

נוראות הרב

שני שיעורים בעניני ראש השנה

מאת מרן רבנו יוסף דוב הלוי סולובייציק זצלה"ה

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August, 1996
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Preface

The two שיעורים on related topics were delivered by Rabbi Joseph B. Soloveitchick זי"ו (reverently referred to as the Rav, by his countless students and admirers), in Boston in the Summers of 1970 and 1972, as part of the annual ירחי כלה series. My objective is to publish, in readable form, my impressions of these שיעורים, after reviewing audio tapes and various notes taken by the attendees.

I have somewhat rearranged the order of the 1970 שיעור, and designated each topic by Roman Numerals. A Table of Contents, created by me, is also provided.

The 1972 שיעור is presented in substantially the same order as it was delivered by the Rav. Since the topics are interrelated, I was reluctant to divide them into discrete headings; I have, however, designated the different thoughts by paragraph numbers. A Table of Contents therefor, is also provided.

There are certain topics which are discussed in both שיעורים. I did not delete any such duplication, so as not to interfere with the structural integrity of the שיעורים and the Rav's development of his line of reasoning. I have also arranged the 1972 שיעור ahead of the 1970 שיעור, since the duplicated items are more comprehensively treated in the 1972 שיעור. This is particularly true of the Paragraphs I - II of the 1970 שיעור.

Though both שיעורים are quite complex, and assume familiarity with various Talmudic concepts and topics, nonetheless, the final portions do not require much Talmudic background. These are Paragraphs XIII until the end of the 1970 שיעור, and Paragraphs 36 - 44 of the 1972 שיעור.

In all instances, I have attempted to cite the text in full. The material which appears in brackets [], represent my own clarification.

All footnotes, except as otherwise indicated, were noted by the Rav, according to my information, during or after the שיעורים.

I am eternally grateful to the following individuals who invested enormous amounts of time and effort in producing this work: Malke Stern, Faige Klein, and Shoshana Friedman.

I cannot adequately express my boundless gratitude to my father, Dr. Aaron Schreiber, איש האשכולות, whose numerous comments and suggestions appear on each page of this work. My father invested so many countless hours in my Torah education, that it is impossible for me to ever begin to repay him. I, therefore, dedicate this work in his honor, to express my infinite gratitude for all that he has done on my behalf.

Finally, I must express my admiration and gratitude to my wife Ricki for her

constant support in all of my endeavors.

Since the transcription reflects my limited understanding of the שיעורים, I implore all readers to attribute any errors or omissions to me. This is intended as a temporary edition, and therefore, I would appreciate that all students of the Rav, especially those who may have been present during these שיעורים, provide me with their comments and suggestions for inclusion in the permanent edition.

These שיעורים were printed at my own expense, for the express purpose of disseminating the unique תורה of the Rav Zt"l. The sales price solely reflects the cost of distribution at the retail level. Any excess shall be distributed to a fund devoted to releasing the works of the Rav. It is my foremost hope that I have portrayed the שיעורים in the best possible light, and that I will be able to release שיעורים of the Rav on the other מועדים.

New York, New York
August, 1996

B. David Schreiber

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שיעור בעניני ראש השנה - ירחי כלה, תשל"ב
מאת הגרי"ד הלוי סולובייצק זצלה"ה
נרשם על ידי ברוך דוד שרייבר

(1) This שיעור¹ will discuss the topic of להיות בשבת שחל ראש השנה, the role of שופר as an instrument of שירה, the interplay between תקיעת שופר in מקדש, the dynamics of שופר, and the meaning behind יום הזכרון. Many of these subjects contain new insights developed by the Rav at that time. The Rav also explored the subjective components of מצות שופר and reconstructed them from basic Halachic precepts. The שיעור begins with a short introduction follows.

(2) As a rule, the emotional and experiential correlates of מצות, accorded for the performance of a מצוה, are of a personal and private nature. The individual is concerned with them, since in order to enjoy the מצוה properly, he must focus on the subjective qualities, which enhance his spiritual sensitivity and spiritual perceptions. The מצוה inspires him and gives him an opportunity not only to discharge the מצוה, but to enjoy the מצוה and to experience, through the performance of מצוה, self-fulfillment and inner serenity. It is important psychologically; הלכה, however, is not primarily interested in the inner experience². הלכה is concerned primarily with the external performance of a physical act. The latter is public, clearly defined and Halachically regulated. What transpires within the inner world of the one

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This is one of a series of lectures devoted to the memory of the Tulner Rebbe Zi'v, a מרחותן of the Rav, who was a חסיד ועניו and מתלמידיו של אהרן - a modest and humble person. He passed away the preceding חג השבועות. The Rav knew him very well, and had the opportunity to observe him. The Rav admired him very much and was most impressed by his modesty and humility.

2

Of course, it is preferable that one have כוונה to perform the מצוה; however, it is not necessary for one to obtain emotional or spiritual satisfaction therefrom.

performing the מצוה, does not concern the הלכה. The subjective component is outside the Halachic interest.

There are some מצוות, however, which Halachically include both the physical act and the inner experience. The latter is an integral part of the מצוה experience, and if it is lacking, then the person does not discharge his obligation. The Halachic gesture (קיום המצוה) consists not only of physical motion, such as ונטילה, ונטייה, אכילה, but also of inner feelings, generated by an emotional mood. These מצוות are referred to as קיום שבלב. The full realization of the מצוה takes place not only in the outside world, but in the internal world of man, as well. The מצוה consists not only of doing something, but in feeling something. תפילה is the typical representative of those types of מצוות. Not only the body, but also the soul, is involved in the act of fulfilling this מצוה. Similarly, שמחת יום טוב and אבילות are of this category. These types of מצוות are very limited, and most מצוות are identified with physical acts and motion.

The question arises with respect to שופר. Does it belong to the first group or to the second group? Is the subjective experience of the מצוה שופר irrelevant, and dependent on the physical perception of the acoustic sensation of hearing the sound of the שופר, or is emotion an integral portion of the מצוה? Is the מצוה predicated only on the physical perception of hearing, an acoustic sensation, the subjective experience being irrelevant, or is it an experiential מצוה as well?³

(3) To answer this, we must analyze the גמרא. A superficial reading of the גמרא

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The Rambam's language in הלכות תשובה that the מצוה of שופר has רמז יש בדבר is inconclusive.

would yield the conclusion that שופר is of the first group. A more sophisticated analysis, however, may yield the reverse conclusion. The משנה in כ"ז ע"ב says:

וכן מי שהיה עובר אחורי בית הכנסת ושמע קול שופר או מגילה, אם כוון לבו לצאת יצא ואם לאו לא יצא.⁴ אף על פי שזה שמע וזה שמע, זה כוון לבו וזה לא כוון לבו.

On כ"ח the גמרא says:

כפאו ואכל מצה יצא. אמר רבא זאת אומרת התוקע לשיר יצא.

The גמרא continues:

פשיטא היינו הך. מהו דתימא התם אכול מצה אמר רחמנא והא אכל, אבל הכא זכרון כתיב והאי מתעסק בעלמא הוא, ק"מל.

The גמרא asks, if we maintain that מצות א"צ כוונה, then what does רבא's rule that one who blows the שופר to produce music, has nonetheless fulfilled the מצוה of שופר, teach us? We would have made the same inference, since שופר should not require any more כוונה than מצוה does? The גמרא answers, that one could distinguish between מצוה and שופר, and assert that with regard to מצוה, all that the Torah required was that one eat the מצוה, and the subjective component is completely irrelevant; whereas, שופר requires an inner experience, since it says זכרון תרועה, which denotes an inner experience, and one, who lacks this inner experience and performs the מצוה without the requisite intent, does not discharge the מצוה. רבא teaches us that this is not so. One who sounds the שופר without deliberate intention to fulfill his duty, nonetheless discharges his obligation in the same manner that he discharges his obligation to eat מצוה, even if he does so without intent. In other words, if we adopt the opinion that מצות אין

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The mere fact that the משנה combines שופר with מגילה demonstrates that they are both מצות which consist of only physical components. Furthermore, if the גמרא regarded שופר as a member of the latter group, then this analogy between מצוה (see text infra), which is clearly of the first group, and שופר, is not understandable.

צריכות כוונה, then התוקע לשיר יצא and שופר is not an exception to this rule. Thus, in their view, מצות שופר is classified as a member of the group of מצות whose performance is of a mere mechanical nature.

(4) There is another גמרא which does not seem to concur with this. On דף כ"ו, the גמרא says:

[תנן] שופר של ראש השנה של יעל פשוט. אמר רב לוי מצוה בשל כפופין. והא תנן בשל יעל פשוט. הוא דאמר כי הא תנא, דתניא רבי יהודה אומר בראש השנה היו תוקעין בשל זכרים כפופין וביובל בשל יעלים. במאי קמיפלגי, מר סבר בראש השנה כמה דכייף איניש דעתיה טפי מעלי⁵, ומר סבר כמה דפשט איניש דעתיה טפי מעלי.

Rashi explains that this controversy regarding the use of כפוף, as opposed to a פשוט, originated with a similar controversy regarding תפילה, in which the גמרא questioned which method (כפוף or פשוט) is preferable. He writes:

בתפילתו פניו כבושין לארץ טפי עדיף. ולכך בראש השנה דלתפילה ולהזכיר עקידת יצחק בא, בעינן כפופין.

In Rashi's opinion, the controversy arose only with regard to שופר since the purpose of שופר is תפילה. The controversy originated, however, with תפילה. Prayer is typical of the latter group of מצות which require an inner subjective experience. In prayer, כוונה is a required experience. Prayer is described by the Rambam as a confrontation with G-d. It is, therefore, called עבודה שבלב. Since the גמרא equated שופר with תפילה, it is fair to assume that שופר also contains elements of עבודה שבלב. As a matter of fact, in the Rambam's view, a straight

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i.e. it is preferable that man be humble and prostrate, symbolized by using a curved שופר.

שופר (שופר הפשוט), may not be used, even בדיעבד, since the component of תפילה evidenced by the שופר being bent (כפוף), is lacking. Thus, the קיום המצוה is not obtained, and the שופר is פסול. If שופר consists of only a plain mechanical performance, such as אכילת מצה, for which כוונה is not required, then why should the shape of the שופר determine the קיום המצוה? Similarly, the motif of עקידת יצחק cannot be placed within the context of שופר, if it is considered a member of the first group of מצוות which are discharged solely by the performance of a mechanical act. That motif is understandable only if we accept that there is a subjective element in the מצוה of שופר and that it belongs to the latter experiential group which require inner feeling. If, however, one maintains that שופר is of the former group, in which only a mere physical perception of hearing is required, then this requirement of כפוף is incomprehensible.

(5) Additionally, the mere fact that the חז"ל required the recitation of זכרונות, מלכיות, and its union with the ושופרות demonstrates that there is a prayer motif which inheres in the מצוה of שופר.

Rashi feels that this union is Biblically mandated (מן התורה)⁶. The ספר יום תרועה accepts Rashi's view, since on דף ל"ב the גמרא says: אמר ר' יוחנן, למה הוא, למלכות, למה הוא, למלכות, למה הוא, למלכות. The use of the words רחמנא אמר denotes Biblical status. The Ramban and others⁷ disagree and feel that the union is only מדרבנן. The Rav pointed out that, regardless if the union between the ברכות and תקיעות is or

⁶ See אלא מקראות של תרועה יאמרו - רש"י דף כ"ט. Similarly, in his commentary to Torah, he defines the words זכרון תרועה as requiring the recitation of these ברכות.

⁷ The Ramban writes in פרק ג' מהלכות שופר הלכה ז' that: הציבור חייבין לשמוע התקיעות על סדר. The Rav felt that the word חייבין probably denotes Biblical status. See תש"ל - שיעור ירחי כלה - תש"ל for a detailed discussion by the Rav on this point.

ברכות, the mere fact that חז"ל introduced the תקיעות within the framework of ברכות, and the שופר introduced within the framework and context of תפילה, indicates that שופר is an instrument of תפילה. Conversely, no union was imposed between מצה, לולב, or סוכה and תפילה, since there is no continuity or common denominator between those מצות and תפילה. They are incommensurate and in different dimensions. If the Rabbis combined שופר with prayer, then it indicates that the two are commensurate and that they merge into one entity and form a perfect union of ברכות ותקיעות. This is an additional proof that there is an element of תפילה in שופר.

Similarly, the מצוה of לולב, is combined with קריאת הלל, since לולב is an instrument of שבח, and a קיום לולב is obtained when offering שבח to G-d. In that respect it is similar to שופר which is also combined with תפילה. In ancient times, שופר was blown exclusively during the סדר הברכות. This indicates that שופר and תפילה form one harmonious whole of תפילה שופר. Apparently, שופר is a sound of תפילה as well, although without words. From this we conclude, that the קיום שופר is an עבודה שבלב, containing an emotional component. The מצוה consists of an inner experience, and is identical in that respect with the מצוה of prayer.

We find that the גמרא says on דף ט"ז: אמרו לפני מלכיות, זכרונות, ושופרות כדי שתמליכוני עליכם, כדי שיעלה זכרוניכם לטובה, ובמה בשופר requirement of מלכיות is קבלת עול מלכות שמים; an עבודה וקיום שבלב - to experience the sovereignty of G-d. People do not understand מאז"ש, and recite that with great speed. The מצוה of מלכיות is not only to recite פסוקים, but to accept G-d's sovereignty.

What does " ובמה בשופר " mean? Why didn't the גמרא say לביאת כדי שתזכו

המשיח? The Rav explained that the גמרא intended to express that we are required not only to recite ברכות which are תפילה בפה (through the medium of speech), but also to pray through the medium of the שופר. The שופר which follows the recitation of each ברכה, repeats, clandestinely and mysteriously, the prior recital of the ברכה. שופר is a repetition of מלכיות, and זכרונות, and שופרות. On ראש השנה, we are required to engage in prayer with speech, and in prayer through the sound of שופר. This is what ובמה בשופר means. שופר is an integral portion of מזו"ש, and conveys that message. As a matter of fact, the sounds of the שופר change after each ברכה, and what the שופר states following מלכיות, differs from what the שופר states following זכרונות. שופר is a repetition of the prior ברכה - its speechless sound contains the message of the prior recital. This demonstrates that שופר is an instrument of תפילה.⁸ The Rav pointed out that the Rambam felt that חצוצרות on a יום תענית are also instruments of תפילה. He, therefore, wrote in 'פרק א' מהלכות תענית הלכה א' :

מצות עשה לזעוק ולהריע בחצוצרות על כל צרה.

He employed the word לזעוק which denotes petition and prayer. שופר is an instrument of תפילה in the same manner as חצוצרות.

(6) At the conclusion of the שופרות section, we state: כי אתה שומע קול שופר ומאזין. What does this mean? Of course, G-d hears the שופר; G-d hears everything. The Rav explained that this prayer means that G-d hears the prayer of the שופר. The words שומע קול שופר are very similar to שומע

⁸ See (דין) צער תרועה, who explains that תרועה represents both שאלה: שאילתה קע"א סוף אות ה' שמחה, as it says, לתרועות השמחה. The שברים notes are always reflective of צער (דין) צער. Thus, מלכיות, which denotes G-d's sovereignty and resulting משפט, combines צער and שמחה, and is represented by תשר"ת. זכרונות, is pure צער, and is represented by תש"ת. שופרות is pure שמחה, and is represented by תר"ת. [Editor's Note]

תפילה עדיך כל בשר יבואו. The word שומע, in the sense of acceptance, is applicable only to תפילה, which G-d accepts, and to קרבן as well; as it says וישע ה' אל הבל. Accordingly, שופר has a component of תפילה and just as G-d harkens to our prayers [שומע תפילה], so too, He harkens to our תפילות offered through the שופר. Hence, the language employed is כי תפילה, אתה שומע קול תרועת עמו ישראל. One of the attributes of G-d is that He accepts all תפילה, both silent and spoken, and so the word שומע - acceptance - was employed with respect to שופר as well.

Finally, the Rav also proved the notion of שופר as תפילה from the description that שופר, contained on דף כ"ו, שופר כיון דלזכרון אתי, כלפני ולפנים דמי denotes the presence of G-d. This is clearly a תפילה attribute. We can conclusively infer from this that שופר has a component of תפילה.

(7) How do we reconcile the idea that שופר is the voice of prayer, which is a קיום שבלב, with the גמרא ruling that התוקע לשיר יצא, according to those who maintain that מצות קיום כוונה? The Rav cautioned that the following answer may not be correct, but that he is convinced that שופר has a subjective component, in addition to the mechanical and physical production of sound. This is true Halachically as well as Kabalistically. The Rav was convinced intuitively that שופר falls under the latter group of מצוות in which the קיום שבלב plays a prominent role. The מצוה does not exhaust itself with a physical sensation or perception, but also requires the involvement of man's feeling and emotion. He answered that the words זכרון תרועה, as opposed to יום תרועה, certainly infers a קיום שבלב which indicates and requires a certain state of mind. The גמרא never said that there is only one single קיום of יום תרועה, and that there is no קיום of זכרון תרועה. Rather, the גמרא merely stated

that in spite of the requirement of זכרון תרועה, there is, nonetheless, a valid performance on the part of one who listens incidentally (מתעסק). They deduced this from the fact that the תורה employs the term of יום תרועה as well as זכרון תרועה. Had the Torah not felt that there is an additional element of זכרון תרועה, then it would not have employed that extra phrase and would have utilized, at all times, the words יום תרועה.

The גמרא states that there are two הלכות:

א) There is a מצוה of יום תרועה - for which only the mechanical and physical performance is important, and this is similar to מצוה which does not require כוונה; and

ב) There is another מצוה of זכרון תרועה, in which the kinship with תפילה is inherent in the מצוה קיום.

One who only performs the מצוה mechanically, lacks this קיום and realization of the מצוה. Thus, the סוגיא means that there are two separate פרשיות which deal with the מצוה of שופר. In one, it uses the term יום תרועה, and in the other it uses זכרון תרועה. שופר, viewed from the aspect of יום תרועה, constitutes a technical מעשה מצוה, a physical performance of hearing or sounding the שופר. At this stage, it is a purely physical gesture similar to מצוה, and there is no difference between מצוה ושופר, since, when so viewed, there are no subjective elements within the framework of שופר. This is what the סוגיא meant when it concluded that there is no requirement of כוונה for either מצוה or שופר. However, the סוגיא never denied that there is an additional component of זכרון תרועה which provides another dimension to שופר, and it is within the framework of זכרון תרועה, that the kinship between שופר and תפילה becomes self evident. From the standpoint of זכרון תרועה, the sounding of the שופר is the מעשה המצוה; however, the fulfillment of the מצוה does not exhaust itself in the physical acoustic perception,

but in the spiritual perception and state of mind of תפילה, which is the confrontation with G-d.

