ומה לא, ולא לגזור גזירות שאינם יכולים לעמוד בהם!

We know that the Sages of the Mishnah and the Talmud would deliberate thoroughly all ramifications before making a decree. The Talmud tells of people who decided to abstain from drinking wine and eating meat following the destruction of the Temple. They were dissuaded by RYehoshua who told them: "not mourning at all is impossible, but mourning too much is forbidden... the rule is that one cannot make a decree if most people cannot withstand it". Similarly, the leaders and sages of every generation should consider thoroughly what is acceptable and what is not, and not make decrees or restrictions which are too difficult for people to follow.

In conclusion, R Bochco raises the question why there is no mention of mourning for R' Akiva's disciples in the Talmud, and says that the practice was limited to the time and place of the Crusades. The answer to R' Bochco's question is that R' Akiva's 24,000 disciples were, as a matter of fact, soldiers in the rebellion he helped lead against the Romans.

What is the real reason for mourning during the Omer?

The official version is that mourning practices during the Omer were established to commemorate the death of the disciples of R Akiva. R Akiva lived in the second century, and he had 24,000 students, who all perished in a plague during the days of the Omer. According to a much later reading of the Talmudic source, they only died during half the period of the Omer, and for that reason the 33rd day of the Omer, aka Lag BaOmer, is a day of celebration.

The historical validity of this version is questionable for several reasons:

1. Among the sources which provide this version there are discrepancies regarding the exact number of disciples, ranging from 300 to 48,000.
2. There is no record of the names and activities of said disciples, although according to stories cited in the Talmud, they studied under R Akiva for twenty-four years.
3. Other than one phrase in the Talmud which speaks of their death by plague, there is no mention of the event in the first five hundred years succeeding it. The first mention of

mourning practices related to the death of the disciples appears in Geonic literature, some 500 years after the event. It is mentioned as a practice and not a law, and it is clearly stated that there were those who did conduct weddings during that period.

4. A divine intervention of that magnitude has not been recorded since the time of the Bible.
5. The practice is not mentioned by the three pillars on which the Shulhan Arukh relies: R Yitzhak Alfassi, Maimonides, and Rabbenu Asher. R Yosef Karo decided to mention this practice on the Shulhan Arukh, most probably, because of Kabbalistic influence, and indeed leading Sephardic authorities of the time opposed his ruling.
6. The origin of the 33rd day of the Omer is obscure and the many attempts at explaining its nature contradict each other. There were those who rejected the practice to celebrate and lift the mourning practices on that day or the subsequent days of the Omer.

In order to solve the mystery, we have to delve into the life of R Akiva:

R Akiva in the Talmud

According to the Talmud, R Akiva's wife conditioned their marriage in his commitment to study Torah. He left home immediately after marriage and spent twelve years studying. During these years, he gained so much knowledge and wisdom that he returned home with 12,000 students. As he approached his house he heard an old man talking to his wife, saying: "are you going to forever remain the widow of a living man?" She answered that if it was up to her, he should have spent twelve more years learning. Upon hearing these words, R Akiva turned around and returned to the hall of study, where he spent twelve more years. After the second cycle of learning, when he finally came back home, there were 24,000 students with him.³

The story about the death of R Akiva's disciples is delivered in the Talmud in four stages, by two anonymous authors and two Talmudic sages of two different generations. First, the Talmud speaks of the 12,000 pairs of students who all died at the same time because of lack of mutual respect. That story is presented simply by the words "they said that", without specifying the source of the information, the dates of the tragedy, or the form of death. Then, an anonymous source comments that it happened between Pesah and Shavuot. Following that statement, R

Hama bar Abba, who lived some 250 years after the events, says that they died of a plague, and finally RNahman, who lived a hundred years after him, adds that the plague was diphtheria.⁴

Flaws in the Talmudic stories

1. How do you handle so many students? R Hayyim Palachi (1788-1868) comments that it is impossible for one person to have that many students. He also says that according to Jewish law, a teacher cannot have more than 25 students in a class. His conclusion is that R Akiva had assistants for each group of forty students, as well as tutors in charge of groups of one hundred and one thousand.⁵ This suggestion is problematic because it assumes the existence of 600 assistants in charge of forty students each, 240 in charge of a hundred students each, and 24 in charge of a thousand. That will bring just the number of assistants to 864, which is again much more than what one person can handle. Additionally, no source before R Palachi, who lived in the 19th century, mentions that detail. RPalachi also suggests that not all students were with the master simultaneously, but that contradicts the Talmudic version according to which R Akiva arrived at his home with all his disciples in tow.
2. How do you turn around with twelve thousand people? According to the Talmudic story, R Akiva was close enough to hear the conversation of his wife with the old man, while she did not realize that he is around the corner with 12,000 people. After he heard her comment, he turned around and walked away quietly without her noticing the shuffling of 48,000 feet.
3. Who were the students? As mentioned earlier, there is the problem of the anonymity of said disciples. R Menahem ben Meir (1249-1306) argues that this is not a rarity, since we only know few names of the tens of thousands of sages who lived in Talmudic times. Similarly, he says, we know only few names of the rabbis from the Geonic period.⁶ His suggestion only exacerbates the problem, because we do have detailed information of the Geonic period, and there is no reason why a similar record will be preserved of the multitudes of Talmudic sages.
4. If the students of R Akiva indeed died of a known plague, why was the information delivered in four segments? The final piece of the puzzle, the nature of the disease, should not have come from a who lived almost 400 years after the event.

The Secret Life of R Akiva

Besides being a great scholar, R Akiva was a freedom fighter. He believed that Shimon Bar Kosba was the Messiah and renamed him Bar Kokhva – the Son of the Star. In this symbolic act he invoked a verse from Balaam’s prophecy, which speaks of a star rising from Jacob and smiting the nations.⁷

Not all of R Akiva’s colleagues agreed with him, as the following exchange shows:⁸

רבי עקיבה, כד הוה חמי בר כוזבה, הוה אמר: דין הוא מלכא משיחא! אמר ליה רבי יוחנן בן תורתא: עקיבה! יעלו עשבים בלחיך ועדיין בן דוד לא יבא!

Upon seeing Bar Kosba, R Akiva would say: this is the king, the Messiah!

R Yohana ben Toratha told him: Akiva! Grass will grow through your cheeks [after your burial] and Messiah, the son of David will not have come yet!

R Akiva traveled wide and far through the Roman Empire, raising funds and recruiting soldiers for the Great War. That war came to be known as the Bar Kokhva revolt, and it was the last attempt by Jews to wage war against another nation. The war ended with mass executions of the rebellion leaders by the Romans, and a devastating defeat to the Jewish freedom fighters. Among those executed were R Akiva and other sages, and the crushing of the rebellion marked the end of Jewish independent existence in Israel for many centuries.

It was only in Babylonia, hundreds of years after the rebellion, that people were able to talk more openly about the terrible events, and even that was done with great caution, as to not create suspicions that they are seeking independence⁹. The practice of mourning during the Omer was born in Babylonia, as a commemoration of the bar Kokhva revolt and its many casualties. It was shrouded with mystery, because there was a reasonable fear that the government would accuse the Jews of nurturing messianic hopes for independence.

The story of the death of the “disciples” who were in fact warriors, is presented in the Talmud in four stages, as an attempt to conceal the fact that those students of R Akiva were casualties of war. In the Talmudic story quoted above we find two anonymous sources, which might be rumors carried from the time of the war itself. The first source speaks about their death, and the second mentions that they died in the spring, the ideal time for waging wars. Then RHama bar

Abba, who lived hundreds of years later, tries to obscure the connection to the revolt by saying that they died a strange, or unusual death. His words could still be interpreted as alluding to death in the battlefield, so R Nahman, who lived a hundred years later and who had close relationships with the government, identifies that strange death as diphtheria. It is probable that R Nahman, because of his political ties, was more sensitive to the possible problems of discussing the revolt, and he indeed succeeded in his mission to obfuscate the historical truth.

Disciples, Soldiers, Converts

Let us now revisit that Talmudic paragraph (Yevamoth 62:2):

אמרו: שנים עשר אלף זוגים תלמידים היו לו לרבי עקיבא, מגבת עד אנטיפריס, וכולן מתו בפרק אחד מפני שלא נהגו כבוד זה לזה. והיה העולם שמם, עד שבא רבי עקיבא אצל רבותינו שבדרום, ושנאה להם. רבי מאיר ורבי יהודה ורבי יוסי ורבי שמעון ורבי אלעזר בן שמוע, והם הם העמידו תורה אותה שעה.

They said: R Akiva had 12,000 pairs of disciples, from [the city of] Gevat to [the city of] Antipatris, and they all died in one period because they disrespected each other.

The world was desolate, until R Akiva came to our rabbis in the south and taught it to them: R Meir, R Yehudah, R Yose, R Shimon, and R Elazar ben Shammua, and they are the ones who have reestablished the Torah at the time.

The anonymous tradition was composed years after R Akiva's death by someone who had a broader historical perspective of the Bar Kokhva rebellion and its consequences, and it criticizes, in an encoded message, the double identity of R Akiva. The disciples are counted not as individuals but as pairs, alluding to military training and marching formation. Those students are spread between two cities which mark the Roman territory in Israel, from the center to the north. One of these cities, Antipatris, was a Roman city built by King Herod in honor of his father. The phrase "from Gevat to Antipatris" occurs in two places¹⁰, and in both cases, they state that wars could succeed only by the merit of Torah study. By mentioning the two cities, the author rebukes R Akiva, suggesting that he should have focused on teaching Torah instead of waging wars.

The lack of respect attributed to the disciples is another way of saying that they had no moral values, most probably because they were combatants and not students of Torah. This is pointed criticism on R Akiva who stated that the Torah's golden rule is "Love your brethren as you love

yourself.”¹¹ The disciples of R Akiva failed to learn the most basic and fundamental message of their master, without which there is no Torah.

The tradition goes on to say that the world was desolate, meaning that R Akiva's military efforts were devastating. Modern historians have proven that within decades of the Great Revolt, the Jewish community in Israel gradually rehabilitated. This progress was halted with the Roman response to the Bar Kokhva revolt in 132-135, and the community was never able to restore its status.

The only field in which R Akiva's efforts were successful, is in the field of teaching Torah. His second round of activity is described as a sharp departure from the first. The first was spread from the center to the north with tens of thousands of disciples, whom he groomed from youth. The second was conducted in the south of Israel, with a small group of already established scholars, our “Rabbis of the South”, whose knowledge was only enhanced or fine-tuned by the teachings of R Akiva.

In conclusion, the laconic Talmudic paragraph about R Akiva and his disciples clearly rejects his military efforts, stating that the few scholars he taught after the failure of that campaign are the ones who are responsible for the continuous existence of the Jewish people and the Torah.

The Disciples: Where do they all come from?

Recruiting thousands of soldiers shortly after the Great Revolt, which left survivors in Israel dispirited and reeling in agony, was not an easy task. R Akiva decided to look for followers elsewhere, and so he traveled the Roman Empire wide and far, raising funds and recruiting volunteers to fight against the Romans. Many of these soldiers were converts, and some sources suggest that R Akiva himself was a convert or a descendant of converts. It is very probable that as a descendant of converts, R Akiva was not inhibited by the same fear of the Romans as were his colleagues, who were Jews from birth.

R Akiva's efforts in converting people must have been very successful since historians estimate that during the first century of the Common Era, Jews formed between 2-10 percent of the world's population, mainly as a result of mass defection of Greeks and Romans from their religion to Judaism. This is intriguing, since even if we assume that R Akiva did not work alone

and there were other rabbis who helped him in his conversion campaign, how were they able to achieve such massive following?

There are several contradicting sources regarding R Akiva's genealogy, but they all refer to some non-Jewish element in his past. R Mordechai Fogelman summarizes the problem:

According to Maimonides it was the father of R Akiva, Joseph, who was a convert. The Talmud and the Midrash, however, make no such mention, so maybe Maimonides had a source we are unaware of. R Avraham Zakkut mentions the tradition in a way that might suggest that R Akiva himself was a convert, and adds that he was a descendant of Sisera, the Biblical Canaanite general. Maimonides also counts R Akiva among the four scholars he names "community of converts" ¹².

R Ashtori Ha-Farhi, who moved from Provence to Israel in the 13th century, toured Israel and studied its history, geography, and nature. He writes the following about the burial sites in Tiberias:

In Tiberias also slumber a great number of the righteous, the pious, and the true converts, among them R Akiva and his 24,000 disciples. ¹³

It seems that R Ha-Farhi had a tradition that R Akiva and all of his disciples were converts.