In the time of רבי אבהו מקיסרי,⁹ the second set of תקיעות were introduced. The Rav, originally had toyed with the idea that the מיושב corresponded to the יום תרועה facet of the מצוה while the זכרון תרועה corresponded to the מעומד, but he had no proof to this and later rejected it as incorrect. He felt that the two obligations of יום תרועה and זכרון תרועה are discharged by each of the מיושב and מעומד.¹⁰

In conclusion, the גמרא never said that one who is לשיר יצא has fulfilled his duty fully. It merely said that he has achieved as much as possible relative to יום מצוה of יום תרועה and has not complied with the additional aspect of זכרון תרועה. The Rav added that one who heard the מיושב, but was a מתעסק for the מעומד, does not discharge the מצוה of זכרון תרועה. Just as תפילה requires כוונת תפילה, as opposed to מצוה כוונת מצוה, so too, the תקיעות על סדר ברכות require כוונת תפילה (i.e. the כוונה expressed by the intent of שתמליכוני עליכם). The Rav was certain of this with regard to the מעומד and תקיעות, though, he conceded that a מתעסק may have satisfied his duties with regard to the מיושב. Of course, the יום תרועה component is satisfied without any כוונת תפילה, but the aspect of זכרון תרועה is attained only with כוונה, if he readies himself for the experience in the same manner as כוונה לתפילה.

The קיום of מלכות שמים consists in קבלת עול מלכות שמים, which is (in part) attained by the שופר, as the גמרא says: כודי שתמליכוני עליכם ... ובמה בשופר. Therefore, כוונה of

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or in the view of בעל המאור, during the Gaonic period,

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The ר"ן ruled that we have accepted the view of מהו דתימא, and that מצות אכילה, which only requires כוונה, do not require כוונה. All other מצות, such as שופר, do require כוונה.

קבלת עול מלכות שמים is required during the hearing of שופר. The שופר serves as the instrument of קבלת עול מלכות שמים. The person must summon the majesty of G-d through the שופר in order to comply with the requirement of זכרון תרועה. The זכרונות ושופרות are not nostalgia, which is a disjunctive emotion, but are קבלת עול מלכות שמים at different levels, which will be discussed infra. Clearly, the same כוונה of קבלת עול מלכות שמים which one generally experiences when saying ...שמע ישראל, should be experienced during מלכיות. In זכרונות and שופרות, however, it is a different experience, which will be discussed infra.¹¹ The פסוקים of מזו"ש interpret the sound of the שופר at that time! Whatever the שופר does not say, the פסוקים complete. In the case of תפילה, there is only עבודה שבלב and it is void without כוונה; in the case of שופר, without כוונה there still remains the יום תרועה aspect.

(8) The Rav then reconstructed the identity of זכרון תרועה based upon the הלכות relating to יום תרועה. He cautioned that he arrived at Halachic conclusions which are revolutionary. He also warned that there can be no subjective experience of שופר, as mandated by זכרון תרועה, without the Halachically mandated objective הלכות governing or facilitating that experience.

The משנה says (דף כ"ט):

יום טוב של ראש השנה שחל להיות בשבת, במקדש היו תוקעין אבל לא במדינה. משחרב

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The גמרא said on (דף ט"ז):

אמרו לפני מלכיות כדי שתמליכוני עליכם, זכרונות כדי שתעלה זכרונם לטובה, ובמה בשופר. The שופרות does not refer to שופרות; the גמרא did not complete its statement relating to מלכיות following שופר ובמה בשופר, and the זכרונות explains זכרונות, and the זכרונות relates to the blowing of שופר in that it is a component of תפילה. It did not explain שופרות since on ראש השנה it is self-evident and does not require an explanation.

בית המקדש התקין ריב"ז שיהיו תוקעין בכל מקום שיש בית דין. אמר רב אלעזר, לא התקין ריב"ז אלא ביבנה בלבד. אמרו לו אחד יבנה ואחד כל מקום שיש בו בית דין. ועוד זאת היתה ירושלים יתירה על יבנה, שכל עיר שהיא רואה ושומעת וקרובה ויכולה לבא תוקעין. וביבנה לא היו תוקעין אלא בבית דין בלבד.

There were no תוקיעות outside of the מקדש. Generally, there is a question if the word "מקדש" refers to ירושלים, or only to the עזרה and הר הבית.¹² Rashi says that the מקדש mentioned in this משנה refers only to the בית המקדש proper, and not to ירושלים.¹³

שבת, on שופר, they blew מקדש. In מקדש, they substituted ריב"ז for the מקדש. Since, as Rashi explained, there are no איסורי שבות in מקדש. If so, how could ריב"ז substitute ריב"ז for מקדש? Where did this substitution come from? What is the continuity between the original institution of taking שופר in the מקדש on שבת and his תקנה to take שופר in any place in which a בית דין convenes? How did ריב"ז circumvent the איסור שבות? At this juncture, in the גמרא we are not provided with the answer to these questions.

What kind of בית דין was ריב"ז referring to? The משנה explains, אמר רבי אלעזר לא סנהדרין (the בית דין הגדול) "יבנה" refers to the בית דין הגדול. The term "יבנה" refers to the בית דין הגדול (של ע"א). There are two possible reasons for רבי אלעזר's theory:

- (i) ריב"ז introduced it only where the בית דין הגדול resided and did not provide this prerogative to any other court; or, alternatively,
- (ii) ריב"ז provided for only one exception in one place. Just as in the מקדש the exception is

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ירושלים is part of מקדש with respect to certain laws, but not for others.

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It is unclear if the word מקדש refers to עזרה, הר הבית, or both.

limited to one place, so too, nowadays, only one place is selected (i.e. the residence of the (סנהדרין של ע"א).

The משנה continues: אמרו לו אחד יבנה ואחד כל מקום שיש בו בית דין. They¹⁴ responded that it refers to any place where a בית דין was selected, and this was not limited to יבנה. Rashi feels that this view maintained that any בית דין של כ"ג may blow שופר on שבת. All the other ראשונים disagree with Rashi. They say that יבנה means only the residence of the בית דין של ע"א, and thus, according to רבי אלעזר, only יבנה was selected. According to the other חכמים who disagree with him, one may take the שופר in the presence of any בית דין, even one consisting of three persons, as they say:¹⁵ אחד יבנה ואחד כל מקום שיש בו בית דין.

(9) The גמרא continues: מנה"מ אמר רבי לוי בר לחמא אמר רבי חמא בר חנינא כתוב אחד אומר שבתון זכרון תרועה, וכתוב אחד אומר יום תרועה יהיה לכם, לא קשיא,¹⁶ They responded that the תורה refers to ראש השנה as both יום תרועה and זכרון תרועה. The words יום תרועה imply that it is always a day of תרועה even if it occurs on שבת. Conversely, the פסוק of זכרון תרועה implies that at times, it is a day in which the תרועה is remembered, but not sounded. Rashi explains that this view maintained that שבתון זכרון תרועה means that one should recite the תרועה של מקראות, and not blow שופר when ראש השנה occurs on שבת.

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i.e. רבי אלעזר protagonists.

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They required that the members of this בית דין have סמיכה. רב אלפס went a step further and did not even require סמוכים, and he actually blew שופר on שבת. The ר"ן points out that even his devoted disciples such as ר"י מגאש and ר"י מיימון did not agree with רב אלפס.

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These Rabbis themselves dwelt in ארץ ישראל, and were considered חכמי ארץ ישראל.

It would be foolish, however, to maintain that we recite the פסוקים only on שבת, since, in his commentary to פרשת אמור, Rashi states that we must always recite those מקראות, even when יום טוב שחל להיות) occurs during the week. Rashi means, that during the week (בחול) we can maintain both aspects of the מצוה, which are זכרון תרועה and יום תרועה (i.e. both the מקראות and the שופר), while on שבת we maintain only one aspect, consisting of the recitation of the מקראות (i.e. the aspect of זכרון תרועה).

The גמרא continues and cites רבא (who was מחכמי בבל) who questions לוי רב's view that the suspension of שופר when ראש השנה occurs on שבת is Biblically mandated [מן התורה]. His reasoning is, how then can the מקדש serve as an exception to a Biblical rule? Additionally, he asked, the prohibition of generally blowing שופר on שבת is agreed by all to be only a Rabbinical prohibition of שבת. Why, then, should the Biblical מצוה of שופר be suspended completely on שבת just because of this איסור שבות? רבא answered that מן התורה, one may indeed blow the שופר in all locations, even when ראש השנה occurs on שבת. However, רז"ל introduced the prohibition of taking the שופר on שבת. This, as explained by רבא, is predicated on their fear that, one who is unfamiliar with the art of blowing the שופר, will carry the שופר to his neighbor's house to receive instruction on how to produce the sounds, and will thus violate מלאכת הוצאה. This fear is denominated by רבא as 'שמא יעבירונו ד'.¹⁷ אמות ברשות הרבים.

(10) The ריש לקיש and רב יוחנן (who were also ירושלמי) on this משנה (דף י"ז) says that רבא and רב יוחנן (who were also חכמי ארץ ישראל), once debated the issue of whether the ban on שופר on שבת is

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The גמרא in מסכתא יבמות discusses the right of the חכמים to suspend מן התורה.

is Biblically or Rabbinically mandated). They quoted the inconsistency raised by the two פסוקים of זכרון תרועה and יום תרועה and considered the possibility of resolving this contradiction by positing that לא תוקעין אבל לא תזכירין, while when it occurs בימות החול, then תוקעין and תזכירין as well. This is the same answer found in the בבלי . They then instructed their students to attend a lecture by רבי לוי, and they learned that רבי לוי also drew the same inference from these two פסוקים. They then asked רבי לוי why שופר was not suspended in מקדש on שבת since the prohibition is Biblical.¹⁸ He responded, that it says "באחד לחודש השביעי יום תרועה יהיה לכם", which he interpreted as meaning that, in the place in which we know for certain that it is באחד לחודש (i.e. in the place where the בית דין, who determines the חדשים and knows when the דירחא, resides), we blow שופר, even though it is שבת. The תורה meant that in that location it is always יום תרועה, and the שופר must always be sounded there. In other words, the place of the בית דין הגדול is always a place of יום תרועה, regardless of whether it is שבת. The ירושלמי then asks if this reasoning should apply to any place in which the בית דין של ע"א resides, even outside of מקדש, inasmuch as that בית דין הגדול always knew the precise date of אחד לחודש since they are the ones who establish the dates of ראש חודש and מועדים? The ירושלמי responded that one פסוק says: כל מלאכת עבודה לא תעשו, which is later followed by the words of והקרבתם אשה לה'. There is an intervening phrase (i.e. כל מלאכת עבודה) separating the זכרון תרועה from the words והקרבתם אשה לה'. The other פסוק says יום תרועה יהיה לכם, and this is immediately followed by לריח נחוח.

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They did not ask, however, the second question that our גמרא raised relating to שבות.

There is no phrase separating the words of יום תרועה from the words of ועשיתם עולה. The ירושלמי infers from this, that in the location in which we perform ועשיתם עולה, we always observe יום תרועה (and שופר), and this naturally refers to the מקדש which is the location in which במקום שהקרבת קריבין. However, the פסוק of זכרון תרועה refers to places outside the מקדש (since the פסוק is separated from the phrase of והקרבתם and thus refers to a location in which the והקרבתם is inapplicable). In such places, בגבולין, there is only an obligation of הזכרה on שבת, and the תקיעות are suspended. Thus, the פסוק in פנחס (i.e. יום תרועה) refers to מקדש since that entire פרשה deals with קרבנות, and שופר is thus taken even on שבת. The פסוק in אמור (i.e. the זכרון תרועה) refers to גבולין where the קרבנות are not brought. They interpreted that פסוק as follows: יהיה לכם שבתון באחד לחודש - whenever the first day shall occur on שבת,¹⁹ then, תרועה זכרון תרועה יהיה לכם - the תרועה will only be remembered, and not sounded. The Rav pointed out that the ירושלמי does not address the second question raised by רבא that blowing שופר is only violative of a שבות דרבנן and should not preclude the observance of שופר, which is a מצוה מן התורה. The reason is that according to ירושלמי, the Torah itself SUSPENDED the מצוה of שופר entirely when ראש השנה occurs on שבת, in those locations in which קרבנות are not offered. The ירושלמי did not say that one may not blow the שופר since it is a מלאכה; rather, the ירושלמי held that the Torah itself exempted us from blowing the שופר on שבת. Accordingly, it was never necessary to reach the question of how a שבות can take priority over a מצוה עשה.²⁰

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This is unlike the standard interpretation of שבתון as a day of cessation from מלאכה.

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The תורה ליקוטי תורה has a long דרשה in which he discusses the reasons for not blowing the שופר on שבת. He distinguishes between the בני ראשון ושני, but does not cite this ירושלמי.

The *ירושלמי* never discusses the *גאירה* of *שמא יעבירונו*, anywhere, even with regard to *לולב*. With regard to *מגילה*, the *ירושלמי* explains that *קריאת מגילה* is suspended on *שבת* since there is a universal prohibition which precludes the reading of any form of *כתובים* on *שבת*.²¹ So, according to the *ירושלמי*, the *מצוה* of *שופר* is SUSPENDED on *שבת* in all places, other than the *מקדש*. On such occasions, one fulfills the *מצוה* of *שופר* by reciting the *פסוקים* of *מזור"ש*. The *בבלי* disagrees, and says that *חז"ל* precluded the blowing of *שופר* on *שבת* because of their fear that *שמא יעבירונו*.

(11) The foregoing controversy is predicated on the semantics of the words *זכרון תרועה*. The *ירושלמי*, cited in the *בבלי* and the *חכמי ארץ ישראל*, felt that *זכרון תרועה* refers to the recitation of the *פסוקים*, and *מצות שופר* was suspended Biblically on *שבת*, while *יום תרועה* refers to the actual blowing of the *שופר*. The *בבלי* disagreed and felt that it is Rabinically mandated. This is the way Rashi analyzed their view.

Other *ראשונים*, such as the *רמב"ן*, however, do not feel that the recitation of the *פסוקים* is Biblically mandated. They interpret *זכרון תרועה* as meaning either a *זכרון על ידי* (i.e. a remembrance through blowing the *שופר*, in that the person's remembrance ascends before G-d), or, a *זכרון של השופר* (i.e. a remembrance of the *שופר* and the *עקידת* which it represents).²² It is very strange that our *תפילה* accepted the view of *ירושלמי*, and we recite *זכרון תרועה* on *שבת* and *יום תרועה* on *חול*. The Rav speculated that the *ירושלמי* formulated this particular *ברכה* in concurrence with the *מסדרי התפילה*. In

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This prohibition was imposed by *חז"ל* in order to discourage people from reading *כתובים* instead of attending the weekly *שעורים* which the Rabbis delivered every *שבת*.

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This is explained in greater detail in the 1970 *שיעור ירחי כלה* in Paragraphs I and X.

the Rav declares unequivocally, that we do not blow שופר on שבת which is also in concurrence with the ירושלמי. Similarly, in מסכת סופרים פי"ט ה"ח, it says: אם חל ראש השנה להיות בשבת, אין אומר יום תרועה אלא זכרון תרועה משום שאין תקיעת שופר דוחה (that the prohibition is Rabbinical), but still amends the נוסח on שבת in accordance with the view advanced by the ירושלמי. We can infer from this that the mere fact that one distinguished between זכרון תרועה and יום תרועה in the נוסח התפילה, is not indicative of that person's concurrence with the ירושלמי opinion that שופר was suspended on שבת. Thus, מסכת סופרים accepted the view of the בבלי that שופר cannot be taken on שבת because of the גזירה שמא יעבירו, and still distinguished between חול and שבת in the נוסח התפילה. The reason for this, however, is unclear.²³ One may get the impression from ר"א הקליר that the distinction between שבת and חול is התורה, but the Rav was unsure about this.

(12) The ירושלמי opinion that the distinction between the מצות שופר on שבת and on חול is important for a different reason. The ירושלמי teaches us that there is a separate and independent קיום of שופר in מקדש, distinct from שופר in גבולין! The Rav felt that the ירושלמי was not speaking strictly in geographic terms. He did not feel that the ירושלמי maintained that the same מצות שופר which prevailed in גבולין also prevailed in the מקדש. The תורה did not introduce geographic boundaries, with the result that on שבת, the מצוה is suspended in גבולין, but continues in the מקדש. The ירושלמי does not mean to engender a חילוק מקומות, a division as far as locus is concerned. Such an interpretation

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The Rav pointed out, however, that those who blew שופר on שבת, in the presence of a בית דין, certainly recited יום תרועה, and not זכרון תרועה.

would not be logical. The Rav felt that the ירושלמי maintains that there is a special מצות שופר IN ADDITION TO the מצות שופר בגבולין. When the Rav first thought of this many years ago, he was afraid to tell his father, since his father was very strict and punished him if he erred. Later on, however, he discovered that the ראב"ד expressed this theory.²⁴ The ראב"ד discussed why שופר could not be observed on שבת except in the מקדש or in the presence of דין, while the מצוה of לולב was observed on שבת even in גבולין, even without the presence of a דין. He discussed the reasoning בעל המאור and said: מפני שאין לשופר עיקר מפורש בגבולין, שלא אמרה תורה שבתון זכרון תרועה אלא במקום והקרבתם אשה לה' [במקדש], ולא נאמר בכל ארצכם אלא [לענין] יובל, [ולכן] זכרון שאינו והקרבתם אשה לה'. The ראב"ד goes to the extreme, and says that there are two מצוות of שופר: one בגבולין, which is not mentioned explicitly in the Torah at all, since both פסוקים refer only to the מקדש, and this מצוה is derived from the application of the "ג מדות"; and a second מצוה in the מקדש, which is a separate המצוה. We find that by לולב, we also have a separate מצוה in מקדש, derived from ושמתם, as opposed to ולקחתם. The ראב"ד applies the same theory to שופר, and establishes that there is an independent מצוה in the מקדש. The ירושלמי, on the other hand, maintains that there are two מצוות שופר, one בגבולין and one in the מקדש. This is not as extreme as the ראב"ד, who maintained that the מצות שופר בגבולין was not expressly referred to at all in the תורה, and is derived from a דרשה.