There is also a reference to R Akiva's origin in the ruling of the Chief Rabbinate of Jerusalem. The ruling states that a convert can issue a halakhic decision on certain issues, as we see that R Akiva, who was a convert, issued many such decisions ¹⁴. The publisher of the text does remark that the tradition points to R Akiva's father as the convert.

While R Akiva's origin is shrouded in mystery, he himself attests that he traveled throughout the Roman Empire: "when I visited Arabia... Gallia (Gaul)... Africa." ¹⁵ R Akiva also visited the island colonies of Greece and Rome, known in rabbinic literature as the "Cities of the Sea."

One specific trip to the island colonies is of extreme importance because it sheds light on R Akiva's conversion tactics. This trip is reported by a later traveler by the name of Ben Yasian, who was surprised to find a convert who married the wife of his half-brother. Ben Yasian asked

the convert who gave him permission to do so, and the convert answered: “R Akiva was sitting on this very bench when he said that a convert is allowed to marry his half-brother’s sister.”¹⁶

Reading this story, one wonders whether R Akiva issued lenient rulings to encourage non-Jews to convert to Judaism. I believe that the answer is positive, and it is corroborated by two opposing Halakhic rulings in which R Akiva takes an extreme position. On one hand, he says that if a non-Jewish man and a Jewish woman had a child together that child is a *mamzer*, meaning that he cannot marry other Jews¹⁷, and on the other hand he says that a Cohen can marry a convert.¹⁸

R Akiva wanted to prevent intermarriage and encourage conversion, and so he excluded the product of intermarriage from the Jewish world, but allowed a convert woman to marry anyone, including a Cohen.

This was not the only “discount” R Akiva made in the field of conversion. His most important contribution, which also explains how he recruited so many followers and caused the population explosion mentioned earlier, is reported in the Talmud in a laconic, ten-word long statement:

*One who converted among the non-Jews [with no witness] and transgressed Shabbat is punishable.*¹⁹

R Akiva did not require a Beth Din to make a conversion valid, and one’s statement that he converted to Judaism was accepted. Circumcision if needed, would be performed then and not as prerequisite for the conversion. In that manner, R Akiva traveled from one Roman colony to another, encouraged his listeners to join the Jewish religion and the war against the Romans, and then sent them away to recruit and convert more people without a need for Beth Din.

This activity of R Akiva is attested to in several places. R Yehudah, one of R Akiva’s second generation of disciples, speaks of: “my friend Minyamin, an Egyptian convert and one of R Akiva’s disciples.”²⁰

In another intriguing story in the Talmud, R Akiva and other scholars visit the elderly R Dossa ben Harkinas. When R Dossa finds out that one of his visitors is R Akiva, he volunteers a piece of information. He says that the prophet Haggai declared that one can accept converts from the nations of Kardou and Tarmod.²¹

Obviously, R Dossa knew of R Akiva's efforts, as well as of the opposition of some of his colleagues. He voiced his support for R Akiva's conversion campaign by saying that he can accept converts even from these two nations, whose status was questionable because some claimed that they were descendants of Canaanite "forbidden" tribes.

But R Akiva did more than just recruiting followers, he raised funds as well. The Talmud says that R Akiva was extremely wealthy, and mentions six sources for that wealth.²² Two of them are of special interest to us. One is the story of Ketiva bar Shalom, a Roman senator who defended the Jews and was executed by the emperor.²³ Ketiva was miraculously circumcised a moment before his death, and when he was about to die, as a Jew, he bequeathed his wealth to R Akiva and his friends.

The other story is about the wife of the Roman provincial governor of Judea, Quintus Tineius Rufus, known in Jewish sources as Wicked Turnusrufus. Rufus's wife wanted to tempt R Akiva by exposing her leg to him, but he responded, among other acts, by laughing. When asked why he did that, the rabbi answered that he envisioned, by divine inspiration, that she will convert to Judaism and marry him, which eventually happened.²⁴

We learn from these two stories that R Akiva was very active among Roman nobility, and that he might have deliberately targeted powerful Romans in order to win their support and their financial reserves. Now that we have clarified the role of R Akiva as a leading force in the preparations for Bar Kokhva's revolt and the conversion campaign, let us return to the question of the size of his army.

How Many Soldiers?

The Talmud reports, according to one version that R Akiva had 24,000 disciples, and according to another, 48,000. It is important to know that the Talmud, and the Midrash, cannot be taken literally when dealing with historical facts, numbers, and quantities. That understanding has implications on major issues in Jewish life and Halakha, among them such disparate questions as Zionism and reproductive rights, to mention but two. We should therefore assume that Even though R Akiva has created a massive conversion movement overseas and in Israel, he probably had only a few thousands of warriors during the revolt, and not 24,000 or more.

Here are some examples of Talmudic and Midrashic exaggerations and the attitude of later commentators towards them:

Already the rabbis of the Talmud acknowledged the fact that some statements in the Mishna are exaggerated. Among the examples cited for this practice we can find the following²⁵:

1. On top of the altar there was a place for gathering the ashes of the sacrifices, and it would sometimes contain close to 2,500 cubic ft.
2. The lamb used for the daily sacrifice was given water in a golden goblet.
3. 300 men were needed to wash the curtain hanging in the Temple.
4. One of the musical instruments in the Temple could produce 1,000 different voices²⁶.

The Talmudic scholar R Amme comments that exaggeration is a common practice not only for the sages but for the Torah and the prophets as well:²⁷

“The Torah, the prophets, and the scholars, all use imaginary terms.”

Rashi explains that:

“Imaginary language is the way a simple person speaks. He says something which is not [true], but he does not mean to lie, rather he does not pay close attention to what he says.”²⁸

R Yom Tov Al-Sevilli, the Ritv”a, writes in 14th century Spain that:²⁹

“It is common for people to exaggerate, for example to say that something numbers in the hundreds or thousands, and everyone knows that he is exaggerating.”

In 19th century Lithuania, R Shmuel Strasson writes that the number twelve is commonly used in the Talmud and Midrash to mark an exaggerated statement³⁰. His comment is of interest to our discussion, since the number of the disciples is referred to in dozens of thousands. According to R Strasson, that is a proof that the number is exaggerated.³¹

Since it is very common for Talmudic and Midrashic sources to exaggerate, even when talking of historical events, and since the number 12 and its multiples are a favorite tool in cases of exaggeration we can conclude that R Akiva had much less than 24 or 48 thousand followers.

The historical and textual analysis was presented here to support the argument at the opening of this article:

The time has come to recognize the chain of events which brought to the creation of the Omer practices as we know them today, and to acknowledge that we are on the path to redemption. The only days during the Omer in which one should practice mourning are the 27th of Nisan and the 4th of Iyar, which commemorate the Holocaust and the fallen soldiers of Israel.

Appendix: Halakhic arguments for ceasing to mourn

There are four major concepts in the Omer mourning practices today:

1. Not having weddings.
2. Not listening to music.
3. Not having a haircut.
4. Not shaving.

We could rely on the following concepts to call for ceasing to mourn, even if there was originally a justified cause for mourning:

1. הלכה כדברי המקל באבל – when it comes to mourning, one should always follow the most lenient opinion. The logic of this rule is that one cannot be forced to mourn. The laws of mourning, as we shall see in future discussions, are not meant to obligate someone to be sad but rather to facilitate the process of grieving and expressing sadness.
2. אבלות ישנה – Halakha dictates that expressions of grief should be lessened when dealing with “old mourning”. The term refers to a case where one heard of his loss several months or a year after the event. It should definitely apply to events which allegedly took place in 132-135 CE. Even if there were 24,000 disciples, and the whole nation would sit Shiva for each and every one of them, it would amount to a mourning period of 460 years, ending on the year 595 CE.
3. אין מתקשין על המת יותר מדי – one is not supposed to mourn for more than the prescribed periods which are three and seven days, a month, and a year. This is not to say that one should not feel grief but that external expressions, especially public ones, are limited in time.
4. The practice was a spontaneous decision of some communities following the bar Kokhva revolt. It was almost completely forgotten but then revived after the Crusades which took place roughly at the same time of year. It was practiced only in parts of Europe but then adopted by some kabbalists who eventually influenced R Yosef³².

With these concepts and insights in mind, let us examine the aforementioned practices:

Weddings: The prohibition against having weddings has probably originated from a sense of loss of young lives, the lives of the soldiers of R Akiva and bar Kokhva. While it is understood that people felt that way immediately following the war, there is no justification to continue this practice indeterminably, especially since it halts the development of new young families. That indeed was the practice of many rabbis who limited the prohibition only to a second wedding of one who already has children. Among them we count the Radvaz³³ who rules that it is allowed to have a wedding during the whole Omer period for those who were never married, or were married before but have no children.

Music: The prohibition of listening to music is a secondary one, since it stems from the ban on weddings. Before the modern age weddings were among the few occasions in which most people, especially Jews, were able to listen to music. Naturally, people associated music with weddings and declared it forbidden. Today, we distinguish between recorded and live music. There is no doubt that one can listen to recorded music. Going to a concert depends on the type of music and individual feeling, even in periods of commonly prescribed mourning for relatives. If one feels that going to a concert will make him extremely happy, and also feel guilty for being that joyous, one should not go, but otherwise there is no problem.

Haircuts: Letting one's hair grow wild is a staple of mourning in many cultures and it is not unique to Judaism. The rabbis determined that a mourner should not have a haircut for thirty days, because this is the average time span in which one obtains the desired unkempt look, which shows that one is mourning. The practice in many communities was to have a haircut, during the Omer, in honor of Shabbat. The argument was that the practice of mourning during the Omer was not mentioned the Talmud or in any of the major codes of Halakah, and it therefore cannot override the honor we must show Shabbat.

Shaving: Shaving is not mentioned at all among the practices of Omer and its inclusion today stems from a linguistic error. Until recently most observant Jews did not shave regularly because there was no kosher substitute for razors. When authors of books of Halakha talk about shaving they are referring to beard trimming and not to we call today shaving.³⁴ An interesting proof to that is found in the writings of Maharil: "...R Stein of Oppenheim used to shave his beard in hiding before going to see his master, R Segal. R Stein used to say that he knows that his master would not be able to notice that he shaved."

If we are dealing with shaving as we know it, the rabbi would have known right away that his disciple disobeyed him (he was the one who instituted the practice of not shaving). It is obvious that shaving in Halakhic writings of the period of the establishment of the practice means trimming the beard. For someone who shaves every day, skipping even one day causes a sense of unease, especially if his line of work involves personal interaction. The suffering caused by not shaving is disproportional to the status of the Omer mourning as ancient and unsubstantiated and one therefore is allowed to shave regularly.³⁵

Conclusion: Even without changing the general status of the Omer as it is today, weddings should be allowed for first marriage or for those who do not have children yet. Recorded music is allowed without restrictions, and live music is allowed except for those who feel that the joy they derive from it is not appropriate for the Omer. One can have a haircut in honor of Shabbat, Rosh Hodesh, Yom HaAtzmaut, Bar Mitzvah, or Berit Milah, and one who shaves daily can continue doing so.³⁶

¹ See the excellent biography published recently by Dr. Mor Altschuler: חיי מרן יוסף קארו

² הרב משה בוצ'קו, ראש ישיבת עץ חיים, בענין איסור התספורת בזמנים מיוחדים, בתוך: קול מהיכל ה', תשרי תשנ"ז:

³ תלמוד בבלי מסכת כתובות, סב:ב – סג:א: רבי עקיבא רעיא דבן כלבא שבוע הוה, חזיתיה ברתיא דהוה צניע ומעלי, אמרה ליה: אי מקדשנא לך אזלת לבי רב? אמר לה: אין. איקדשא ליה בצניעה ושדרתייה. שמע אבוא אפקה מביתיה, אדרה הנאה מנכסיה. אזיל יתיב תרי שנין בבי רב. כי אתא, אייתי בהדיה תרי סרי אלפי תלמידי. שמעיה לההוא סבא דקאמר לה: עד כמה קא מדברת אלמנות חיים? אמרה ליה: אי לדידי ציית, יתיב תרי שני אחריני. אמר: ברשות קא עבידנא, הדר אזיל ויתיב תרי שני אחריני בבי רב. כי אתא, אייתי בהדיה עשרין וארבעה אלפי תלמידי.