The Rav explained that the ירושלמי maintains that זכרון תרועה means both תרועה and

זכרון, and this refers to the מצות שופר בגבולין . There is then יום תרועה ועשיתם, which refers exclusively to the מקדש, and posits a separate מצות שופר במקדש. The Rav explained that it is not that the world is divided into two loci (two locations), and in one location we observe the מצות שופר on שבת, but not in the other. Rather, it means that this מצוה has a double component in מקדש, and only a single component in גבולין. The phrase זכרון תרועה which refers to גבולין imposes both זכרון (i.e. מקראות של תרועה), and the actual תרועה; while יום תרועה ועשיתם, which refers solely to מקדש, imposes the production of only the actual תרועה. On שבת, we do not say that the מצוה of שופר was suspended in גבולין and not in מקדש; rather, they maintained that there are two קיומים of שופר: one that takes place in גבולין, and one that takes place in מקדש. Thus, on שבת, the גבולין aspect of the קיום שופר was suspended even in the מקדש. On a ראש השנה which falls on a weekday, one who blew in the מקדש fulfilled two קיומים: the גבולין component, derived from זכרון תרועה (which covers the entire world, including the מקדש), and the מקדש component. There is a separate מצוה of שופר במקדש, and this was not suspended in מקדש. This is what the משנה means. There are two מצוות: one which applies to שבת (i.e. the מצות שופר במקדש) and one which does not apply to שבת (i.e. the מצות שופר בגבולין). This is not geographically based, and the analysis is not predicated on the suspension of the מצוה in גבולין and not in מקדש; rather, there is a מצות שופר in מקדש which takes place even on שבת, while the second מצות שופר בגבולין does not take place on שבת (and is suspended even in the מקדש). Thus, in the מקדש, on an ordinary ראש השנה, there is a double מצוה קיום, while on שבת, there is only

a single קיום מצורה even in the מקדש.²⁵

(13) In 1876 (or 1886), Rabbi Akiva Schlesinger sounded the שופר on שבת in Jerusalem. He was excommunicated by the other Rabbis in Jerusalem. He relied on the view of רב אלפס as well as on the Rambam who ruled that the obligation to take the שופר in the מקדש even on שבת, includes ירושלים as well. He ruled that the reason why the שופר was blown in the מקדש and in ירושלים was not due to their unique quality (or קדושה), but to the fact that it was a city which maintained a בית דין (i.e. the סנהדרין הגדול). In the Rambam's view, ריב"ז did not introduce a new criteria; he merely continued the old practice. ריב"ז merely extended the privilege of blowing שופר in the presence of the ביהמ"ד בירושלים to ANY בית דין in ANY location (provided that they are סמוכין and are empowered to be (מקדש החדש). Thus, ריב"ז extended the old practice to embrace a larger area.

In פ"ב משופר ה"ו ט, the Rambam rules:

יום טוב של ראש השנה שחל להיות בשבת אין תוקעין בשופר בכל מקום ... גזירה שמא יטלנו בידו ברשות הרבים... וכשגזרו שלא לתקוע בשבת לא גזרו אלא במקום שאין בו בית דין. אבל בזמן שהיה בית המקדש קיים והיה בית דין הגדול בירושלים היו הכל תוקעין בשבת בירושלים כל זמן שבית דין יושבין.

The Rambam feels that the reason why they permitted the שופר to be blown on שבת in ירושלים was not because of its special features, nor because of its status as מקדש, which can not apply to ירושלים (since it was outside the מקדש). Rather, the reason why they were permitted to sound the שופר on שבת in ירושלים was that it was the seat of the סנהדרין הגדול.

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This opens a new frontier in the analysis of שופר. The Rav will demonstrate (Paragraphs 24-28 infra) that the double קיום which takes place in מקדש is not predicated on זכרון תרועה, but on a different פסוק entirely, and will substantiate his theory regarding this double קיום. [Editor's Note]

It is for this reason that they could blow the שופר on שבת only until חצות (דין) (בזמן שבית דין) (יושבין), since the בית דין recesses after חצות on שבת.²⁶ The מתיר is not מקדש, the מתיר is בית דין .

The Rav pointed out that the Rambam solves another puzzling aspect of this משנה which is not solved by another ראשון . The משנה says: , ועוד זאת היתה ירושלים יתירה על יבנה, שכל עיר שהיא רואה ושומעת וקרובה ויכולה לבא תוקעין, וביבנה לא היו תוקעין אלא בבית דין בלבד. In other words, a special privilege was granted to ירושלים so that any suburb adjacent to ירושלים could blow שופר on שבת. With respect to יבנה, however, that privilege was not granted, and תקיעת שופר בשבת was permitted only in יבנה proper. The ראשונים, who felt that the word מקדש referred exclusively to the מקדש and not to ירושלים, and did not permit שופר to be blown outside of the מקדש, even in ירושלים, were puzzled by this משנה ruling which accorded a distinct privilege to the city of ירושלים . They did not understand which era the "ועוד זאת היתה ירושלים יתירה" referred to, since, in their view, ירושלים was never privy to special privileges of blowing שופר not enjoyed by any other city. They felt that in the days of the מקדש, they would blow שופר only in the מקדש (and not in ירושלים), and after the חורבן, they blew the שופר only in יבנה and not in ירושלים. Why then did the משנה specify that any city adjacent to ירושלים could take the שופר on שבת, if שופר was not observed in ירושלים since the מצוה was limited to the מקדש? תוספות answered that the משנה refers to the period לאחר חורבן . לאחר חורבן said that during the days of the מקדש, they blew שופר on שבת only in the מקדש, and not in ירושלים. After the חורבן בית המקדש, רי"ב introduced

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This is in contrast to the other ראשונים who permitted blowing the שופר during the entire day, and did not limit it to חצות .

a two-fold תקנה:

(i) to blow שופר in ירושלים, and in its environs; and

(ii) to blow שופר in יבנה.

The Rav felt that it is historically correct (though he had no independent proof), that ירושלים continued to be settled by Jews until sixty three years after the חורבן בית המקדש when the Bar Kochbean insurrection was suppressed (and Jerusalem was completely destroyed and plowed over). At that point, its name was changed, and Jews were enjoined from residing there. ריב"ז, however, had relocated to יבנה immediately after the חורבן (where the Torah center had already been previously established). When he introduced his ruling that שיהיו תוקעין בכל מקום שיש בית דין, he took into consideration the remaining community in Jerusalem, to give it a special prerogative that all of its adjacent communities may blow שופר even on שבת. This is תוספות's view. The Rav pointed out that this does not necessarily conform with the construction of the משנה which states that:

התקין דבן יוחנן בן זכאי שיהיו תוקעין בכל מקום שיש בו בית דין... ועוד זאת היתה ירושלים יתירה על יבנה וכו',

and omits in its original formulation any mention of the תקנה relating to ירושלים. If תוספות is correct, then the משנה should have stated as follows:

התקין ריב"ז שיהיו תוקעין בירושלים ובכל מקום שיש בית דין

(i.e. they should have formulated his תקנה as encompassing both ירושלים and areas which have a בית דין).

The Rav added that Rashi had previously said that they were not permitted to blow in ירושלים. Yet, he says that the ועוד זאת refers to בעודה בבנינה, while Jerusalem was still

intact. תוספות said that this contradicts Rashi's earlier view that the word מקדש does not include ירושלים, and that they blew שופר only in מקדש and not in ירושלים. They, therefore, posited their view that it refers to the interim period prior to the חורבן בית המקדש.²⁷

The Rav explained רש"י's view as follows: The ruling by ריב"ז that שיהיו תוקעין בבית that did not occur immediately following the חורבן. The גמרא in יומא דף ל"ט ע"ב tells us that ריב"ז foresaw the חורבן many years before it occurred. He chastised the gates of the היכל which suddenly began opening by themselves, to portend the חורבן. He realized from this phenomena that the קדושת היכל was gradually disappearing and that the שכינה was gradually departing. This was symbolized by the gates opening by themselves. At that time, prior to the חורבן, he legislated the תקנות, and stipulated that they were to go into effect after the חורבן. The חכמי ישראל realized after the death of שמעון הצדיק (and the cessation of the ניסים that occurred daily during his lifetime - which symbolized the presence of G-d), that the חורבן was imminent. So, when ריב"ז saw that the Gates would open by themselves, he realized that the intimate relationship between the Jews and G-d was about to be lost, and the gates were portending the imminence of the חורבן. At that time, he introduced the תקנות, in anticipation of the חורבן, and stipulated that as long as ירושלים would remain intact, then the entire city of Jerusalem may blow שופר on שבת. It was accorded a special status. This is what Rashi meant by בבנינה - in the final years of its existence prior to the חורבן.

According to the Rambam, however, the משנה is very cogent. Originally, they blew

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As far as the magnitude of catastrophe is concerned, and the number of people murdered, the חורבן is reminiscent of the Holocaust of Hitler. ימ"ש The חורבן בית המקדש was not nearly as horrible as the חורבן בית, at which time hundreds of thousands of Jews were murdered and ירושלים was totally destroyed.

in both ירושלים and in the מקדש, as well as in all of the suburbs that adjoined ירושלים. This was predicated on the presence of the בית דין in Jerusalem. Then, after the חורבן ריב"ז, חורבן extended this privilege from ירושלים to every location in which a בית דין presided.²⁸ However, the משנה says, the presence of בית דין is limited to the city in which the בית דין sits, while in Jerusalem, the privilege extends to all of the adjoining communities as well. The Rav explained that the difference between יבנה and ירושלים was not so much that, in one, the suburban communities could join, but not in the other. The difference between יבנה and ירושלים was that the במקום בית דין exception was modified. In Jerusalem, במקום בית דין meant that as long as the בית דין convenes, בזמן שבית דין יושבין, every individual could blow שופר in the privacy of his own home. In יבנה, on the other hand, the במקום בית דין meant only in the immediate presence of בית דין. It was for this reason that the adjoining communities of ירושלים could take advantage of the exception and blow on שבת, while the adjoining communities of יבנה were excluded from this privilege. The residents of יבנה could not take the שופר except in the presence of בית דין. The people of ירושלים, however, could take the שופר even outside the presence of בית דין, as long as the בית דין was still in session - בזמן בית דין. There was no requirement to blow only in the presence of the בית דין. Thus, the residents of the suburbs adjoining ירושלים enjoyed the same privilege to take the שופר on שבת, as long as the בית דין was still in session - בזמן בית דין. The היתר תקיעה in יבנה was limited to בפני בית דין. Hence, everyone outside of the immediate presence of בית דין was excluded. In ירושלים, on the other hand, the היתר תקיעה included everyone, as long as בית דין was in

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ירושלים. יבנה was substituted for יבנה, since תקנה was limited to יבנה, disagreed and felt that this רבי אלעזר

היו הכל תוקעין בירושלים בשבת כל. בזמן שבית דין יושבין - session. The Rambam writes: Everyone - הכל - blew the שופר as long as the בית דין was in session, and the עיירות הסמוכות could take advantage of this as well. He explicitly includes the residents of the suburbs of ירושלים and writes:

ולא אנשי ירושלים בלבד, אלא כל עיר שהיתה בתוך תחום ירושלים ... היו תוקעים בשבת כירושלים.

However, with regard to יבנה and הזה, בזמן הזה, he says: אין תוקעין אלא בפני בית דין גדול. one may blow שופר only in the immediate presence of בית דין. Thus, there is no opportunity for the suburban residents to take the שופר since they are not in the immediate presence of the בית דין.

(14) The Rav explained the continuity between the original rule of במקדש and תוקעין במקדש. אמר: ברכות דף ח ע"א says in גמרא that תוקעין במקום בית דין rule of רב חסדא מאי דכתיב אוהב ה' שערי ציון מכל משכנות יעקב, אוהב ה' שערים המצויינים²⁹ בהלכה יותר מבתי כנסיות ובתי מדרשות. והיינו דאמר דמיום שחרב בית המקדש אין בית המקדש refer to the שערי ציון. להקב"ה אלא ד' אמות של הלכה בלבד. Rashi explains that the גמרא defines ציון as the שערים המצויינים בהלכה since the word ציון can be interpreted as "ציון ואסיפת ציבור". The word ציון means unique, and so שערים means unique with Torah. The גמרא says that G-d prefers the places where the Torah is studied to all other places, including those of מדרשות ובתי כנסיות. We infer from the גמרא that the קדושת בית הכנסת is inferior to that of המקדש, and that

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בתי כנסיות refer to the משכנות יעקב, while בית המקדש refer to the שערי ציון.

nowadays (assuming לא קדושה לעתיד לבא, as the ר"א maintains)³⁰ the קדושת מקדש has disappeared and has been replaced with Torah Centers. The ד' אמות של הלכה are, therefore, endowed with קדושת מקדש, and have replaced the מקדש.³¹ The גמרא called these Torah Centers ד' אמות של הלכה since the קדושת מקדש is also bounded by measurements. קדושת מקדש cannot be endless; it must be contained. It is a limited and circumscribed קדושה.³² Thus, the גמרא must describe the קדושה of the Torah Centers in terms of a discrete boundary and measurement - ד' אמות של הלכה. G-d's residence (i.e. the ממקומו ה' ברוך כבוד ה') was transferred from the מקדש to the ד' אמות של הלכה. Though G-d is infinite, He, nonetheless, exercises the כח הצמצום, and dwells among the Jewish people. Nowadays, He resides in the Torah Centers. It is incomprehensible that G-d should not continue to reside among the Jews, either within the מקדש or within the ד' אמות של הלכה. The בית המקדש was the ultimate מקום תפילה, as it says, ביתי בית תפילה יקרא. Nowadays, however, G-d's residence is transferred from the מקדש to the ד' אמות של הלכה. The term בית המקדש denotes the ד' אמות של הלכה since G-d now resides in the ד' אמות של הלכה. This is what ריב"ז did. שופר was originally blown in the מקדש. After the destruction of the מקדש, the residence of G-d was transferred to the Torah Centers. Thus, ריב"ז transferred the מצוה of שופר from מקדש to יבנה, which was the greatest Torah Center of its day. The current מקדש is in the

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The Rav utilized the view of the ר"א solely for ease of explanation since the ר"א maintains that the קדושה disappeared from the המקדש. His theory holds true even according to the Rambam.

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The word קדושה denotes the presence of G-d, and when it says that the Torah Centers are endowed with קדושה, it implies that they are endowed with השראת השכינה.

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קדושה enclosed - קדושת מחיצות calls this תוספות.

spiritual centers of Torah, and so the שופר which was originally blown in the מקדש is now blown in בית דין - where the Torah is disseminated, i.e., the Torah Centers. The שם מקדש is subjected to a new kind of semantics. It is no longer geographically defined. It is now understood in terms of the spiritual centers of Torah.

Based on this, the Rav explained that there is continuity between the primary institution of שופר in the מקדש, and יבנה's institution in יבנה, inasmuch as יבנה is the substitute for the מקדש. בית דין means גדולי הדור, who distinguish themselves (i.e. ציון ואסיפת ציבור). It is for this reason that they emphasized that the בית דין constitute not any בית דין, but a בית דין גדול - since it consisted of the most outstanding and prominent עמודי תורה, who represent ציון ואסיפת ציבור. Their location is the place where all Jews turn in order to obtain clarification of any דבר הלכה. Thus, their location is the new מקדש. They have the intellectual prominence, and their word is accepted by Jews all over. The place where they are located is a ציון ואסיפות ציבור, and a new מקדש. The קדושת מקדש is transferred from a geographical location to a spiritual center which is universal. G-d follows this spiritual center regardless of its location, as the גמרא says, ... וכנגדן גלתה סנהדרין... - G-d followed this סנהדרין into exile. Thus, ריב"ז ruled that in the same manner that the שופר could be taken in the מקדש, so, too, the שופר could be taken in the presence of the בית דין since its location is a substitute מקדש. The Rav added, that קדושת מקדש, probably, is predicated on the בית המקדש as the center of Torah learning (... וקמת ועלית...). The presence of the Torah Center was מקדש - sanctified - the בית המקדש.

(15) The ראש השנה relates an incident that occurred when ר"ט ע"ב on גמרא (15) occurred on שבת:

פעם אחת חל ראש השנה להיות בשבת, והיו כל הערים מתכנסין. אמר להם ריב"ז לבני בתירה נתקע. אמרו לו נדון. אמר להם נתקע ואחר כך נדון. לאחר שתקעו אמרו לו נדון. אמר להם כבר נשמעה קרן ביבנה ואין משיבין לאחר מעשה. [רש"י - היו העם מתכנסין לשמוע תקיעה משלוחי בית דין לפי שהיו רגילין כן בירושלים.]

³³ (סנהדרין),³³ to ask if בני בתירה consulted with the ריב"ז should be blown or not. They were reluctant, but ריב"ז convinced them to blow שופר, and to deliberate on the propriety of this at a later date. They did so. Subsequently, when the בני בתירה approached ריב"ז to discuss the merits of this action, he responded that it is not appropriate to discuss a prior ruling of any בית דין [since לאחר המעשה].

This story is very strange and appears paradoxical. When did the incident occur, after חורבן (after his תקנה was introduced) or prior to his תקנה? Also, תקנות are generally made only after weighty and lengthy deliberations among the members of בית דין הגדול. Certainly, this תקנה to blow on שבת required a debate of great length, after which a vote would be held. Why then, did ריב"ז refuse to schedule a debate? Also, the גמרא says - היו - that many Jews came to יבנה on that day, apparently anticipating something. How did they know to anticipate something that even the בני בתירה were unaware of? Finally, why did the בני בתירה agree to postpone the debate? The Rav noted, that רש"י, apparently was of the opinion that this incident occurred in the first year immediately following the חורבן בית המקדש. The Rav deduced this from the words of רש"י who says לפי שהיו רגילין כן בירושלים. The Rav explained that רש"י believed that there was a certain period of

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Apparently, the family of בני בתירה distinguished themselves by having many members of their family sitting on the סנהדרין.

time when they blew not only in the מקדש proper, but also in ירושלים, since ריב"ז accorded and conferred that privilege to them. The people of Jerusalem were, thus, aware of this תקנה, which had primarily been instituted in anticipation of the חורבן. This is consistent with Rashi's point of view, as elucidated by the Rav earlier. However, according to תוספות, the institution of ריב"ז came into effect only after the חורבן. Thus, the people would have had no prior experience in ירושלים, vis-a-vis blowing the שופר on שבת, since the original תקנה was limited to מקדש. How then did the lay people anticipate the תקנה to blow in the presence of the בית דין, which prompted them to come to יבנה on that day?

The Rav answered that it is incorrect to assume that the תקנה was introduced for the first time on that שבת. He felt that the תקנה had been introduced previously, many years before, and the populace was accustomed to this practice. The controversy between ריב"ז and בני בתירה was that the תקנה, which permitted that the שופר be blown בית דין בפני בית דין, stipulated that the בית דין must issue a formal ruling - הוראה - permitting the שופר תקיעת שופר each time that occurs on שבת. A הוראת בית דין is required even though the law is clearly established. The היתר תקיעה בשבת is predicated solely on a הוראת בית דין. This is analogous to the rule that a woman may remarry upon the testimony of a solitary witness (עד אחד) who could attest to her husband's demise. Though this law is well established, the woman may not remarry until בית דין formally rules that the testimony is valid. Similarly, each בית דין must issue a formal ruling - הוראת בית דין - to sanction the blowing of שופר on שבת. This is what ריב"ז told the בני בתירה: We must rule to permit the blowing of the שופר - נעמוד ונתקע. Let us formally issue a הוראה for this particular day. The בני בתירה and the other members of the סנהדרין demanded that the matter be debated among the members of

סנהדרין. They felt that every הוראה requires debate (ומתן משא) and this matter should be no different.³⁴ They felt that the הוראה would be invalid, even in this case, unless it is preceded by משא ומתן. ריב"ז answered that debate - is not indispensable since everyone knows the reason for the תקנה, and the הוראה is a foregone conclusion, having been previously established on numerous occasions. He reasoned that משא ומתן is only required for a response to an inquiry, and not for an established practice which is already well defined. Thus, the controversy between ריב"ז and בני בתירה revolved around whether משא ומתן is required for this type of הוראה.