⁴ תלמוד בבלי מסכת יבמות, סב:ב: אמרו: שנים עשר אלף זוגים תלמידים היו לו לרבי עקיבא, מגבת עד אנטיפרס, וכולן מתו בפרק אחד מפני שלא נהגו כבוד זה לזה. והיה העולם שמם, עד שבא רבי עקיבא אצל רבותינו שבדרום, ושנאה להם. רבי מאיר ור' יהודה ור' יוסי ורבי שמעון ורבי אלעזר בן שמוע, והם הם העמידו תורה אותה שעה. תנא: כולם מתו מפסח ועד עצרת. אמר רב חמא בר אבא, ואיתימא ר' חייא בר אבין: כולם מתו מיתה רעה. מאי היא? א"ר נחמן: אסכרה.

⁵ רבי חיים פלאג'י, שו"ת חיים ביד סימן קכו: ... איך יתכן זאת בכ"ב אלף תלמידים שיכול ללמוד אותם אדם אחד אפילו שיהיה חכם כמשה רבינו ע"ה שהיה רבן של כל ישראל שיכול לעשותו במקום אחד? אי מצד המלמד, אפילו שילמוד ביום ובלילה ולא יתן שינה לעיניו ולעפעפיו תנומה כי אם שעה א' בכ"ד שעות אינו מספיק השעה ללמד אפילו לאלף תלמידים, כ"ש וק"ו לכ"ב אלף. וגם מצד התלמידים, איך יכולים לשמוע בלימודם דבריו של הרב המלמד? וגם דצריך שיהיו כולם רואים פני הרב כדי שיתנו דעתם להבין אמרי בינה.

וכמו כן מצינו ביבמות ס"ב ע"ב שאמרו די"ב אלף זוגים תלמידים היו לו לרבי עקיבא מגבת עד אנטיפרס וכולן וכו' יע"ש והגם שנאמר בר"ע שלא היו כולן בבת אחת קורין לפניו אלא שהרביץ תורה בתלמידים לפרקים בשנים רבות ועלו הסך י"ב אלף זוגים תלמידים ברוב השנים אפי"ה כ"כ סך שהוציא מתלמידיו ודאי שהיו בפניו בבת אחת סך עצום ורב בזמנים הנ"ל ...

ובהכרח צ"ל שמרדכי ור' עקיבא היו הם ראשי ישיבות והם מינו ריש דוכנא לכל ארבעים תלמידים שילמוד אותם וכן ע"ג שרי אלפים ושרי מאות וריש דוכנא בחמשים ומרדכי ור' עקיבא על גביהן רבם של כולם וכל הדבר הקשה יביאון אליהם ... ועוד אפשר לומר ... ב' פעמים בשנה

דוקא בחדש אדר ובחדש אלול היו נאספים כל התלמידים בישיבה גדולה במקום אחד והיו קורין לפני מרדכי ובשאר ימות השנה כל אחד ואחד היה קורא בביתו המסכתא שהיה נותן לו רבו לעיין בעיין להבין המסכתא ובבואם בשני חודשים הנ"ל היו מסדרים התלמידים מה שהבינו בעיונם ואם לא היה מעיין בטוב היה גוער בו הראש ישיבה שהוא מרדכי כדי שיתנו דעתם לעיין ולהבין ההלכה.

רבי מנחם המאירי, בית הבחירה, פתיחה למסכת אבות: וכל שכן שלא נוכל להודיע כל חכמי התלמוד שהיו לאלפים ולרבבות והנך רואה ⁶ אומרם ז"ל במס' סוכה (כ"ח א') שמונים תלמידים היו להלל הזקן כו' ולא נתברר שם מהם אלא יונתן בן עוזיאל שהיה גדול שבכולם ורבן יוחנן בן זכאי שהיה קטן שבכולם. וכן ידעת אומרם ז"ל (יבמות ס"ב ב') שי"ב אלף תלמידים היו לו לרבי עקיבא ואת חשוב שאנחנו יודעים או שמענו? וכל שכן זמן הגאונים שלא נודע לנו מהם אלא אחד מעיר ושנים ממשפחה לרוב פרסום מעלתם,

במדבר כד:יז: דָּרַךְ כּוֹכַב מִיֵּעָקֵב וְגַם שָׁכַט מִיִּשְׂרָאֵל וּמִחַץ פְּאֲתֵי מוֹאָב וְקָרַקַר כָּל-בְּנֵי-יִשְׂרָאֵל ⁷

ירושלמי, תענית ד:ה: ⁸

⁹ That fear might seem strange to the modern reader but it was a very substantial one for Jews in diaspora. Such was the sensitivity to possible repercussions from hostile or dictatorial regimes that even liturgical pieces were self-censored. Take for example the poem אליך ה' נשאתי עיני which is part of the Sephardic Selihot cycle. All lines rhyme with the sounds "dekha" נגדך, עדיך, חסדך - except for one where the original word גודודיך – troops, which has military connotations, was replaced by the neutral word המוניך – multitudes.

בבלי סנהדרין, צד:ב: חובל עול של סנהריב מפני שמנו של חזקיהו שהיה דולק בבתי כנסיות ובבתי מדרשות. מה עשה? נעץ חרב על פתח ¹⁰ בית המדרש ואמר: כל מי שאינו עוסק בתורה ידקר בחרב זו, בדקו מדין ועד באר שבע ולא מצאו עם הארץ, מגבת ועד אנטיפריס ולא מצאו תינוק ותינוקת, איש ואשה, שלא היו בקיאים בהלכות טומאה וטהרה.

ירושלמי תענית, ד:ה: ומפני כובד מלחמה שלא רצו להלחם במלחמתה של תורה. כמה דאת אמר: על כן יאמר בספר מלחמות יי! אמר רבי יוחנן, מגבת ועד אנטיפריס ששים ריבוא עירות היו, הקטנה שבהן היא היתה בית שמש, דכתיב בה ויך באנשי בית שמש כי ראו בארון יי וגו', ואילו מרוח אחת היו אין את מבצע לה קניי לא נסייה.

The first source speaks of the military campaign of Sanheriv against Hezekiah, saying that it was foiled by dedication to Torah study:

The yoke of Sanheriv slipped away because of the oil [of the lamps lighting the night for students] of Hezekiah.