Apparently, in prior years, ריב"ז had indeed engaged in משא ומתן on this subject. On this occasion, however, he was reluctant to do so, since some of the people had already gathered, and it is inappropriate to debate any matter in public. בני בתירה misunderstood ריב"ז's response of נדון כן ואחר כך. They thought that ריב"ז answered them that he wished to issue the הוראה and then afterwards debate (משא ומתן), with regard to the merits of the הוראה, for application in subsequent years. Presumably, had the majority disagreed, then the institution would have been abandoned. However, ריב"ז really meant that they would discuss the laws of שופר, in general, later on, and not debate this particular הוראה. When ריב"ז realized that they had misinterpreted his meaning, he responded that it was too late to debate since אין משיבין לאחר מעשה. In other words, בני בתירה thought that ריב"ז had answered that he would not hold משא ומתן on this specific הוראה, and they conceded that משא ומתן is not really required for this הוראה. Both they and ריב"ז did not want to debate

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הוראה is indispensable for any ruling. As a matter of fact, the Rambam says that in a trial for a capital offense, the members of בית דין are counted twice: once, after the conclusion of the משא ומתן, and then again after they adjourned to the next morning, when they would be ready to issue a final verdict or ruling to the people.

at that time, since - ראה שכל העם מתכנסין - the people had already gathered, and בית דין is precluded from debating in public. Everything must be debated in private (אין החכם מגלה סוד).

The Rav pointed out that we have an institution of מקריא - the one who directs the תוקע as to which notes to blow. The Rav was always opposed to this. He later realized that the practice is a remnant from the days of ראש השנה שחל בשבת, when the בית דין would instruct the תוקע to blow on שבת and issue the formal הוראה. The בית דין did not simply permit the people in general to use the שופר; rather, they expressly told a designated תוקע to blow each תקיעה and each שברים etc. This is what נעמוד ונתקע signifies.

What follows from this גמרא is that a הוראת בית דין is indispensable for blowing the שופר on שבת. The בית דין must explicitly instruct the תוקע to blow the שופר. It is for this reason that the בני בתירה felt that משא ומתן was also required for this הוראה.

(16) The משנה cites the view of רבי אלעזר who limited the תקנה of ריב"ז to the city of יבנה, and, as Rashi adds, to any place to where the סנהדרין הגדול is exiled (וכן בכל). The other חכמים disagreed, and permitted the blowing of שופר in the presence of any שלשה.³⁵ The משנה cites a third view of בית דין שיש בו בית דין. The גמרא says that the second group of חכמים, who disagree with רבי אלעזר, are in agreement with the first opinion of the משנה, which permitted the blowing of Shofer בית דין שיש בו בית דין. Why then were the two views repeated? The גמרא answers that they differ with respect to אקראי - an itinerary,

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This is the view of ספרד; Rashi apparently feels that the חכמים only permitted a כ"ג בית דין שיש בו בית דין.

incidental, and unestablished בית דין, which coincidentally stopped over in that city and was there on ראש השנה. The first view would permit תקיעה in their presence, since the תקנה is based merely on the physical presence of the בית דין. The latter חכמים would require an established בית דין, similar to the בי"ד established in יבנה. This is the view of רש"י.

The בא"ב says that רב אלפס interprets "בית דין דאקראי" as a "בית דין שאינו". He explains that רב אלפס rules that we may blow שופר on שבת even in the presence of a בית דין שאינו סמוך. The Rambam and all other ראשונים disagree, and concur with רש"י in interpreting אקראי in terms of establishment and permanence. They take סמיכה for granted and require סמיכה. The רי"ף agrees with the רי"ב, even though no one other than the רי"ף blew on שבת. The מאירי leaves it to the choice of the Rabbi ("הטוב בעיניך עשה"), since he was reluctant for one to observe ראש השנה without the blowing of שופר. The ראשונים did not report anyone other than the רי"ף who blew on שבת. In the הקדמה למשניות, the Rambam says that there are less than ten errors in the entire commentary of the רי"ף. This is puzzling since there are hundreds of disagreements between the Rambam and the רי"ף. The Rav heard from his father, in the name of רב חיים זצ"ל, that there is a difference between a disagreement and a mistake. There are many times that the Rambam and the רי"ף disagree as to the conclusion of a סוגיא, but disagreeing with the רי"ף's opinion would not lead the Rambam to classify the רי"ף's position as an error. It is merely a difference of opinion. However, there are several instances in which the רי"ף is clearly in error. ר' חיים concluded that תקיעת שופר is one of the errors to which the Rambam alluded (since all of the other ראשונים required a בית דין סמוך).

What is the conceptual disagreement between the Rambam and רי"ף as to the requirement

of בית שליחות? The Rav answered that both the רמב"ם and the רי"ף felt that the שליחות of בית דין is the מתיר - the specific ruling of this בית דין to blow the שופר on שבת is what permits us to blow שופר on that day. The question arises if the מתיר of this בית דין is classified as (דין) משפט or הוראה? For example, דיני נפשות requires a בית דין of סמוכים since it is classified as משפט. On the other hand, התרת נדרים does not require סמוכים, since it only involves הוראת איסור והיתר. הוראת איסור (הוראה) משפט occurs in cases of capital punishment, etc. and requires סמוכים. On the other hand, הוראת איסור והיתר does not require סמוכים. This is the crux of the controversy between the Rambam and רי"ף. Since the הוראה to take שופר on שבת is indispensable, the question arises, is it הוראת איסור והיתר or משפט. The רי"ף felt that any בית דין של שלשה which is qualified to render a הוראת איסור, is also qualified to issue a הוראה to permit the blowing of שופר on שבת. The Rambam disagrees. He feels that the הוראה to take the שופר is a מעשה בית דין, which is qualified as משפט, and which, therefore, requires סמוכים.

(17) The Rav added, that according to the Rambam, it is more than an issue of simple הוראה. Superficially, the רי"ף is correct in assuming that it is a mere הוראת איסור והיתר on the part of the בית דין to direct the תוקע to blow on שבת, similar to other איסור והיתר which do not require סמוכים. Why then did the רמב"ם disagree, and elevate the decision of בית דין to blow on שבת to the rank of משפט which requires סמוכים?

The Rav answered, that the גמרא (on ל ע"א) cited the view of רב הונא who qualified the institution of ריב"ז to blow שופר, as meaning בית דין, בכל מקום שיש בי"ד, in that רבא then explained that ועם בי"ד means בפני בי"ד (i.e. in the presence of a בית דין). רבא then questioned רב הונא from the משנה which indicates that ירושלים was superior to יבנה, in that

in בירושלים) all individuals could blow the שופר even outside the presence of בי"ד (ביבנה אין תוקעין) בי"ד they blew only in the presence of (תוקעין יחידין). The גמרא dismissed this interpretation and concluded that one may take the שופר (יחידין) outside the presence of בית דין - as long as the בי"ד is still in session בזמן (שבי"ד יושבין).³⁶ Rashi explains that the one who maintains that the presence of בי"ד is not required (i.e. תוקעין יחידין), feels that שאינן שלוחי בי"ד - that the individuals who blow need not be agents of the בי"ד. If the presence of בית דין is not required, then even ordinary individuals (who רש"י classifies as אינן שלוחי בית דין) may blow the שופר. The גמרא related that, once the שליח ציבור completed the תפילה of מוסף, the people of יבנה would each blow their שופר in the presence of בית דין. Based on this precedent, the גמרא concluded that ordinary individuals may blow the שופר, outside the presence of בית דין, as long as the בית דין is in session. Absent this precedent, the גמרא would have accepted the contention that the שופר must be blown only by the שלוחי בית דין and not by individuals. The question is obvious. Why did the גמרא entertain the notion that only שלוחי בית דין, and not ordinary individuals, may blow the שופר on שבת?

The Rav explained that, apparently, לפני בית דין and the הוראה of בית דין are not sufficient; rather, we blow the שופר only as שלוחי בית דין. The גמרא did not reject this rationale; rather, it retracted from its position only because of the cited precedent that the people of יבנה blew שופר in their houses. We can deduce from this, that the הוראה alone is not sufficient. The גמרא feels that the תקיעה itself is a מעשה בית דין, similar to קיום שטרות,

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Many ראשונים, such as תוספות and רמב"ן, explain that the גמרא retracted from this position, and required both the presence of בית דין, as well as זמן בית דין.

שלוחי בית דין etc.³⁷ and must be performed only by people acting as שלוחי בית דין. The institution of ריב"ז was not that we may blow שופר only in the presence of בית דין, and not anywhere else. It is not a locus based הלכה. הוראה institution was that we require a הוראה of בית דין and, more importantly, the הוראה converts every תוקע into a שליח בית דין and the תקיעה into a מעשה בית דין!³⁸ Thus, all individuals blew שופר in יבנה, however, they did so as שלוחי בית דין, and not as private citizens.

The Rav added, that, citing the precedent of יבנה, the גמרא rejects the rationale that the requirement of שליח בית דין precludes individuals from blowing שופר. Yet, in interpreting a different סוגיא, Rashi also refers to the ones who blow שופר as שלוחי בית דין. Why? Isn't this inconsistent? The Rav explained that Rashi maintained that the גמרא accepts the view that the only reason that individuals may blow שופר is because every תוקע assumes the role of a שליח בית דין. A general הוראה is not enough. We require a מעשה בית דין as well! The question, if individuals may blow the שופר on their own, in essence, revolves around the question of whether only specific professional שלוחים of בית דין were appointed or whether anyone who blows the שופר, pursuant to the הוראת בית דין, is automatically deemed to be a שליח בית דין. The גמרא concluded that, with regard to שלוחי בית דין, we do not require specific professional שלוחי בית דין (who are employed by the בית דין all year round), and any individual may assume the role of שלוחי בית דין for תקיעת שופר, and the תקיעה becomes a

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The נודע ביהודה says that גט is also a מעשה בית דין, though most אחרונים do not accept his view.

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It is possible, that we require a מקריא and two others, each standing on either side of the תוקע, in order to simulate a שליח בית דין.

39. (and requires סמוכים) מעשה בית דין

Accordingly, when ריב"ז introduced the institution of בית דין, he introduced two stipulations:

x) the שופר be taken in the presence of בית דין, and

y) that it be taken by בית דין שלוחי.

Therefore, מעשה בית דין accomplishes the conversion of the תקיעה into a שלוחי בית דין. This is the תקנת שבת; only תקיעת בית דין is permitted on שבת. This is the תקנת ריב"ז that תקיעת בית דין מותרת and תקיעת יחידים אסורה. The Rav concluded that this is what compelled the Rambam to require סמוכים. The רמב"ם reasoned that since the תקיעה is not merely a הוראת בית דין; it is also a מעשה בית דין, similar to גרות and חליצה and this requires סמוכים. The רי"ף, however, disagreed and felt that the תקיעה is only a הוראה.⁴⁰

(18) The Rambam says (פ"ב משופר ה"ט):

ובזמן הזה שחרב בית המקדש, כל מקום שיש בו בית דין קבוע והוא שיהיה סמוך בארץ ישראל, תוקעין בו בשבת. ואין תוקעין בשבת אלא בבית דין שקדשו את החודש ... ואין תוקעין אלא בפני בית דין גדול בלבד, כל זמן שהן יושבין... אבל חוץ לבית דין אין תוקעין... This ruling originates from the גמרא (דף ל' ע"א on) which required a בית דין שקדשו את בית דין הגדול, and רבי אלעזר, who required בית דין הגדול. Rashi explained that this is the view of רבי אלעזר, who required בית דין הגדול, and החודש.

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Notice, however, that the גמרא דף כ"ה interprets משפט לאלוקי הוא משפט לאלוקי as referring to קידוש החודש and not ראש השנה, יעקב

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Aside: From this point of view, there is no doubt that women cannot become שלוחי בית דין to blow on שבת, presumably based on the פסוק שלום תשים עליך מלך of פסוק, that all official positions be held by males.

the *גמרא* merely defined *בית דין הגדול* as the *בית דין שקדשו החודש*. In his view, this requirement was rejected by the *תנאים* cited in the *משנה*, and is thus of no consequence. The Rambam apparently felt that the requirement of *בית דין שקדשו החודש* was accepted by all of the *תנאים*, even those who disagreed with *רבי אלעזר*. This is the way he decided the *הלכה*.

He continues:

ואין תוקעין אלא בפני בית דין גדול. ולמה תוקעין בפני בית דין? משום שבית דין זריזים הם, ומזהירין את העם, ומודיעין אותן.

What does he mean by *מזהירין את העם*? The Rav answered that the Rambam feels that the *בית דין* would issue a *הוראה* that no one may blow on *שבת*. They would then issue a *הוראה* permitting the people to blow in the *מקדש*. The *בית דין* would explain the *הוראת* *היתר* as predicated on *שמא יעבירונו*. They would then conclude with a *הוראת* *היתר* permitting *תקיעת שופר* in the *מקדש*. The Rambam cites the text of the negative *הוראה* (i.e. *מזהירין את העם*) as well as the text of the positive element of the *הוראה* (*ומודיעין אותן*) that they may blow on *שבת* in their presence.

(19) The *רמב"ם*, *ibid*, requires that the *הוראה* to blow the *שופר* on *שבת*, be issued by both a *בית דין שקדשו את החודש*, as well as by a *בית דין גדול*. These requirements will each be discussed.

There are two ways to interpret the requirement that *שופר* may be taken only by an *הוראה* issued by a *בית דין שקדשו את החודש*:

a) The *בית דין* that knows that this day is *ראש השנה*, and this knowledge was confined to the *בית דין שקדשו את החודש* and to the townspeople in the place where the *בית דין* was located. No one else knew when the *קביעת החודש* would occur, since *ראש השנה*

occurs on ראש חודש. They would not know until the עדים arrived and proclaimed that the יום טוב of ראש השנה had been established. So, whenever there is ספיקא דיומא, they did not blow שופר on שבת. There is a prerequisite that in order to blow on שבת, the בית דין must be certain that this day is definitely ראש השנה. It is not meant to establish a special criteria of a specific status of בית דין; rather, it is a practical pre-condition, since we are permitted to blow שופר on שבת only if that day is actually ראש השנה without any doubt. It is for this reason that the Rambam required בית דין שקדשו את החודש, to ensure that it is actually ראש השנה.⁴¹ So, knowledge of the date is a condition precedent to דחיית שבת by שופר.

If this is the case, then another phrase in Rambam is clarified. He says (פ"ב משופר) (ה"י):

בז"ה שאנו עושים שני ימים בגלות [אז] כדרך שתוקעין בראשון, תוקעין בשני. ואם חל יום ראשון בשבת, ולא היה במקום בית דין הראוין לתקוע, תוקעין בשני בלבד. One can deduce from this statement, that there exists a theoretical possibility that one may take the שופר on שבת even nowadays, provided that the correct situation arises, and if the בית דין meets the qualifications. No doubt, he is silently alluding to his own opinion that if כל חכמי ישראל agree to provide סמיכה to someone, then that סמיכה is valid. Otherwise, his statement, that nowadays we blow שופר on שבת, unless the requisite בית דין is not present, is inappropriate since we do not have סמוכים nowadays, and we could never blow on the שבת.

The commentators, such as the משנה כסף, however, further questioned the Rambam's ruling, since he also requires בית דין שקדשו את החודש. Thus, they ask, even if סמיכה is

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Similarly, we find that לולב was taken on שבת only by those who knew for certain דירחא, and not by those who had a ספיקא דיומא.

institutionalized, nonetheless, we would lack a בית דין שקדשו את החודש since קידוש על פי בית דין depends exclusively on a סנהדרין בלשכת הגזית, or, at the very least, on a בית דין הגדול, wherever located, and nowadays we cannot convene a בית דין הגדול. If so, why does the Rambam suggest that, nowadays, we can blow שופר in the presence of such a בית דין, if, in fact, such a בית דין can never be convened? The Rav answered, based upon the foregoing, that the requirement of בית דין שקדשו את החודש is not a separate qualification of בית דין, that only a בית דין with that status may permit the blowing of שופר on שבת. Rather, בית דין ראש השנה refers to the practical requirement of knowing that this day is ראש השנה. Thus, during the time of ראייה, there was only one בית דין that knew for certain that the day was ראש השנה, and only that בית דין, could blow, since no one else was certain that the day was ראש השנה. Nowadays, however, since we are certain that the day is ראש השנה, by consulting the calendar, it is possible that we can blow שופר if we had סמוכים. The requirement of שקידשו את החודש is thus redefined. This answer was provided by the משנה בסוף.

b) The other interpretation of שקדשו את החודש, is that it does not mean that בית דין was מקדש this חודש תשרי; rather, that it refers to a בית דין, who, at any time in the past, had been מקדש החודש, by the authority of the בית דין הגדול. The בית דין הגדול, which had the sole authority to be מקדש החודש, may authorize a small בית דין של ג' to be מקדש החודש. If this בית דין had, at any time in the past, been empowered by the בית דין הגדול to be מקדש החודש, then that בית דין had sufficient status (and authority) to permit תקיעת שופר בשבת. If the סנהדרין had never delegated authority to this בית דין in the past, then the בית דין did not have the requisite status to blow on שבת.

Why is it that whomever was honored by בית דין הגדול to perform קדוש החודש is

entitled to facilitate בשבת שופר? Apparently, one may blow only in the presence of a prominent דין, as the רמב"ם writes in הלכה ט': הלכה ט' ואין תוקעין אלא בפני בית דין גדול (meaning prominent). Anyone entrusted to be מקדש החודש is in effect also a בית דין גדול. The objective criteria to determine prominence is whether they were ever countenanced by the סנהדרין to be החודש את.

The Rambam also requires בפני בית דין גדול בלבד. He does not require a בית דין הגדול, the סנהדרין ע"א; he only requires a בית דין גדול, a prominent and established דין, whose authority can not be doubted. The Rambam, though, required סמוכים since it is a דין מעשה בית דין, as we noted earlier.⁴²

The Rav pointed out, that, in addition to the foregoing, there is still another requirement. He noted that the Rambam prefaced the הלכה with a general statement:

כל מקום שיש בו בית דין קבוע (והוא שיהיה סמוך באר"י) תוקעין בו בשבת.

The רמב"ם then listed two additional qualifications:

- (i) בית דין שקדשו החודש;
- (ii) בית דין גדול;

Who determines if it is a דין גדול? According to our first interpretation, we have no objective criteria. The Rav heard from his father, in the name of the גר"ח, that even the רי"ף, who did not require סמיכה, nonetheless, required that the בית דין be comprised of the גדולי הדור to whom all defer. Not every בית דין can permit blowing שופר on שבת, even according to the רי"ף. We require בית דין שכל ישראל כרוכים אליו and every generation had

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The Rambam's criteria, in general, for one to receive סמיכה כולה, is שיוזע להורות בכל התורה כולה. There are very few people who could qualify nowadays. The standard is strict and the Rav felt that להורות בכל התורה means one who can rule on any subject after studying it (לאחר העיון).

such people. According to the first interpretation, we would probably require a like caliber בית דין, as well as a בית דין that has knowledge of the date (שקדשו את החודש). This standard is still ambiguous in that there is no objective criteria to establish who it is that attains prominence. Furthermore, if שקדשו החודש is a practical requirement of knowing that it is actually ראש השנה, then the Rambam should have said שידועין את החודש and not שקדשו. According to the second interpretation, prominence is defined as a בית דין who, at any time, had been entrusted to be מקדש החודש.⁴³ Thus, according to this second interpretation, there is only one criteria, namely, that they be a בית דין גדול, and גדול is defined as one who had been countenanced to be מקדש את החודש. קובע את החודש. The criteria of גדול is defined as one who, at one time, was מקדש החודש, since it is unlikely that such a בית דין will ever be contradicted.⁴⁴ This criteria is also problematic since, if this is the case, then the language of the Rambam (ראין) (תוקעין אלא בבי"ד שקדשו את החודש... וראין תוקעין אלא בבי"ד גדול) really should have read in the disjunctive, שראין תוקעין אלא בבי"ד גדול, and not in the conjunctive, וראין תוקעין. The disjunctive would have merged the two (i.e. we require a certain indicator of having once been מקדש החודש since that is indicative of גדול and we require a בית דין גדול). Instead, the רמב"ם uses the conjunctive, וראין תוקעין אלא בפני בית דין גדול which indicates that גדול is an additional criteria. Additionally, the Rambam's language that it is possible to convene such a בית דין nowadays, is problematic since we are not פראייה על פי מקדש על פי ראייה, and thus no בית דין

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The Rav heard from his father, in the name of רב חיים, that the second interpretation is correct. כסף משנה adopts both of the interpretations which are self-contradictory.

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The reference in כל מקום שיש בית דין to הלכה ט' could be interpreted differently according to each of these two interpretations: x) according to the first interpretation it is that location in which they were מקדש את החודש; and y) according to the second, it is every place in which such a qualified בית דין is present.

can, nowadays, be מקדש the חודש. Thus, we lack this objective criteria which defines a בית גדול דין.⁴⁵ The Rav said that it is possible to assert, however, that nowadays, that we do not have the objective criteria of שקדשו החודש, we can substitute therefor the criteria of גדולי הדור שכל ישראל נשמעין אליהם.

(20) The Rav, however, rejected both these interpretations. The Rav felt that the language of שקדשו החודש is related to the הוראת בית דין which is required in order to blow the שופר on שבת. The הוראה consists of the following: the בית דין says מקודש מקודש on the morning of ראש השנה (which falls on a שבת) to establish that the day is the first day of תשרי, and not the 30th day of אלול. This is certainly a מעשה בית דין. The Rav felt that the בית דין included in this הוראה of קידוש החודש, an additional הוראה to blow the שופר in the morning on that day and not to blow the שופר in גבולין. This is an extension of the הוראה של the morning. The בית דין that is responsible for establishing this שבת as ראש השנה must also rule on its consequences vis-a-vis שופר, in that the שופר must be blown במקדש and not in גבולין. This is the institution of ריב"ז. The הוראה to blow שופר on שבת (in מקדש) and not to blow בגבולין, is an extension of the הוראה establishing the date as ראש השנה. The הוראה of שופר emanates from the בית דין's establishment of the day as ראש השנה, and the two הוראות really flow one from the other. The בית דין, therefore, instructed the people to blow שופר in מקדש once they were קובע החודש. The הוראה to blow is part and parcel of their establishment of the day as ראש השנה. They would thus say:

מקודש מקודש וכולם חייבין לתקוע במקדש, ואסורין לתקוע בגבולין.

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In order to be מקדש על פי ראייה, we require a בית דין הגדול which can not be convened nowadays even according to the Rambam.

Thus, the Rambam means that אין תוקעין אלא בפני בית דין שקידשו את החודש, that one is permitted to blow only by the הוראה of קידוש החודש, to which was appended the הוראה to blow the שופר on that day⁴⁶.

In conclusion, the requirement of the תקיעה לפני בית דין means that the תקיעה is a מעשה בית דין based on a specific הוראה which converts the תקיעה to מעשה בית דין. The בית דין acts as an agent of בית דין.

The רמב"ם says: אין תוקעין אלא בפני בית דין גדול כל מהלכות שופר ה"ט. What does he mean by זמן שהן יושבין? The גמרא discusses that by יובל, where we also require זמן שהן יושבין, one may blow on the שופר outside of בית דין, provided that the בית דין is still in session. The גמרא then concludes that on ראש השנה, one may blow the שופר only in the actual presence of בית דין - בפני בית דין. The question then arises whether ראש השנה requires זמן בית דין (i.e. during that session, even outside of their presence) or not. תוספות says we require only בפני בית דין and not זמן בית דין, while (and apparently the רמב"ם) required both בפני בית דין as well as זמן בית דין. Why? Rashi says עד ששעות שבית דין יושבין, and one may not blow after חצות. The מאירי quotes another commentary that זמן בית דין means as long as בית דין is in session, even if the session extends beyond חצות. The מאירי says that he feels that רש"י is correct in imposing a time

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According to the ירושלמי that there is no obligation to blow שופר on שבת, then what was the purpose of ריב"ז's institution to blow on שבת in the presence of a בית דין? The בעל העיטור quotes the דרשת הרמב"ן and another ירושלמי who deal with this problem, as well as the מדרש, ילקוט שמעוני and פסיקתא דר"כ, and concludes that: "והתקין ריב"ז שיהא תוקעין בכל מקום שיש בו בית דין כדי שלא תשתכח תורת שופר מכל מקום" (since ראש השנה was often only one day). He conceded that in their view, blowing on שבת would only be מדרבנן. The אחרונים deal with the problem regarding one who, nowadays, blows שופר on שבת has nonetheless performed a מצוה. The Rav said that he is absolutely not מקיים any מצוה according to the בבלי, but that the ירושלמי, which rejected the דרבה, apparently feels that there exists a מצוה.

limitation of חצות on שופר בשבת. The Rambam, however, is ambiguous. Some remark that if the Rambam had agreed with Rashi, then he would have explained himself differently and would have said כל זמן ישיבת בית דין. The Rav did not agree with that remark since the Rambam uses the words כל זמן שבית דין יושבין on other occasions. The Rav is inclined to believe that the Rambam is in full concurrence with Rashi. Thus, כל זמן שבית דין יושבין means until חצות and is an added requirement for בפני בית דין.

The problem arises, however, that we do not find any other situation in which the בית דין can not perform a מעשה בית דין after חצות. Certainly, עדים who were interrogated after חצות are admissible. Why is שופר so strict that it cannot be performed after חצות? The Rav answered that there is another important הלכה, namely, that אין בית דין יושבין בשבת וביום טוב. Similarly, אין מקבלין גרים בשבת.⁴⁷ If so, how could the בית דין convene on ראש השנה to administer the שופר בשבת שחל השנה?⁴⁸

Obviously, ריב"ז permitted the בית דין to convene as part of his תקנה. On שבת ויום טוב, there is generally no מעשה בית דין, with the exception of ראש השנה. This תקנה was limited, however, until חצות, and after חצות, we can not blow the שופר since the בית דין may not be convened. During the week, בית דין generally, has the right to convene after חצות, if they wish. חצות was for their convenience. But on שבת ויום טוב, when they are not permitted to convene, the תקנת ריב"ז provided an exception to the general rule that אין ישיבת בית דין בשבת, and permitted them to convene only until חצות. After חצות, there can be no

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The Rambam quotes this הלכה in הלכות שבת.

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קידוש החודש can be performed on שבת since the עדים themselves may violate שבת in order to travel to ירושלים.

שבת ויום טוב and the original ban on convening on שבת ויום טוב since it is מעשה בית דין is automatically reinstated! אין תוקעין אלא בפני thus instituted two תקנות: one, that ישבת בית דין, and two, that this particular day is susceptible to בית דין. The latter תקנה, however, which permits the בית דין to convene on ראש השנה expires at חצות.

The Rav felt, that this proved his theory that the תקיעה is a מעשה בית דין. If the בית דין was only to blow in the physical presence of בית דין, then we would be permitted to blow the entire day, since it would not be משפט, and the דיינים can convene even on שבת, as long as they do not commence any proceedings. Clearly then, we must deduce, from the limitation of חצות, that it is a מעשה בית דין and that this exception to the general rule of אין תוקעין אלא בפני expires at חצות!

Based upon the foregoing, the Rav added a different gloss to what we had earlier explained that, according to the Rambam only בזמן בית דין was required in ירושלים, unlike יבנה, which also required בפני בית דין. The Rav added, that in ירושלים, בית דין was not required (according to רמב"ם), not because בית דין is not required; rather, the reason is that all of the people of ירושלים acted as בית דין. The בית דין regularly sent out people (as שלוחי בית דין) to act on their behalf (e.g. שלוחין יוצאין) and the מעשה בית דין is accomplished outside of בית דין. Therefore, in Jerusalem, the מעשה בית דין is based on שליחות, while in יבנה it was not based on שליחות, exclusively, but also required the physical presence of בית דין.

There is another exception to the rule of אין דנין בשבת וביום טוב, namely, קידוש קידוש חודש תשרי of הוראה. Since we said that תקיעה בשבת is an extension of the קידוש חודש תשרי, it may be that this is why the מעשה בית דין of תקיעה can occur on שבת and serve as an

exception to אין דנין בשבת וביום טוב.

(21) Before analyzing the subjective elements of תקיעת שופר, we must first establish certain Halachic premises and analyze the relationships between blowing שופר on ראש השנה (which is characterized as יום תרועה) and the מצות חצוצרות on יום טוב, as characterized by כי תבואו למלחמה והרעותם בחצוצרות וביום שמחתכם ותקעתם בחצוצרות and that of חצוצרות in times of distress. The Rav demonstrated a definitive relationship between all three, which חז"ל formulated, and this relationship sheds light on the מצוה of שופר.

(22) The structure of the זכרונות ושופרות ברכות differs from that of מלכיות. By מלכיות, we recite nine פסוקים from תנ"ך and then conclude with a final tenth פסוק from תורה which reads: ובתורתך כתוב לאמר, שמע ישראל ה' אלוקינו וכו'. This is immediately followed by the petition containing the ברכה of both מלכיות and קדושת היום which reads: אלוקינו ואלוקי אבותינו מלך על כל העולם כולו בכבודיך...ברוך אתה ה' מלך על כל הארץ מקדש ישראל ויום הזכרון.

By זכרונות, on the other hand, we recite the nine פסוקים from תנ"ך. This is immediately followed by the petition containing the ברכה of זכרונות which reads:

אלוקינו ואלוקי אבותינו זכרנו בזכרון טוב לפניך...

We then incorporate the tenth and final פסוק from the תורה within this חתימה and recite:

וקיים לנו מה שהבטחתנו בתורתך על ידי משה עבדך...כאמור וזכרתי להם ברית ראשונים וכו'

which is immediately followed by the חתימה of

ברוך אתה ה' זוכר הברית.

must be recited in conjunction with the preceding nine פסוקים and should not be deferred to the middle of the ברכה, as is our practice with regard to שופרות and זכרונות. There, the tenth פסוק is recited as part of the ברכה of או"א זכרנו בזכרון and או"א תקע בשופר, respectively and not as the concluding פסוק of the compilation of the פסוקים. He noted that מלכיות is practiced the correct way, and שמע ישראל, the last of the ten פסוקים, is recited immediately after the compilation of the פסוקים, prior to the recitation of the ברכה, so that the compilation concludes with the tenth פסוק from the תורה.⁴⁹ The other ראשונים had answered that each ברכה is composed of three parts:

- (i) Declaration and an expression of faith, an מאמין;
- (ii) Proof by citation of פסוקים;
- (iii) Petition.

The tenth פסוק reflects the petition, as we say: ...וקיים לנו מה שהבטחתנו וזכרתי להם. and we ask G-d to honor what He wrote in the תורה. Thus, it can not be included within the compilation of פסוקים which are representative of the second component of the ברבה, and is included as part of the third component of the ברכה! In מלכיות, however, the tenth פסוק is not included in the ברכה, since מלכיות (i.e. the ברכה of או"א מלוך על כל העולם) is recited during all of the תפילות as well, and is the ברכה of קדושת היום. Had they altered it to include the tenth פסוק (by מוסף), then they would have been compelled to create a separate ברכה for

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The Rav's practice was to recite (by זכרונות) immediately after ארחם ארחמנו נאום...רחם לי אפרים. He then said או"א זכרנו בזיכרון and repeated that פסוק as in the standard text. By שופרות, his practice was to say immediately after כן תגן על עמך etc. Then he read the ברכה in accordance with our interpretation. This practice satisfies both the רמב"ן's view that the tenth פסוק must be the concluding פסוק, as well as the view of the other ראשונים who felt that the tenth פסוק must be included within the ברכה, immediately before the חתימה.

תפילות. This would have resulted in their reciting ten ברכות, and not nine ברכות, which contravenes the tradition to recite only nine ברכות on ראש השנה⁵⁰. The רמב"ן disagreed and felt that even the tenth פסוק of זו"ש must be cited as proof of the declaration of faith, and so must be included within the compilation of פסוקים (as the concluding פסוק), since it is part of this group and should be inserted prior to the ברכה. He, therefore, did not recite לנו מה וקיים by זה"ש. The Ramban proved this from our practice by מלכות, where the tenth פסוק is omitted from the ברכה. He apparently did not accept the Rav's rationale that it could not be inserted there, since all of the other תפילות share that ברכה. By מלכות, the Rav insisted that there be no interruption between שמע ישראל and או"א מלך, since by מלכות that פסוק is actually part and parcel of and combined with the ברכה (and it is a petition similar to that of זכרונות ושופרות even though it precedes the ברכה). We can not petition G-d unless there is a prior promise by G-d, and that is why we cite the פסוק as part of the petition. שמע ישראל means that You wrote in the Torah that in the present ה' אלוקינו (G-d is our G-d) and in the future ה' אחד (You will be everyone's G-d); and so please או"א מלך על כל העולם - rule over everyone.⁵¹ The Ramban utilized the פסוק of לא הביט און ביעקב for both מלכות and שופרות (in accordance with the גמרא ruling).

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They merged מלכות with קדושת היום, since קדושת היום also contains the motif of מלכות.

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The Rav had a problem with the text of כל נדרי, since he altered the text in accordance with the גר"א and this does not conform well with the music liturgy of חזנים. The נוסח of מז"וש is flexible, while the נוסח of כל נדרי is stiff. Rav instituted in כל נדרי to say: מיום כפורים שעבר עד יום כפורים זה ומיום כפורים זה עד יום ונדרתי...מיום כפורים שעבר עד מנהג הגר"א. Actually, it reads מיום כפורים זה עד יום כפורים הבא עלינו לטובה with the past tense of the verb followed by the future tense of all the verbs. This interferes with the music (נוסח).

(24) The רא"ש (ibid) cites רבינו יונה who recited the פסוק of יום תרועה, in or prior to, the ברכה of שופרות. The רא"ש disagrees and utilizes the פסוק of שמחתכם, even though that פסוק deals with חצוצרות. He quotes the ירושלמי which debates the question of whether we mention ראש חודש on the holiday of ראש השנה. As we know, ראש השנה is not given a name in the תורה. It is referred to as ... ובחודש השביעי באחד לחודש. Coincidentally, ראש השנה always occurs on ראש חודש. The גמרא says that ובראשי חדשיכם means חודש שיש לה שני ראשים, which refers to ראש השנה, which wears the double hat of ראש חודש and ראש השנה. How do we introduce this double קדושה in the תפילה? In מסכת יום ראש חודש הזה ואת יום הזכרון ואת, עירובין (דף ל"ט), it appears that they recited both. Similarly in מסכתא סופרים, we find: ותתן לנו את יום ראש חודש זה, ואת יום ראש השנה, ואת יום תקיעת שופר הזה. This is a triple הזכרה. In מסכת עירובין, the גמרא concluded זכרון אחד עולה לכאן ולכאן (as it says ובראשי חדשיכם והיה לכם זכרון) and ראש חודש is also called זכרון (as it says ובראשי חדשיכם והיה לכם זכרון), so the words יום הזכרון refer to both of them. The same question came up in the ירושלמי (cited by the רא"ש), and, they, too, introduced this answer that the word זכרון is a common denominator for both ראש השנה and ראש חודש.

(25) The רא"ש then cites the ירושלמי which asks ומעתה יבטל ראש חודש בתפילה (i.e. let us eliminate the mention of ראש חודש). This is puzzling given the ירושלמי prior answer that ראש חודש and ראש השנה - זכרון אחד עולה לכאן ולכאן - that יום זכרון encompasses both ראש חודש and ראש השנה. If so, what does this duplicative question mean? The ירושלמי answers כיון שאמר ובראשי חדשיכם בשופרות יצא. The answer is also puzzling. How does the recitation of the פסוק of שמחתכם in the ברכה of שופרות impact on whether we

should mention ראש חודש in the ברכה of היום קדושת היום ?

To answer this, we must first analyze the גמרא in ח' ראש השנה דף ח' which cites the פסוק תקעו בחודש שופר בכסה ליום חגיגו - of פסוק.

The word בכסה has three translations:

- (i) The day of judgement (יום הכסא); and
- (ii) The day of quota - the day which has been designated (נבחר) or ordained for משפט; and
- (iii) The moonless day (יום שהחודש מתכסה בו) - the day in which the moon is concealed.

שעיר ראש quotes the view of רב משולם who maintains that they did not offer the ראש חודש, on ראש השנה, since they offered the שעיר ראש השנה in lieu thereof. In his opinion, this is the consequence of חודש מתכסה, in that the month is hidden by the absence of the שעיר. He noted that the תורה, after detailing the מוסף of ראש השנה, says: מלבד עולת קרבן חטאת. ר"ת and does not mention the שעיר ראש חודש which is a חטאת. ר"ת disagreed and cited a תוספתא that contradicts this. In his opinion, the חודש מתכסה בו means that the Torah did not explicitly mention the offering of the שעיר ראש חודש on ראש השנה. He said that we then offered an alternative explanation of חודש מתכסה. He said that we do not explicitly mention in detail, all of the מוספי ראש חודש in תפילת מוסף. We recite only מלבד עולת החודש which is a mere elliptical reference. He quotes a ירושלמי which relates a story in which the son of רש"ב, officiated as the שליח ציבור. He did not wish to mention the שעיר ראש חודש since the גמרא (שבועות ט') says that G-d requires a כפרה for diminishing the moon and requests that the Jews offer the שעיר ראש חודש to grant Him (כביכול) כפרה.