What did he do? He drove a sword into the door of the Beth Midrash and said: "anyone who does not study Torah will be killed by this sword." They then searched... from Gevat to Antipatris but could not find a young girl or boy, a man or a woman, who were not thoroughly knowledgeable in the [very difficult] laws of purity.

The second source speaks of the destruction of the First Temple, saying that there were 600,000 cities between Gevat and Antipatris, and they all perished because they did not want to fight the war of Torah. Both sources are fiction, since Antipatris was built 600 years after the destruction of the First Temple. The second is also extremely exaggerated, as the Talmud itself immediately comments, since the area described cannot contain even 600,000 trees.

Both Midrashic sources deliver the same message as the statement about R Akiva's disciples: the war against the Romans cannot be won by physical means, and the only way to persevere and win is by studying Torah.

ירושלמי נדרים, ט:ד: ואהבת לרעך כמוך. רבי עקיבא אומר זהו כלל גדול בתורה. ¹¹

שו"ת בית מרדכי, א:פ: לפי דברי הרמב"ם בהקדמתו למשנה תורה היה יוסף, אביו של ר' עקיבא גר צדק. בתלמודים ומדרשות לא נזכר ¹²

בשום מקום כי יוסף, אביו של ר' עקיבא היה גר צדק. כנראה, שהיה לו לרמב"ם איזה מקור שאינו נמצא בידינו. וגם בספר יוחסין השלם ע' 37

ו - 75 אומר: "ר' עקיבא בן יוסף גר צדק, מבני בניו של סיסרא". הם מתכוונים לגיטין נז, ב; סנהדרין צו, א, ושם נאמר כי מבני בניו של סיסרא לימדו תינוקות בירושלים; אבל לא נאמר שם כי יוסף, אביו של ר' עקיבא, היה גר צדק. הרמב"ם בהקדמתו למשנה, סדר זרעים, מונה את ר' עקיבא בין הארבעה שהיו מקהל גרים. ובספר יוחסין השלם עמוד 37 אומר על ר' עקיבא: "ואולי יוסף אביו נשא בת ישראל מגזע אברהם, כיון שהוא ראש ישיבה ומעבר שנים, בהכרח תהיה אמו מישראל ומקרב אחיך קרינן ביה. וראה גם דף על הדף, קדושין, עה:ב: בעשרה מאמרות (חקור דין ה, י) מובא, שרבי עקיבא בא מסיסרא, שבא על יעל אשת חבר הקיני. והקשה החיד"א (סדר הדורות, סדר תנאים ואמוראים אות פ), הרי רבי עקיבא הוא זה שסובר עובד כוכבים הבא על בת ישראל הולד ממזר, ולא יתכן לומר כך על רבי עקיבא, (ואף יותר מכך מצינו שרבי עקיבא היה מעבר שנים שלכך צריכים מיוחסים דוקא). אכן בילקוט שמעוני (יהושע א, ט) מובא שיעל היתה גיורת, ויש לומר דנתגיירה אחר שבא עליה סיסרא. ספר כפתור ופרח פרק ז: וכן בטבריה ישנים קהל גדול מן הצדיקים והחסידים וגרי הצדק, ומכללם רבי עקיבא וארבעה ועשרים אלף¹³ תלמידיו שמתו מפסח ועד עצרת שלא נהגו כבוד זה לזה. פסקי דין - ירושלים דיני ממונות ובירורי יוחסין ז עמוד תכב: ולהוראת אסור והיתר ודאי גר וזקן וכיו"ב כשרין, והרי ר' עקיבא שהיה גר¹⁴ והורה כמה הוראות (וקצת צריך עיון, דעי' ברמב"ם בהקדמה למשנה תורה שכתב ור"ע בן יוסף קיבל מר"א הגדול ויוסף אביו גר צדק היה. הרי שר"ע לא היה גר אלא בן גר). בבלי ראש השנה, כו:א: אמר רבי עקיבא: כשהלכתי לעריבא היו קורין לדכרא יובלא. ואמר רבי עקיבא: כשהלכתי לגליא היו קורין לנדה¹⁵ גלמודה. מאי גלמודה - גמולה דא מבעלה. ואמר רבי עקיבא: כשהלכתי לאפריקי היו קורין למעה קשיטה. בבלי יבמות, צח:א: דאמר בן יאסיין: כשהלכתי לכרכי הים, מצאתי גר אחד שנשא אשת אחיו מאמו, אמרת לו: בני, מן הרשך? אמר לי: הרי¹⁶ אשה ושבעה בניה, על ספסל זה ישב ר' עקיבא ואמר שני דברים: גר נושא אשת אחיו מאמו. בבלי קידושין, עה:ב: סבר לה כר' עקיבא, דאמר: עובד כוכבים ועבד הבא על בת ישראל - הולד ממזר¹⁷. בבלי יבמות, סא:ב: רבי עקיבא אומר: זונה - זו מופקרת... וחכמים אומרים: אין זונה - אלא גיורת, ומשוחררת, ושנבעלה בעילת זנות.¹⁸ תוספתא שבת (ליברמן) פרק ח: גר שנתגייר בין הגוים ועשה מלאכה בשבת ר' עקיבא מחייב ומונבו פטר¹⁹. בבלי יבמות, עח:א: מנימין גר מצרי היה לי חבר מתלמידי רבי עקיבא.²⁰ בבלי יבמות, טז:א: א"ל: רבי, אמור לתלמידך אחר וישב. א"ל: ומי הוא? עקיבא בן יוסף. א"ל: אתה הוא עקיבא בן יוסף, ששמך הולך מסוף²¹ העולם ועד סופו? שב, בני, שב, כמותך ירבו בישראל. התחילו מסבבים אותו בהלכות... אמר להן... מעיד אני עלי שמים וארץ, שעל מדוכה זו ישב חגי הנביא, ואמר שלשה דברים: ...מקבלים גרים מן הקרדוין ומן התרמודים. בבלי נדרים, מט:א-ג:ב: מן שית מילי איעתר רבי עקיבא: ... ומן מטרוניתא; ומן אשתו של טורנוסרופוס; ומן קטיעא בר שלום.²² בבלי עבודה זרה, יב:ב: קטיעה בר שלום מאי היא? ... כד הוה נקטין ליה ואזלין, אמרה ליה ההיא מטרוניתא: ווי ליה לאילפא דאזלא בלא²³ מכסא! נפל על רישא דעורלתיה קטעה, אמר: יהבית מכסי חלפית ועברית. כי קא שדו ליה, אמר: כל נכסאי לר"ע וחביריו. יצא ר"ע ודרש: והיה לאהרן ולבניו - מחצה לאהרן ומחצה לבניו. בבלי עבודה זרה, כ:א: ואף ר"ע ראה אשת טורנוסרופוס הרשע, רק שחק ובכה, רק - שהיתה באה מטיפה סרוחה, שחק - דעתידה דמגיירא²⁴ ונסיב לה, בכה - דהאי שופרא בלי עפרא! בבלי חולין, צ:ב: תפוח היה באמצע המזבח, פעמים היה עליו כשלש מאות כור... השקו את התמיד בכוס של זהב, אמר רבא: גוזמא!²⁵ בבלי ערכין, יא:א: כל אחד מוציא מאה מיני זמר, נמצאת כולה מוציאה אלף מיני זמר. אמר רב נחמן בר יצחק: וסימניך - מתניתא גוזמא.²⁶ חולין, שם: אמר רבי אמי: דברה תורה לשון הואי, דברו נביאים לשון הואי, דברו חכמים לשון הואי.²⁷ רש"י מסכת חולין, שם: לשון הדיוט שאינו מדקדק בדבריו, ומוציא בפיו דבר שאינו, ולא שיתכון לשקר אלא לא דק.²⁸ ריטב"א, שבועות, כט:א: דרך בני אדם לגזם דבריהם, שאומרים על דבר רב מנין מרובה ממנו, כגון שיאמר אלף ויאמר רבבה או יותר לגזם²⁹. והכל יודעים כי לגזם נתכוין.