They write:

תקריבו עלי [שעיר חטאת] משום שמיעטתי את הירח. He concluded that, since the Jews

request כפרה on ראש השנה from G-d, and since it is better for an innocent person (as opposed to a guilty one) to intervene on our behalf, we do not wish to impugn G-d and mention that He is also guilty (on this day)⁵² -

מוטב שיבא זכאי ויכפר על זכאי ואל יבא חייב ויכפר על החייב.

ר"ת explained that the text of the תפילה should read מלבד עולת החודש followed by ושני שעירים לכפר. Rashi writes (on ל"ה ע"א) on the גמרא comment that we recite many פסוקים that: דאיכא מוספי ראש השנה וראש חודש. This indicates that he recited the entire text of the מוסף ראש חודש (i.e. ... ובראשי חדשיכם תקריבו...) in the same fashion as on an ordinary ראש חודש. The תוספות disagrees there and concurs with ר"ת that we should only recite מלבד עולת החודש ושני שעירים, and not recite the entire text of ובראשי וכו'. They interpreted the גמרא as referring to the numerous פסוקים of רב משולם if ראשונים disagree. This is also our מנהג. The תפילת מוסף was recited in the ראש חודש. This is also our מנהג. The ראשונים disagree if ראש חודש was retracted his first view or not.

The Rav pointed out that the נוסח liturgy calls for a quickening of the tempo by the words 'מלבד עולת החודש וגו', to demonstrate that we do not really wish to mention the topic of ראש חודש, and do so reluctantly. There is some form of an inner contradiction and tension between ראש חודש and ראש השנה, and we quicken the tempo to get it over with as soon as possible. What is the Halachic basis of this tension?

(26) The Rav explained that ראש השנה and ראש חודש are inseparable since ראש השנה

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The Rav noted that it is very strange that G-d requires כפרה on every ראש חודש and thus can not grant us כפרה on this day of ראש השנה which is also ראש חודש. The Rav felt that there is, apparently, an inner contradiction between ראש חודש and ראש השנה and, thus, ראש חודש cannot be mentioned together with ראש השנה.

always occurs on ראש חודש תשרי, באחד דחודש תשרי, which is also ראש חודש. What about the קדושות? Are there two distinct קדושות, one of ראש השנה and the other of ראש חודש, similar to שבת ראש חודש where there are two separate קדושות, one of שבת and one of ראש חודש? If this is the case, then we should mention both מוספים in the same fashion that we mention both the מוסף of שבת and that of ראש חודש?⁵³ Or, are they the same קדושה, and so there is no need to mention both of them?

The Rav inferred that Rashi feels that they are two independent קדושות. Each has its own sovereignty and each is an institution for itself. The fact that they coincide is insignificant - just as when ראש חודש and שבת coincide. They form a permanent union of two sovereign entities. Rashi, thus required the recitation of both the מוסף of ראש השנה and the מוסף of ראש חודש. The two קדושות are not interdependent; it is a coincidence that they coexist. They do not merge to form one the קדושת היום, even though the coexistence is permanent.⁵⁴

שעיר ראש חודש introduced the radical concept of חודש מתכסה, and that a ראש חודש is not offered (or mentioned) on ראש השנה. This concept related solely to his view of קדושת היום which, as a consequence, affects the recitation of the מוסף. The הלכה is really one of קדושת היום. He felt that, somehow, the קדושת היום of ראש חודש was subsumed under the קדושת היום of ראש השנה. It submerges under the קדושת היום of ראש השנה and forms one discrete and new identity of קדושה, containing aspects of both ראש השנה as well as ראש חודש.

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We focus on the הזכרת מוסף since the מוסף represents and symbolizes the קדושת היום.

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The Rav did not know how Rashi resolved the גמרא that concluded that זכרון אחד עולה לכאן, which implies that there is one (new) קדושה, with his opinion (in ראש השנה דף ל"ה) that we recite both: the מוסף of ראש השנה, and the מוסף of ראש חודש, which indicates that they are two קדושות.

זכרון! יום הזכרון of קדושה (single) קדושה; it is difficult to define this new קדושה חודש. ראש חודש and ראש השנה, and the two cannot be separated.

The Rav pointed out that the גמרא (עירובין ל"ט) had asked if there is a separate חתימה of ראש חודש in the ברכה of קדושת היום, due to the fact that we offer a separate מוסף. In other words, they assumed that the fact that a separate מוסף of ראש חודש is offered, is indicative of its constituting a new קדושה, in which case, a separate חתימה is required for this קדושה. The גמרא then posited the alternative that the מוסף of ראש השנה be doubled up with that of ראש חודש. This means, that the קדושה of ראש חודש was submerged by the תורה with that of ראש השנה. Somehow, the קדושה of ראש השנה absorbed the קדושה of ראש חודש. There is a new קדושה, and the מוסף is not a מוסף of ראש חודש (as on every ראש חודש), but is a מוסף of יום הזכרון. This new קדושה of יום הזכרון requires a double מוסף consisting of two שעירים. This קדושה of יום הזכרון contains aspects of both, and is not readily definable. We denominate it as יום הזכרון to reflect its discrete status.

On the other hand, according to רב משולם, the מוסף brought on ראש השנה is, exclusively, a מוסף of יום הזכרון, since the פרשת ראש חודש is not applicable. He interprets the פסוק of מלבד עולת החודש as meaning that the קדושת היום of ראש חודש does not precipitate the offering of the normal מוסף of ראש חודש; rather, the פסוק obligates us to offer, on ראש השנה, those עולות מוסף,⁵⁵ which are usually brought on ראש חודש in addition to the קרבנות ראש השנה. This קרבן, however, is not a מוסף of ראש חודש. The מחייב is not ראש חודש. The מחייב is the קדושה of (ראש השנה) יום הזכרון. This קדושה is not

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According to רב משולם, they did not offer the מוסף של ראש חודש.

definable, but is a קדושה comprised of ראש השנה, as merged with ראש חודש. So חודש מתכסה means a day in which the קדושת היום of ראש חודש is submerged with another קדושה (namely, of ראש השנה). It is hard to say what the קדושת היום of ראש השנה is - it is really a יום הזכרון של יום קדושת היום, a unique entity in which ראש השנה and ראש חודש are merged into a new entity.

The Rav explained that even ר"ת felt that they offered not only the עולות generally brought on ראש חודש, but also the שעירים as well. He concedes, however, that the מחייב is not ראש חודש but יום הזכרון, which is מחייב two sets of קרבנות: x) the מוסף ראש השנה, and y) the מוסף normally offered on ראש חודש. The latter is not offered due to ראש חודש, since there is no independent קדושת היום of ראש חודש; it is offered as a result of (or by the force of) the קדושת יום הזכרון - the new קדושת היום which contains aspects of both ראש השנה and ראש חודש. This strange and paradoxical יום טוב of הזכרון, which has its own קרבנות, precipitates both its own קרבן and the normal קרבנות generally brought on other ראשי חודשים. The מזבח does not lose out because of the merger. Thus, ר"ת ruled that we may not recite, at length, the details of the מוסף ראש חודש, since the very moment that we detail this מוסף, we distort this new קדושת היום. However, the מחייב changes the character of the מוספים.

In the Rav's opinion, the מסכת סופרים that ruled that they recited: מקדש ישראל ויום, felt that there were two separate קדושות, each of which must be recited separately, both with regard to the מוסף and with regard to the חתימה. The גמרא of הכרעה was that זכרון אחד עולה לכאן ולכאן. This means that it is one distinct קדושה.

We discussed earlier, that the גמרא had questioned what the הזכרה is on ראש השנה. In other words, are they two קדושות היום or one new entity which is covered by זכרון אחד and which constitutes one קדושה of יום הזכרון? The conclusion of the גמרא is that there is a new and independent קדושה of יום הזכרון, which absorbed the קדושת היום of ראש חודש though the Rav could NOT define this new קדושה precisely. It is for this reason, that we are not מברכין את חודש תשרי since we cannot separate the קדושת ראש חודש from the new קדושה; the new קדושה cannot be isolated.⁵⁶

(27) The Rav was told by his father, רב משה זצ"ל, that גר"ח (R' Chaim), once came home on the second day of ראש השנה,⁵⁷ and asked רב משה why we say מלבד עולת החודש on the second day of ראש השנה, if in fact, the first day of ראש השנה is ראש חודש תשרי - the first day of תשרי - and the second day of ראש השנה is the second day of תשרי, which is certainly not ראש חודש! We observe two days of ראש השנה since קודש נהגין אותו היום קודש but this does not apply to ראש חודש, and to determining the days of the month of תשרי. The second day is definitely not ראש חודש. The שו"ע says that we mention עולת חודש on the second day ביה ליתני לזלזולי ביה ראש חודש. The Rav did not know how the debate with רב חיים ended. But, רב משה told the Rav that the רמב"ם ruled that the institution of מן המנחה עדים applies to every ראש חודש, and if ראש חודש came על מנחה on any other month, then both days were observed as ראש חודש. According to this

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The אחרונים alluded to this by saying that אין מברכין החודש משום שהחודש מתכסה בו. They dismissed the rationale of יקטרג השטן since the שטן knows which day is ראש השנה.

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R' Chaim would pray on the first day of ראש השנה with one מנין, and with another, on the second day of ראש השנה.

view, both days of ראש השנה are equal (and both are יום הזכרון - both days contain this discrete and independent קדושת היום). The Rav suspected that רב חיים did not mention מלבד ראש חודש on the second day, but in order to deter others from following suit, he told רב משה that he was in doubt as to what to do.⁵⁸ The Rav explained that the answer depends on the relationship between ראש השנה and ראש חודש. If, they are both two sovereign קדושות, which reign together on ראש השנה, then on the second day, there is no קדושת היום of ראש חודש and there remains only the קדושת היום of ראש השנה. If, however, there is a single קדושה of יום הזכרון, which is the product of both קדושות היום of ראש השנה and of ראש חודש, then we can not separate the two קדושות. Thus, we would recite עולת החודש on the second day as well. This is our מנהג!

(28) Let us return to the problem of defining the relationship between יום תרועה and ראש השנה. ראש השנה on ראש חודש was very careful not to mention ראש חודש. This was certainly very deliberate. There is an inner fear to mention it. The ילקוט שמעוני⁵⁹ writes as follows:

וביום שמחתכם. רב אשי אמר, כתיב ראשי וכתוב חדשכם.⁶⁰ איזהו חודש שיש לו שני ראשים,

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רב חיים engaged in this type of conduct concerning other matters as well, and he would intimate the proper course of conduct by saying that he was in doubt as to what to do.

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See also דף גמרא on דף נ"ה where it says: ... וכתוב חדשיכם. Our רב אשי אמר כתיב ראשי, and derived מלכיות from שבתון זכרון תרועה of פסוקים, and derived מצות שופר from ל"ד ע"א (דף ל"ב ע"א) (see וביום שמחתכם of פסוק found in this פסוק).

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Apparently, his text read ובראשי חדשכם, without a יו"ד in the word חדשכם, which converts it to the singular tense. He, therefore, felt that the פסוק refers to the ראש חודש which is both singular and plural.

הוי אומר זה תשרי. ואמר רחמנא חדשכם חד ... אני ה' אלוקיכם למה נאמר? לפי שהוא אומר בחדש השביעי באחד לחודש יהיה לכם שבתון זכרון תרועה אבל מלכיות לא שמענו, תלמוד לומר ה' אלוקיו עמו ותרועת מלך בו אלו שופרות ומלכיות. רב נתן אומר, אין צריך שכבר נאמר ותקעתם בחצוצרות הרי שופרות, והיו לכם לזכרון, זה זכרונות, אני ה' אלוקיכם, זו מלכיות. אם כן מה ראו חכמים לומר מלכיות תחילה ואחר כך זכרונות ושופרות? אלא המליכהו עליך תחילה ואחר כך בקש מלפניו רחמים כדי שיזכור לך. ובמה? בשופר של חירות ... וביום, זה יום הכיפורים, שמחתכם, אלו הרגלים. ובמועדיכם, אלו התמידים, שאר מועדים רבה כל תמיד ותמיד. בראשי חדשיכם, אלו ראשי חדשים. ובראשי חדשיכם, רבה ראש השנה. ותקעתם בחצוצרות ולא בשופרות. ע"כ.

מלכיות, זכרונות, cites רב נתן who derived the obligation to recite זכרונות and implies מלכיות. The Rav implies אני ה' אלוקיכם implies זכרונות והיו לכם לזכרון; שופרות⁶¹ from the פסוקים of שמחתכם וביום שמחתכם. He says that implies ותקעתם בחצוצרות from the שופרות pointed out that on the דף ל"ב ע"א derived the obligation to recite the ברכות of גמרא. They said: ראש השנה which deal with פסוקים from the מלכיות, זכרונות ושופרות

מניין שאומרים מלכיות, זכרונות ושופרות? אמר רבי עקיבא, [כתיב] שבתון זכרון תרועה מקרא קודש. שבתון, קדשהו בעשיית מלאכה. זכרון, אלו זכרונות. תרועה, אלו שופרות. מקרא קודש, זו קדושת היום. ומניין שאומרים מלכיות? רבי אומר [כתיב] אני ה' אלוקיכם⁶²

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The ספר חכמת שלמה points out that according to this view of רב נתן that refers to ותקעתם בחצוצרות, the ספר רמב"ן's hesitation of reciting this פסוק in שופרות is resolved (and had the ספר רמב"ן known the ספר he never would have raised the question.)

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This is found in the פסוק immediately preceding שבתון זכרון תרועה.

ובחודש השביעי, אז מלכיות. רבי יוסי בר יהודה אומר, והיו לכם לזכרון לפני ה' אלוהיכם⁶³, זה בנה אב לכל מקום שנאמר בו זכרונות יהיו מלכיות עמהן.

Why did the ילקוט then derive this from the פסוקים of שמחתכם? This is strange. Additionally, the view of רב נתן that refers to שופרות in חצוצרות is peculiar. The חצוצרות imposes an obligation to sound the חצוצרות. How then does he derive שופרות from the פסוק which establishes the imperative of חצוצרות, which is seemingly unrelated?

Furthermore, the ילקוט imposes an independent obligation to blow חצוצרות on ראש חודש (which is derived either from וראשי חדשיכם - חודש שיש לו שני ראשים or from the extra וי"ו of וראשי חדשיכם). The Rav asked, why did the ילקוט struggle to impose this separate obligation to blow חצוצרות; we blow חצוצרות on every ראש חודש and should thus blow חצוצרות on ראש השנה because it is ראש חודש as well!?!

According to רש"י, the question is compounded, since he felt that they are two קדושות, and so why can't the regular קדושה of ראש חודש precipitate the obligation of חצוצרות, as on all other ראשי חדשים? According to רב משולם, though, it is possible to argue that they required a new פסוק since the merged קדושה of יום הזכרון may not precipitate חצוצרות and only קדושת היום של ראש חודש can independently precipitate חצוצרות, and not that of the new קדושה of יום הזכרון.

Obviously, רב נתן felt that there is a relationship between חצוצרות and יום ונתקעתם בחצוצרות, and he, therefore, did not hesitate to derive the obligation to recite זכרון תרועה and תרועה.

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This does refer to the פסוק of שמחתכם. However, this was introduced as providing the basis for reciting זכרון תרועה. The primary פסוק is that of זכרון תרועה.

from that פסוק of בחצוצרות . What is the relationship and equation between שופרות and וביום שמחתכם? How does it express itself? It is clear that our text of שופרות which uses the פסוק of וביום שמחתכם as the concluding פסוק of שופרות , confirms this relationship (as did the רא"ש cited by ר"ש) and regards וביום שמחתכם as a פסוק of שופרות just as יום תרועה and זכרון תרועה are. It is also clear that this פסוק expresses ריצוי as explained by ראב"ה (cited in רא"ש). Why is this so?

Additionally, we know that in the מקדש where they blew both חצוצרות and שופרות, then שופר מאריך וחצוצרות מקצרין, שמצות היום בשופר. ומאי קרא, שנאמר בחצוצרות וקול שופר. The Rav explained that in the מקדש, on ראש השנה, there is a מצוה to combine the חצוצרות and the שופר. The מצוה of וביום שמחתכם joined with the מצוה of יום תרועה and both שופר (i.e. יום תרועה) and חצוצרות (i.e. וביום שמחתכם) merged and formed one new מצוה, consisting of both חצוצרות and שופר. This represented one מצוה of שופר וקול שופר הריעו לפני המלך ה' and one מצוה of בחצוצרות וקול שופר הריעו לפני המלך ה'. On a regular ראש חודש, they blew חצוצרות as שירה על הקרבן. The שירה על היין would sing the שירה על היין, and the שירה על היין would accompany them with חצוצרות. In that regard, ראש השנה is similar to all other ראשי חודשים, and contains this קיום as well. However, the ילקוט apparently imposes a separate obligation to blow חצוצרות on ראש השנה, which is derived from בחצוצרות ותקעתם בחצוצרות, which is derived from בחצוצרות חצוצרות. This is derived from the פסוק of יום תרועה . This is derived from the פסוק of יום תרועה גבולין we must blow on the שופר⁶⁴, while, in the מקדש, we must use both the שופר as well as the חצוצרות. This

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בחדש השביעי תעבירו שופר בכל ארצכם.

is alluded to by (תהילים in פסוק which is a פסוק) בחצוצרות וקול שופר הריעו לפני המלך ה' and which interprets this הלכה which requires both שופר וחצוצרות in the מקדש (i.e. לפני המלך (ה'). The פסוק of שמחתכם וביום meant to interpret יום תרועה and זכרון תרועה to mean that this מצוה imposes a separate obligation (in the מקדש) to blow on both the חצוצרות and the שופר, and in גבולין to blow on any type of שופר. When the משנה says that the שופר is blown for a longer period of time than the חצוצרות, since מצות היום בשופר, it means that the חצוצרות are blown, not as חצוצרות, but בתורת שופר, as a complement to שופר, and are joined with the שופר. They are, therefore, not blown at equal length with the שופר. The מצות שופר extends to תצוצרות as well, and יום תרועה thus means שופר in גבולין, and both חצוצרות and שופר in the מקדש. This is alluded to by לפני המלך ה', which classifies that in the מקדש which is לפני המלך ה', we use both the חצוצרות and the שופר.

This is what רב נתן meant; he did not mean to introduce חצוצרות on ראש השנה as תקיעת חצוצרות על הקרבן (since, as we pointed out, that is obligatory anyway because it is ראש חודש). Rather, he desired to impose a new concept of חצוצרות in which there is an obligation to blow חצוצרות together with שופר (in מקדש), and to merge the חצוצרות with the שופר. Both fall under the rubric of שופר. This merger fulfills the requirements of יום תרועה (as defined by the פסוק of שופר וקול שופר).