³⁰ רבי שמואל שטראשון, שבת קי"א: אבל מצאנו גם כן תריסר בכל מקום לגזמא (לעיל נד ב') תריסר אלפי עגלי כו' וכן הוא בתוס' יומא (סו) ובע"ז (יג) ובבכורות (נג) אכן בביצה הגי' בגמרא תליסר. ובב"מ (מו) רב פפא הווי ליה תריסר אלפי זוזי... בב"ב (קמט) דאיסר גיורא הווי ליה תריסר אלפי.

³¹ It is true that not all authorities agree that the Talmud exaggerates, but their position is a difficult one to sustain. R Menashe Klein, for example, calculates the number of Cohanim present at the inauguration of the First Temple as close to two million:

הרב מנשה קליין, שו"ת משנה הלכות, חלק ח, סימן פג: והנה לכ"ב אלף בקר ... ס"ה 1,848,000 כהנים לבד שהקריבו קרבנות ולא נכלל בעלי מומין וחולים וזקנים וקטנים ונשים ועבדים הרבה מאד וכל זה היה גם לבד מישראלים כחול הים הרבה מאד, ואין לומר דגוזמא קתני. If we assume that the Cohanim form three percent of the population, that statement will put the number of people in King Solomon's Israel at around 70,000, 000, but that, says R Klein, is not an exaggeration.

Another example is Midrash regarding the number of people in the Hasmonean state. The Talmud says that King Yannai's (127-76 BCE) kingdom was so densely populated, that in one region only there were 600,000 cities. Each one of these cities had a population of 600,000, except for three which had 1.2 million citizens each:

תלמוד בבלי, מסכת גיטין, דף נו, עמוד א: ששים רבוא עיירות היו לו לינאי המלך בהר המלך, וכל אחת ואחת היו בה כיוצאי מצרים, חוץ משלש שהיו בהן כפלים כיוצאי מצרים, אלו הן: כפר ביש, כפר שיחליים, כפר דכריא.

Even here, R Klein argues that it is not an exaggeration, and that it is possible for Israel to contain what he calculates to be a population of 5 billion people:

הרב מנשה קליין, שו"ת משנה הלכות, חלק טו, סימן קכו: והרי שהי' לו לינאי המלך ששים רבוא עיירות שבכל אחת היו בה כיוצאי מצרים, ושלש מהם כפלים כיוצאי מצרים... נמצא לפי החשבון לערך שש מאות אלף וחמש עשרה מיליאנים עיירות וכל עיר ועיר כיוצאי מצרים נמצא שש מאות אלף וחמש עשרה כפול חמש מיליאנים, שעולה ליותר משלשת ביליארד אנשים רק בעיירות אלו.

R Klein's possessed great halakhic knowledge and was a prolific writer, but with all due respect, statements such as this cause people to veer off the path of Judaism.

First, population of the Greek and Roman empires oscillated between 5 and 50 million. Besides that, R Klein's calculations are wrong. 600,003 times 600,000 come to more than 360 billion which is more than 50 times current global population, and 10 times more than the estimate of the number of all humans who ever lived.

There is yet another Midrashic statement which puts the number of residents of Jerusalem in the trillions, and I believe that no one in his right mind would attempt to take it literally:

איכה רבה, פרשה א: תני רבי שמואל עשרים וארבע פלטיות היו בירושלים, וכל פלטיא ופלטיאה עשרין וארבעה מבאות, וכל מבוי ומבוי עשרין וארבעה שווקים, ועל כל שוק ושוק עשרים וארבעה שקקים, ועל כל שקק ושקק עשרים וארבעה חצרות, ועל כל חצר וחצר עשרים וארבעה בתים, וכל חצר וחצר היתה מוציאה עם כפלים כיוצאי מצרים.

R Shemuel taught: there were 24 plazas in Jerusalem, in each one of them 24 streets, in each street 24 marketplaces, in each marketplace 24 exits, in each exit 24 courtyards... in each courtyard twice as many people as those who left Egypt.

This Midrash uses number twenty-four, or two dozen, 6 times, and brings the number of Jerusalemites before the destruction to 24x24x24x24x600,000 which is 4,800 billion.