We said earlier that according to the ירושלמי, there are two מצוות of שופר (and not that the חיוב in מקדש is different than in גבולין): i) to blow שופר in both the מקדש and in גבולין (and this קיום is suspended on שבת in both the מקדש and גבולין); and ii) to blow שופר and חצוצרות in the מקדש, as a separate קיום of יום תרועה ועשיתם אשה לה'. It is not just that

the מקדש is directly related to שבת ; rather, that in the מקדש, there is an additional dimension of שופר plus חצוצרות, and this new dimension (the new קיום of חצוצרות and שופר) is not suspended on שבת. This proves that there is a separate קיום of שופר in מקדש.⁶⁵

The Rav explained that there is one מצוה to blow חצוצרות together with the קרבן מוסף, and this מצוה applies to ראש חדש and the like. This מצוה is separate and apart from the second מצוה of חצוצרות, which accompanies שופר in מקדש, and which is derived from the פסוק of יום תרועה and יום שמחתכם וכו'. This is what רב נתן meant by saying that ותקעתם בחצוצרות. The ותקעתם בחצוצרות are related to יום תרועה. There are two separate מצוות of חצוצרות. One, which is a מצוה על הקרבן, which applies to ראש חודש as well, and a second one which is peculiar to ראש השנה. The Rav proved this dichotomy from the fact that when blowing חצוצרות על הקרבן, the לויים stood in the עזרה (as it says (לויים בדוכן), and the כהנים on the החלבים שולחן. However, when blowing חצוצרות of שופר, they both stood on the והר הבית⁶⁶. Had this second facet been a regular תקיעה על הקרבן, then they would have been unable to stand anywhere other than in the עזרה. Clearly then, like שופר, it is a חובת גברא, which constitutes a separate קיום of תקיעת שופר and חצוצרות in the מקדש. This extends to the מחנה לוייה as well, similar to לולב במקדש which could be taken in the מחנה לוייה. This is a separate קיום and is unrelated to the מצוה of תקיעת חצוצרות על הקרבן.

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The גמרא on ע"א כ"ז ע"א, quotes many תנאים who blew חצוצרות even in גבולין, but most other תנאים disagreed with them. The Rav inferred that they would sound them even on שבת, but the Rav did not say so explicitly. ריב"ז certainly imposed his תקנה only with respect to the שופר בגבולין and did not deal with this second קיום of חצוצרות.

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See ע"א כ"ז ע"א.

What kind of a חיוב is חצוצרות? In the Rav's opinion, it is חובת שירה. There is a חובת שירה implicit in the day of ראש השנה is במקדש. On ראש השנה, יום תרועה is combined with שמחתכם, to impose a new מצוה of שירה on ראש השנה in the מקדש. The פסוק of חצוצרות, which imposes an obligation to sound the חצוצרות while offering the קרבן, is in actuality a שירה requirement. They sounded the חצוצרות during the ניסוך היין since אין אומרים שירה אלא על היין. Thus, the חצוצרות of חצוצרות is a חובת שירה and an הלכה של שירה and not just a mechanical sounding of the חצוצרות. Similarly, חצוצרות in מקדש on ראש השנה, which is also derived from that פסוק, is also a separate (קיום) חיוב of שירה, and this חובת שירה is implemented with שופר וקול שופר⁶⁷. This is what רב נתן meant when he said ותקעתם שופר and חצוצרות (i.e. this new מצוה of שופר which entails the sounding of both חצוצרות and שופר in the מקדש, is derived from this פסוק). Thus, in the מקדש, there is a separate מצוה to blow both the שופר and the חצוצרות, and this separate מצוה is a קיום של שירה. In the מקדש, there is both a חובת גברא of שופר, which is the normal מצוה of שופר in גבולין, and a second קיום of שירה of שופר (demanded in the presence of the מקדש). This latter קיום requires that both שופר and חצוצרות be blown as an expression of שירה (since שופר alone is not an implement of שירה).

The גמרא on ע"א כ"ז דף relates the story of ר"ח בן תרדיון and others who blew חצוצרות on ראש השנה even in גבולין. He felt that the חיוב של שירה extends even to גבולין, and is not limited to the מקדש. He concluded that even though הלל is suspended because ספרי

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This is so even though הלל is suspended because ספרי חיים ומתים פתוחים לפניו. The חצוצרות של שירה of חצוצרות applies on ראש השנה וקול שופר.

ראש applies on בחצוצרות וקול שופר of שירה, nonetheless, חיים ומתים פתוחים לפניו, and that extends even to גבולין. Why is this so? The גמרא quotes other Rabbis who felt that this קיום שירה is limited to the מקדש, since the פסוק itself expressly limits it to the place which is ' לפני המלך ה'. How then did ר"ח בן תרדיון interpret this פסוק? The Rav inferred that ר"ח בן תרדיון thought that the חובת שירה on ראש השנה is universal and is not confined to one geographic location. The חכמים did not deny this. The חכמים said לא היו ראוין לראש השנה. They did not deny that the חובת שירה on ראש השנה is universal; they merely said that the מנהג was not to blow חצוצרות except in מקדש, even though it would be perfectly acceptable, Halachically, to do so. The חכמים answered, that in גבולין, the חובת שירה is obtained by the שופר alone. The addition of חצוצרות is only required in the מקדש. In גבולין, the חובת שירה is achieved with שופר alone without חצוצרות. They did not deny that there is a חובת שירה on ראש השנה and that תרועה יום תרועה contains an aspect of שירה derived from שמחתכם. The question is, how this שירה is realized. ר"ח בן תרדיון felt that it is achieved in the same manner that שירה is practiced in מקדש, namely with חצוצרות. The חכמים argued that שופר, by itself, can express the קיום שירה in גבולין, even though, in the מקדש, we implement the חיוב שירה with both שופר and חצוצרות.

Why is there a חובת שירה on ראש השנה? The Rav answered that the קדושת היום of ראש השנה, in both מקדש and גבולין, is ' לפני המלך ה! This means that there is a confrontation between G-d and man on ראש השנה, and this confrontation defines the קדושת היום. Recall that the גמרא said that שופר places man לפני ולפנים, similar to the גדול כהן. It elevates man to the presence of G-d. It is a קיום of ' לפני ה. This is what

מקדש and גבולין שירה in both לפני ה' - לפני ה' means - מלכות. This is derived (as רב נתן said in שמעוני (ילקוט) from ותקעתם... ובראשי חדשיכם... וביום שמחתכם... that the חודש which has שני ראשים (i.e. ראש השנה) has an independent obligation of שירה. The פסוק does not mean to tell us that we are obligated to blow the חצוצרות during the נסוך היין of the מוסף, since that obligation is already imposed on every ראש חודש, including ראש חודש תשרי. Rather, the פסוק of בחצוצרות ותקעתם imposes a new obligation to blow שופר with חצוצרות on ראש השנה (in מקדש) as a קיום שירה, as a result of our being in the presence of G-d. Once קיום שירה exists, it must also prevail in גבולין. The only difference, in the view of the חכמים, is that in the מקדש, the קיום שירה requires both חצוצרות and שופר, while in גבולין, the חובת שירה expresses itself with the שופר alone, with the mechanical performance of sounding the שופר.

(29) To explain the above, the Rav utilized רש"י's view that there are two קדושות on ראש השנה: that of ראש חודש and that of ראש השנה.⁶⁸ Which קדושת היום is מחייב the blowing of שופר? The Rav answered that it is the קדושת היום of ראש השנה since it says ראש חודש is not מחייב בשופר; שבתון, the abstinence from work, is מחייב בתרועה. שבתון זכרון תרועה. The same קדושה which imposes the מלאכה is what is מחייב בשופר, as it says יום תרועה... כל מלאכת עבודה לא תעשו. There is יום תרועה only when כל מלאכה, ראש השנה, is derived from קדושת שירה. However, if left to its own devices, then there would be no שירה on ראש השנה, since ספרי חיים ומתים פתוחים לפניו. The חובת שירה of ראש השנה is derived from קדושת שירה. Rashi would explain that it is מחייב שירה. The קדושה of ראש חודש תשרי is מחייב שירה. The קדושה of ראש חודש

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The Rav utilized רש"י view only for ease of explanation. The thesis which is advanced applies to the other views as well.

the separate קדושת היום of ראש חודש which is מחייב שירה, while רב משולם would explain that it is the element of קדושת היום of ראש חודש which is submerged under של קדושת היום which is מחייב שירה.

The פסוק says וביום שמחתכם ובראשי חודשיכם ותקעתם בחצוצרות פסוק. It does not mentionn ראש השנה at all (at least not explicitly). Only ראש חודש is mentioned. However, the תורה specifies that it deals only with a special ראש חודש, and not the regular ראש חודש; it deals only with the ראש חודש of that special month which has two ראשים (i.e. תשרי). So it is the ראש חודש aspect of ראש השנה (as explained by either רש"י or משולם) which is מחייב שירה. The יום תרועה of עשה is rooted in the קדושת היום of ראש השנה (as it says קדושת היום). The קיום שירה (in both גבולין and מקדש) is rooted, however, in קדושת היום of ראש חודש, which is submerged with and united with that of ראש השנה. The פסוק says ...מחייב שירה. הריעו לאלוקי יעקב, etc. all of which are מחייב שירה. This is not יום תרועה, it is ותקעתם בחצוצרות! It is not ראש השנה alone (without ראש חודש) since ראש השנה can not precipitate שירה, just as it can not precipitate הלל. It must be the קדושת היום of ראש חודש or, more specifically, that component of the יום הזכרון, attributed to ראש חודש, which precipitates the שירה!

(30) What is the purpose of the ברכה of שופרות? We know that the ברכה of מלכיות is קבלת עול מלכות שמים. Similarly, the ברכה of זכרונות is also קבלת עול מלכות שמים by experiencing the Jewish historical occurrence (i.e. the past), and involving oneself into this continuous stream of the covenantal historical existence, and to submerge in this. אשרי איש - surrendering to G-d - קבלת עול מלכות שמים - this is שלא ישכח, כי דורשך לא יכשלו וכר' for משפט or judgement of הדין. The motif of זכרונות is to accept the משפט which occurs

on this day. Man surrenders and accepts G-d's verdict with אהבה, regardless of the outcome. This is קבלת עול מלכות שמים.

What kind of ברכה is שופרות? It is not קבלת עול מלכות שמים. שופרות starts with תקעו פסוקים, concludes with משיח של שופר and, in between, there are the פסוקים of מתן תורה, בחודש שופר, and בפני ה'. It then concludes with a petition for בנין בית המקדש. What does this ברכה mean to convey? What kind of ברכה is it? What is the inner motif and focus of שופרות?

The Rav answered that שופרות is גילוי שכינה. Whenever we blow שופר, the presence of G-d arrives. שופר heralds and announces the arrival of G-d, the King. ותרועת מלך בו - the majesty of G-d arrives with שופר. We speak of גילוי שכינה in the past (הר סיני), and in the future (לימות המשיח). The תורה speaks of גילוי שכינה in the past; the נביאים speak of גילוי שכינה in the future. In דברי קדש, we speak of בחצוצרות וקול... בתרועה וכו'. We find that there are three events of גילוי שכינה:

- i) גילוי שכינה of the past (מתן תורה), which the entire world witnessed; and
- ii) גילוי שכינה of the future (והיה ביום ההוא), which will be so palpable and self evident that no one will be able to deny it. All כל יושבי תבל will acknowledge it; and
- iii) then there is another גילוי שכינה, not as visible and not as undeniable, but, which can be experienced by discerning men, when we blow שופר on ראש השנה.

The דברי נביאים speak of the supernatural גילוי שכינה, as do the פסוקי תורה. Then there is the גילוי שכינה which every Jew can experience through שופר on ראש השנה! The פסוקים cited are those from דברי קדש, which are inserted in between those פסוקים relating to מתן תורה and המשיח. They are: עלה אלוקים בתרועה ה' בקול שופר - when you

blow בחצוצרות וקול שופר - פסוקים G-d arrives. Similarly, the next ראש השנה on שופר, which also signify the presence of G-d, are also recited. The שופר which we blow at the conclusion of שופרות is the שופר of שירה, since שופרות is גילוי שכינה. The קדושת היום is established in ברכת שופרות. The ברכה of שופרות defines the קדושת היום is the relationship between G-d and בני ישראל. The relationship is בו G-d is in their midst and thus there is גילוי שכינה.

The Rav added that we cite the foregoing three פסוקים from פסוקים⁶⁹, and, suddenly, we begin to sing the whole psalm of הללו א-ל בקדשו. Why do we need to cite this seemingly superfluous chapter? The נוסח of this הלל changes dramatically, and we sing the same exhilarating (quick tempo) melody as מלך עליון. The Rav answered, that once we state that there is גילוי שכינה, we precipitate a חובת שירה, similar to that in the מקדש, and, thus, we sing the שירה of הלל to G-d, which is the same שירה sung in the מקדש. This expression of שירה, is NOT part of שופרות; rather, once we state in שופרות that שופר is symbolic of גילוי שכינה and that the קדושת ראש השנה actually expresses גילוי שכינה, then we realize that we are in the presence of G-d, and we must, therefore, sing to G-d - הלל. Just as there is שירה in בקדשו (since there is גילוי שכינה and confrontation with G-d in the מקדש); so too, on ראש השנה, when we express (and experience) the universal גילוי שכינה on ראש השנה, regardless of time and place, we are

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These are:

[1] עלה אלוקים בתרועה.
[2] בחצוצרות וקול שופר הריעו לפני המלך ה'.
[3] תקעו בחודש שופר.

moved to sing שירה to G-d.

To conclude, ראש השנה is a קיום of שירה. The שירה of ראש השנה is not ראש השנה; it is the קדושת היום of ראש חודש (or that element of ראש חודש which is subsumed under the קדושת היום of יום הזכרון) which precipitates שירה. It is for this reason that ראש חודש must be mentioned in שופרות. We can not say שופרות and sing שירה within the framework of שופרות without mentioning ראש חודש, since the whole concept of שירה on ראש השנה, in גבולין and מקדש, resulting from being in the presence of G-d, is derived from the קדושת היום of ראש חודש.

The Rav concluded, that this is what the ירושלמי means מהו להזכיר ראש חודש בראש השנה? The question was directed about the מוספים, as well as the קדושת היום of ראש חודש. Do we mention את יום ראש חודש as well as יום הזכרון (and recite ובראשי חודשיכם). They responded, that יום הזכרון represents a combination of both ראש השנה and ראש חודש, in which ראש חודש is subsumed under ראש השנה (as explained earlier); and one is not required to mention ראש חודש (and the מוספי ראש חודש) since זכרון אחד עולה לכאן. However, they asked מעתה יבטל ראש חודש בתפילה? The meaning behind this question is, that when it comes to שופרות, we mention the מצוה of שופר. However, they ask, since the מצוה has שירה, as one of its aspects, and this (as we saw) is derived from the קדושת היום של ראש חודש (i.e. that aspect of the יום הזכרון which is attributed to ראש חודש), how can we ignore it? This is מעתה יבטל ראש חודש בתפילה - how can we ignore ראש חודש and abandon that aspect of שירה derived from ראש חודש, and still maintain (שופרות) זכרון אחד עולה לכאן ולכאן? They answered that it is sufficient to mention (in שופרות) the פסוק of בחצוצרות ותקעתם ובראשי חודשיכם, that פסוק from which is

derived the שירה חובת שירה.⁷⁰

(31) We have demonstrated that there are two aspects of the זכרון תרועה of שופר (other than the יום תרועה aspect, which is mechanical):

i) with בקשה (as it says, טפי עדיף); and

ii) (קדושת היום דראש חודש) שירה מה"ת.

שירה is expressed differently in גבולין and in מקדש. In גבולין, שירה is expressed exclusively by the שופר, while in מקדש, the שירה is expressed by both שופר and חצוצרות. There is a שירה קיום on ראש השנה (as well as one of תפילה). The גמרא (on ל' ע"ב), says that the שיר של יום on ראש השנה was שופר בחודש שופר. On all other מועדים, the special שיר של יום was recited only in מוסף, while in שחרית they sang the regular שיר של יום. So, for example, on פסח morning, they recited the daily שירה on the תמידים, but in מוסף sang ממצרים ישראל. On ראש השנה, they sang a different שירה for the תמידים as well⁷². This is the only יום טוב in which this occurred. Even on כפור, they maintained the regular שירה by תמידים. Why is this so? The Rav answered that on ראש השנה there is a special חיוב of שירה and thus, even שירה על הקרבן is converted to a שירה של ראש השנה! The שירה sung was that contained in פ"א, which says תקעו בחודש שופר, in order to express that תקיעת שופר is not just a מצוה of שופר but also of שירה, and is connected to

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It is not necessary to mention ראש חודש during מלכיות and זכרונות since the שירה aspect derived from ראש חודש is realized only during שופרות.

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This is a subject of controversy between the מנח"ח and the טורי אבן. [Editor's Note].

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See ל' ע"ב.

הלכה החדשה. They thus instituted שמחתכם, which is the source of the new הלכה that there is also a מצוה of שירה with the שופר, in addition to that of שמיעת שופר.

(32) In conclusion, we have established that there is an aspect of שירה on ראש השנה derived from the facet of קדושת היום of קדושת היום contained in יום הזכרון של ראש חודש (according to רב משולם) or directly from קדושת היום של ראש חודש (according to רש"י). This is not יום תרועה nor זכרון תרועה, which are confined to the mechanical performance of שופר. The פסוק of שמחתכם has a dual purpose in that it imposes שירה on קרבן as well as שירה on ראש השנה, with the instruments of שופר and חצוצרות in מקדש, and solely with שופר in גבולין. גבולין felt that, even in גבולין, we perform שירה with the חצוצרות since on ראש השנה man is in the presence of G-d - לפני ה', and he defined לפני ה' not geographically, but universally, since on ראש השנה all men are לפני ה'. Thus, the same instruments of שירה which prevailed in the מקדש (i.e. the חצוצרות ושופר) must prevail in the גבולין. The חכמים disagreed, since חצוצרות cannot be sounded outside the מקדש even בימי תענית. They both agreed, however, that there exists a חובת שירה on ראש השנה which they feel is performed by the שופר. This means that the שופר which we blow על סדר הברכות, which, according to Rashi, stems from זכרון תרועה, can, alternatively, stem from וביום שמחתכם, since as far as the ברכה of שופרות is concerned, the תקיעות constitute an act of שירה. We recite הללו בקדשו, which is seemingly unnecessary, to express that the תקיעות following שופרות, as well as the ברכת שופרות, are themselves, an expression of שירה. The זכרון within the framework of the ברכות, is related to שמחתכם (as well as to זכרון). This is reason why we recite this פסוק at the conclusion of שופרות.

(33) There is a serious problem regarding the ברכות of מזו"ש. The ברכות מלכיות,

On דף 73, On ציבור who does not pray with a group, ושופרות are recited even by an individual who does not pray with a group. On דף 73, בחבר only are to be blown only תקיעות, that, nonetheless, רבא, the view of גמרא, ל"ד, the Rambam likewise rules: על סדר הברכות. The ציבור חיבין לשמוע התקיעות על סדר הברכות. The themselves are, however, recited even by a יחיד. Why was this distinction introduced? Why were the ברכות formulated for all, while the תקיעות were ordained only for the ציבור?