32 רבי אברהם ב"ר יעקב סבע, (נכדתו, בתו של בנו ר' יצחק, נישאה למרן ר"י קארו), צרור המור ויקרא פרשת אמור:

33 רבי דוד בן זמרא, שו"ת רדב"ז, חלק ב סימן תרפז: שאלת ממני על מה שנהגו להסתפר בראש חדש אייר... תשובה אנא עבידנא עובדא בנפשאי ואני מסתפר כל חדש ניסן ור"ח אייר וכן נהגו רוב העולם. והטעם כיון שהם אסורים בהספד ובתענית אין אבילות זה שהוא תלוי במנהג נוהג בהם... שהרי עיקר איסור התספורת אינו מן הדין אלא ממנהג ואתי מנהג ומבטל מנהג בטעמא כל דהו. תו איכא טעמא דאיכא צער בגידול השיער למי שרגיל להסתפר... אני ראיתי כמה קהילות שלא נהגו מנהג זה כלל ומסתפרים בכל שבוע כפי מנהגם לכבוד... וכן מה שנהגו שלא לישא נשים עד ל"ג לעומר בזמן שיש שם סבה וטעם לא חיישינן למנהגא כגון שלא קיים מצות פריה ורביה... דלא עדיף האי מנהגא מאבילות של ל" יום וברור הוא.

34 ספר מהרי"ל, (מנהגים) דיני הימים שבין פסח לשבועות: מהר"י סג"ל הנהיג לבחוריו איסור גילוח מפסח עד ל"ג. ויש נוהגין בהחבא היתר קודם ר"ח אייר. וכן ראיתי נוהג מהר"ז שט"ן שישב באופנהיים ג' פרסאות מק"ק דמגנצא והיה מגלח וקנו קודם ר"ח אייר טרם הלך למתיבתא דמהר"י סג"ל למגנצא, ואמר לא ירגיש בי אמ"ץ הרב מתי גלחתי.

35 הרב חיים דוד הלוי, עשה לך רב, ח, לט: מתוך דבריך לא ברור אם מנהג בית אביך הוא: לא להתגלח משך "כל" ספירת העומר... היינו עד ערב חג השבועות וכמנהג המקובלים, וזה שקשה עליך, או הקושי שלך הוא אפילו עד ל"ד לעומר, עכ"פ בין כך ובין כך, כיון שהמצב בזמנינו הוא ממש כמתואר בשאלה הנ"ל, שכל הצבור כולו כבר אינו מקפיד על קיום המנהג, ורק בני תורה עדיין נמנעים מלהסתפר בימי הספירה, יתכן שכל הדור הזה כבר ביטל את המנהג מעיקרו, ואף להתרה אינך צריך... והוא הדין בנדון דידן שיש צער לאדם לסבול גידול וקנו זמן כה רב שאם באמת אינו יכול לסבול יעשו לו התרה. ובעין זה מצאנו שמי שנהג להסתפר כל ערב - שבת ואם עובר אפילו שעה יש לו מיחוש הראש ותקנתו להסתפר מיד מותר לו להסתפר בימי העומר (עיקרי הד"ט סימן כ"א אות ח'). והצער הנפשי בגידול הזקן הוא גדול יותר מצער המיחוש...

36 Here is the relevant part from the seminal Psak by R David Chelouche (חמדה גנוזה, ב:ג):

הרב שלוש מצטט את רבי דוד בן זמרא: כתב הרדב"ז (תרפ"ז חדשות): "אני מסתפר כל חודש ניסן וראש חודש אייר וכן נהגו רוב העולם. והטעם כיוון שהם [ימים אלה] אסורים בהספד ובתענית אין אבילות זה התלוי במנהג נוהג בהם... יש צער גדול בגידול השיער למי שרגיל להסתפר... ובשלושים ושלשה יום גדל מאוד השיער והאדם מצטער, ואני ראיתי כמה קהילות שלא נהגו מנהג זה כלל ומסתפרים בכל שבוע לכבוד השבת.

R Chelouche quotes R David ben Zimra who writes in his Responsa (687): I personally have a haircut throughout the month of Nissan and on Rosh Hodesh Iyyar and this is the practice of most people. The reason is that since one is not allowed to hold eulogies or to fast during those days, this mourning which depends on a custom cannot override to them. Additionally, one who is used to having regular haircuts suffers greatly by not having one... I have seen many communities which do not have this custom at all and they have a weekly haircut in honor of Shabbat.

הרב שלוש ממשיך לדון בנושא ומסיק: למסקנה, כיוון שהראשונים, בעל המכתם, המנהיג, המאירי, הזכירו המנהג שלא לישא אישה בלבד ולא הזכירו מנהג התספורת בימי העומר, ומהר"י ווייל כתב אפילו מנהג ליכא, וגם המנהג שלא להסתפר בימי העומר היה בגילוח הראש ולא הזקן, ובגילוח הראש עצמו הרדב"ז היה מסתפר בכל חודש ניסן וראש חודש אייר בטעמא דמסתבר, שכיוון שאסורים בהספד ותענית אי אפשר לנהוג בהם אבילות התספורת, לכן יש להקל בתספורת הזקן לאלה שרגילים לגלחו ויש להם צער גדול בגידולו בכל חודש ניסן עד ב' אייר, ולהסתמך בזה על אילן גדול הוא הרדב"ז... [וכן להתגלח] בערב שבת לכבוד שבת קודש, וכן ביום ה' אייר לאלה שנוהגים לומר בו הלל ולשמוח בו שמחה דקדושה. לפיכך ראוי והגון לחכמי ישראל במקום לאחוז בטפל, בחמרות התגלחת בימי העומר... להקדיש את ימי העומר לימים של תוכחה והטפת מוסר על גודל עוון שנאת חנם וחילול השם... ורכילות, לשון הרע, והנופה ושקר ומרמה והלבנת פנים ברבים בעתונים, ונראה שלשם כך תיקנו קדמונינו ללמוד פרקי אבות בין פסח לעצרת, כזה שכולם חכמה ומוסר להתנהגות בין אדם למקום ובין אדם לחברו

R Chelouche continues his analysis and then concludes: The early rabbis only mentioned the practice of not having weddings and did not mention the practice of not having a haircut during the Omer. Also, the practice only limited haircuts and not shaving, and even haircuts were allowed during the month of Nissan and on Rosh Hodesh Iyyar because they are joyous days.

He concludes: I would recommend to the rabbis to stop focusing on trivialities, namely the stringencies which are nothing but a means to remember the passing away of R Akiva disciples, and concentrate on the essential issues: teaching people to respect each other and to avoid deception, dishonesty, gossip and calumny.

This I believe is the reason the Sages established the custom to read Pirke Avot between Pesah and Shavuot, since this tractate is replete with moral and ethical lessons.