The Rav responded that there is really no answer to this.⁷⁴ However, in light of the above, that there is one aspect of שירה contained in על סדר הברכות תקיעות, which is related to וביום שמחתכם, we can understand (partially) why the סדר הברכות can be enhanced by וביום שמחתכם of פסוק since that חובת שירה is confined to ציבור only. That שירה refers to two types of שירה (both of which can only be performed by a ציבור), namely,

- i) שירה על הקרבן (as we know, שירה is sung only on a קרבן ציבור and not on an individual's קרבן); and
- ii) שירה בראש השנה.

מצות of the ברכות, according to Rashi, to recite the ברכות, from which the obligation, זכרון תרועה, may be discharged by a יחיד; however, שירה on ראש השנה, which is derived from וביום שמחתכם (a פסוק which relates solely to the ציבור), is discharged exclusively by the ציבור, and so the על סדר הברכות are likewise performed only בציבור.

(34) The רמב"ן, in discussing which forms of תרועה or שברים are blown על סדר הברכות, related the ancient מנהג of blowing תשר"ת for מלכיות, תש"ת for זכרונות, and

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In מסכתא ברכות, the גמרא uses this term of חבר עיר to define a ציבור by תפילת מוסף, and the ראשונים discuss why they employed the term חבר עיר to designate ציבור with respect to the תקיעות.

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The רמב"ן tackled this question and provided a beautiful explanation, which we will discuss later on.

שופרות for תר"ת. He then raised the question, posed by countless ראשונים, that blowing different notes at different junctures should not satisfy the מצות שופר, since the different notes are mutually exclusive, and, since we are in doubt as to which note is accurate, we should really blow all of them at each juncture (following each ברכה). The בעל המאור answered, that in the view of ר"ה גאון, all of the notes are equally acceptable, and the blowing of different notes thus does not detract from discharging the מצוה. רב אבהו sought to impose uniformity, and so required that at the first juncture of the מיושב, all of the notes should be produced. At later junctures in תפילה this is unnecessary. The other ראשונים (רמב"ם) disagree and say that there is a ספיקא מה"ת and all notes should, theoretically, be produced. They provide different answers (such as טרחא צבורא) as to why this was not instituted.

The רמב"ן provided a beautiful and novel answer. He said that the תקיעות על סדר are not related to זכרון תרועה or יום תרועה; rather, they serve only as תקיעות which are blown upon the occurrence of אתכם ועל הצר הצורך אתכם - similar to כי תבואו במלחמה בארצכם. He regards ראש השנה as a יום צרה and as a יום תענית. Thus, just as we blow על סדר הברכות during a major תענית, so too, we blow על סדר הברכות on ראש השנה, which is similar to a יום תענית. He adds that, just as on a תענית there is no difference between תרועה and שברים, and both תרועה and שברים are considered to be תרועה, so too, it is irrelevant which form of שברים (or תרועה) is produced on על סדר הברכות ראש השנה.

The רמב"ן's answer is similar to our answer but in REVERSE: The תקיעות על קיום is not the result of יום תרועה or זכרון תרועה, but are the result from the fact that יום צרה - a יום הדין which precipitates התרעה as on a תענית. The רמב"ן appears in ואני אומר בטעמו של רבינו בטורח הציבור: מלחמות ה' (דף י"א מדפי הרי"ף) appears in

נכון...ומיוסד על פי מה שפירשנו שתקנו חכמים להיות תוקעין ומריעין כשהן יושבין ויוצאין ידי"ח ותקנו שיהיו תוקעין ומריעין כשהן עומדין על סדר הברכות שהברכות הללו כל עיקרן בהתרעות נתקנו. וכן בתעניות וכן בשעת מלחמה שמוסיפין שש ברכות ובהן נמי זכרונות ושופרות מתריעין עליה...למדנו מכאן שאין יחיד ויחיד חייב בתקיעות ותרועות אלא חובת ברכות הוא שמתריעין עליהן די להם בתקיעה כל שהוא כדי שיעלה תפילתנו בשופר וכו'. ע"כ

Thus, the רמב"ן feels that the תקיעות על הברכות are not תקיעות of ראש השנה, but of תעניות. He employs the word התרעה - which is a תענית motif⁷⁵ rather than תקיעה - which is a ראש השנה motif. The יום צרה requirements of על סדר הברכות [או תרועה] are and, therefore, can not be sounded for an individual. The יום תרועה determines the character of ראש השנה as a יום צרה which has elements of תענית, and so תקיעות על סדר הברכות, similar to that performed on a יום תענית, were instituted. Once the תורה defined ראש השנה in terms of זכרון תרועה, and imposed a מצות שופר, it can be deduced that ראש השנה is a יום צרה, similar to a יום תענית, and, thus, the special תקיעות על סדר הברכות were instituted. The Torah does not characterize Yom Kippur in this fashion, and so תקיעות על סדר הברכות were not instituted.⁷⁶ The Rav was troubled in that the רמב"ן should have employed the פסוק of בחצוצרות ותרועות at the conclusion of שופרות, since that is the origin for התרעה בימי תענית. He did not know the answer to this, and was puzzled by it.

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as it says:

... על הצר הצור אתכם והרעותם בחצוצרות.

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In the שיעור יא"צ (תשל"ו), the Rav said that יום כפור is a יום צרה and it is for that reason that the תפילת נעילה is recited. [Editor's Note]

The difference between the Rav's explanation and the רמב"ן's, is that according to the Rav, the תפילות על סדר הברכות are a function of שירה and belong under the auspices of the התרעה ביום, while, according to the רמב"ן, they are a function of שמחתכם פסוק, which is צרה, and תפילה!⁷⁷ The Rav added that his view and the רמב"ן view are not mutually exclusive. They both are קיומי תפילה. In תפילה, we have both זעקה ושירה. They have merely emphasized different points.

(35) The בעל המאור would not penalize one who converses between the תקיעות דמיושב and the מעומד. He distinguishes between the מצוה of שופר and that of תפילין. He reasons that תפילין is one מצוה since the word והיו appears in the פסוק as modifying both של and של יד. והיו לאות על ידך ולאחרון בין עיניך ראש. The רמב"ן, who defended the רי"ף's view, that excused the blowing of different notes (טרחא דציבורא), in מזו"ש since that would constitute an undue burden on the congregation, is strangely silent about הפסק. The Rav said that the רמב"ן agrees with בעל המאור that הפסק is not enjoined, but for a different reason. According to the רמב"ן, the מיושב serve a different purpose than the מעומד, and so does not require a separate ברכה, and are really two different מצוות. The לשמוע קול שופר of ברכה applies solely to the מיושב and not the מעומד. The מיושב are a קיום שופר, while the מעומד are a צעקה. Thus, הפסק is permitted. The Rav quoted the ריטב"א who explicitly said that one may converse between the

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Rashi and the Rambam both maintain that the שופר blown on יובל does not serve as זכרון but only as ואף על גב דתקיעתו ביובל לא לתפילה ולא לזכרון אלא לשילוח. שילוח עבדים. רש"י ראש השנה דף כ"ו. The רמב"ן appears in ספר המצות עשה קל"ח. עבדים, אפ"ה כדר"ה בעי למיעבד. ע"כ. Nonetheless, on יובל we also blow הברכות על סדר הברכות. The ראש השנה and יובל, and it remains an anomaly. גמרא struggles to explain this equation between

78. רמב"ן according to מעומד and מיושב

(36) We have established that שופר contains two, prima facie, mutually exclusive motifs: שירה and צעקה. We would assume at first glance that these two are incompatible. On the one hand, שופר is the instrument of צעקה ; on the other hand, it is the instrument of שירה . Furthermore, תפילה differs from צעקה. תפילה means to think, to judge (ונתן בפלילים) and is based on the premise that man is a great being, and is endowed with intellect not awarded to other creatures. Man is capable of analyzing, judging, discriminating, and arriving at decisions. Man has freedom of choice. תפילה is a result of the dignity of man. G-d conferred on man the privilege of confronting his creator at any time and without any prior appointment. G-d promises man that He will always answer man's prayers. He is a שומע תפילה. תפילה is an expression of human dignity and human singularity. That is why חז"ל required a straight and erect posture for תפילה;⁷⁹ since עמידה, a straight posture, is one of the characteristic of man. Man walks straight and erect, while animals do not. The בעל התניא once said, that the difference between man and animal is that man walks straight (and erect) and if he wishes to see heaven, he need only raise his head; animals, on the other hand, always look downward and cannot see heaven. They do not share man's erect posture. Straight posture is characteristic of the uniqueness and singularity of man, and by תפילה man appears before G-d as the chosen creature, the singular being who is permitted to confront G-d. Man must be dressed up for תפילה. When רשב"י was in the cave, he would rise up from his mound of sand and don his clothes before praying. Clear

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This is more fully explained in the 1970 שייעור ירחי כלה, at Paragraphs VIII and IX.

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Many ראשונים regarded עמידה as indispensable, though the רמב"ם rules that ex post facto it is dispensable.

speech is crucial for תפילה since the gift of speech is characteristic of the singularity of man. תפילה requires כונה since only man possesses the capacity of concentration and analyzing and responding to his needs. In short, תפילה is interwoven with the texture of human dignity and singularity. צעקה, on the other hand, is a shriek. G-d responds to the howls of animals (כולם אליך ישברון). All creatures pray, but this is rational prayer. It is instinctual prayer. It is not premeditated. Animals cannot pray with words since they lack intellect. Animals can only emit sounds and howls in reaction to pain. This sound is considered prayer by G-d, who often harkens to it.

Many times, man does not pray as a dignified being, but as an animal who screams in pain to G-d. Modern man is capable of losing every attribute bestowed by G-d to him, including his dignity, his rationality and his intellect. He suddenly realizes that he is in distress and in crisis and has forgotten how to speak. He then shrieks (...מרובים צרכי עמך, ודעתם קצרה...). He does not even know how to formulate his own needs and so must engage in צעקה, the instinctual howling of the animal bereft of speech and intellect. At that stage, man can not meet the minimum requirements of תפילה. He is physically and mentally repulsive in the eyes of G-d. He lacks human dignity. He then can not pray. He can only shriek like an animal. This is צעקה. The קדושת לוי explains the story that the גמרא relates that when ר"ח בן דוסא would intercede with G-d for an ill person, he would place his head between his thighs, as indicating ר"ח בן דוסא's message to G-d, that "I come before You, not with the erect, dignified posture of man, but as an animal, slouched with my head down." Often, G-d rejects the prayer of dignified man, since man is culpable, and G-d may feel that man has not lived up to his potential. G-d may have unfilled claims against man which would lead G-d to reject man's

claims and prayer. Hence, when man approaches G-d as an animal, G-d has no claims against him and often accedes to man's צעקה.

In תפילה מ"ע אחת לעבוד את ה' בכל יום, the Rambam says, הלכות תפילה.⁸⁰ In הלכות תענית, on the other hand, the Rambam says:

מצות עשה מן התורה לאעוק ולהריע בחצוצרות על כל צרה שתבא על הציבור. מצות עשה מן התורה לאעוק ולהריע בחצוצרות על כל צרה שתבא על הציבור. תפילה requires צעקה and not תפילה. This is the main difference between סליחות and the standard prayer (תפילה). תפילה is based on man's closeness to G-d and on human greatness and dignity. This is particularly so in מלכיות. סליחות, on the other hand, reflects the צעקה of one in despair and crisis, whose very existence is threatened. We say כדלים וכרשים דפקנו. This is צעקה. The רמב"ן says that שופר is not just תפילה. It is צעקה, the lowest degree of human contact with G-d. Man appears before G-d as an animal.

We have demonstrated, however, that שופר, on the other hand, also represents שירה. Man sings a hymn to G-d after being mesmerized by the cosmos. In this role, man appears in his most exalted state as the choicest of creatures. So שופר is both שירה in which man rises to the highest levels, and שופר also represents צעקה in which man somehow joins the beast. This is strange.

How can שופר reflect two mutually exclusive motifs? The Rav responded that ראש השנה itself contains two contradictory and antithetical ideas. The dialectic of שופר, the antithetic character of שופר, reflects the inner antithesis of the character of the קדושת היום of ראש השנה itself. The קדושת היום of ראש השנה itself suffers from this inner antithesis

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The Rambam was the first one to introduce the עבודה שבלב concept as the primary motif of תפילה.

and self contradiction. The only one who spoke of this (before the ליקוטי תורה) is the חינוך. He says that the fact that ראש השנה is a יום הדין is a tribute to man since יום הדין means that man is a responsible being and the choicest of all creations since only responsible beings can be judged. Animals and small children can not be judged; they are not responsible for their actions. If man is judged, then that means that man is a responsible being and is almost divine and singular. If G-d would refuse to judge man, then that would rob man of his crown of singularity, since it would mean that he is not responsible and is on the same plane as the animals. He writes:

נמצא שראש השנה הוא קיומו של עולם.

On the other hand, ראש השנה is a day of ecstasy and pride (a יום טוב); a precious holiday. Man can take pride in himself that G-d is willing to judge him and to bestow this unique privilege on him. Man is, however, frightened on ראש השנה - מי יצדק לפניך בדין - ראש השנה. If justice prevails man will be found guilty since he is culpable. Hence, it is also a יום פחד.

The הלכה reflects this antithesis as well. On the one hand, the גמרא says (ערכין י"ד):
פ"ג) Or as the רמב"ם says (פ"ג) אבן ראש השנה ויום הכפורים אין בהם הלל, והם ימי תשובה ויראה ופחד, (חנוכה ה"ז):
מי שמחה יתירה ואינם ימי שמחה יתירה ויראה ופחד.⁸¹ There is joy on ראש השנה, but the joy is tempered with fear.
just as the other טובים ימים, which is an incontrovertible indication that there is שמחה on ראש השנה. Both experiences come to expression in שופר.
וביום וביום הצר הצורך אתכם) פסוקים. Both קיום שירה and קיום צעקה שופר

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In שיעור ירחי כלה (תש"ל) the Rav explained that ימי שמחה יתירה means that the joy can not be externalized.

(שמחתכם), representing two opposite extremes, come to expression on ראש השנה (with respect to שופר).

(37) We will follow the lines of the פיוטי מוסף, the first being אפד מאז, to decipher the way that ר"א הקליר characterizes the קדושת היום of ראש השנה.

אפד מאז לשפט היום - The day was ordained as a day of judgement. היום is the subject of the sentence. The verb is אפד, which means ordained or designated. מאז designates the time frame, and שפט is the purpose. This day was ordained from the creation for the purpose of משפט. This is the way all of the commentators explained it.

The Rav disagreed and explained that אפד does not mean to ordain; it means to gird loins and tighten the belt; the final step prior to action. When one takes the final step, that is called אפד.⁸² There is another פייט in מלכיות, recited on the second day: אהללה אלוקי אשירה עוזו...אאפדנו מלוכה. The word אאפדנו means "I will clothe Him with majesty," or "wrap Him in majesty." In this case, the verb אפוד is used in the sense of dressing. עוטה אור - G-d is enveloped with majesty. Or נאפד נקמה - G-d is dressed or enveloped with vengeance. So פייטנים used the word אפוד - as wrapped, clothed, or dressed. Clothes betray one's intention. A person dressed in armor is clearly ready to wage war. So אאפדנו מלוכה means that the majesty of G-d is apparent in His dress. Thus, אפד מאז לשפט means that G-d, as the judge, has donned His judicial robe, and indicates His readiness to judge. The Rav explained that there is a silent subject (G-d). G-d dons His robes for judgement on this day.

The פייטן continues: בחון מעשה כל יום. This verb לבחון means to judge everyday

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הכון לקראת אלוקים (ישראל) הכון לקראת אלוקים by גארטיל a חסידיים wear תפילה to indicate complete readiness for prayer (ישראל).

occurrences. The Rav proved that his interpretation is correct since, according to the standard interpretation, the word יום is the subject of the first sentence *מאז מאז*, and it means that this day was ordained for judgement. If this is so, then this second sentence of *בחון מעשה כל יום* would lack a subject. The Rav was so insistent to interpret *מאז* in terms of "to gird", and that the silent subject is G-d, since this makes a big difference. The Rav explained that ר"א הקליר ventured to inspire certain emotions in the *מתפלל* and that this *פייט* is very characteristic of his philosophy of the *ראש השנה*. He seeks to usher in a certain experience and mood through his *פיוטים* which culminates in other *פיוטים*. ר"א הקליר's works are primarily found in *שחרית ליום א'* (at the beginning of *הש"ץ*). He evokes the feeling of terror and dread, as opposed to fear. This motif reappears in all of his works. That is *יראתי* - which invokes the feeling of dread! Throughout this *פיוט*, there are found derivatives of the word *חיל* (terror). In other *פיוטים*, the message is found in the metric arrangement revolving around the repetition of a sound which occurs at the end of each line. In this *פיוט*, that word is *חיל*, which betrays the entire story of the *פיוט*. In *יראתי בפצותי* is found the motif of *חיל*, which means shaking and trembling - *חיל כיולדה*. It is a fear which expresses itself in physical trembling (as we say *ותתחלחל המלכה*).

פרשת כי תבא of *תוכחה* is depicted vividly and accurately in *פחד*, as an emotion, is depicted vividly and accurately in the *פחד*. והיו חייך תלואים לך מנגד, ופחדת לילה ויומם ולא תאמין בחיך, (דברים נ"ח, ס"ו) It says. בבוקר תאמר מי יתן ערב, ובערב תאמר מי יתן בוקר. מפחד לבבך אשר תפחד...ע"כ. The digest of this, is that *פחד* is non rational fear. Some fears are rational - this is called *יראה*. Other fears are irrational, and are called *פחד*. *יראה* expresses itself in awe, reverence, loyalty, and is usually tied up with gratitude, such as *ואיש אימו ואביו תיראו* or *אלקיך תירא* את ה'.

Taking rational steps to combat and avert danger is also called יראה, since the fear is rationalized, and man takes steps to reduce that danger. פחד, on the other hand, is dread and horror. Man acts in a manner that actually increases the danger, and exposes himself to his enemies, rather than protecting himself.

There is a Halachic question. The Rambam feels that אהבת ה' and יראת ה' are two sides of a coin. אהבת ה' results in יראת ה' and, vice versa, יראת ה' leads to אהבת ה'. As he wrote in, פ"ב מהלכות יסודי התורה, man is overwhelmed by admiration of G-d's majesty and yearns to come closer to Him. At the same time, man realizes that he is unworthy of approaching G-d. The Rav raised the question if there is a מצוה of פחד ה'? Does G-d want man to have פחד ה' and be frightened to such an extent that he loses his rationality and is unable to think clearly? Or does G-d only want man to have יראת ה' and does not want to interfere with man's human dignity and capacity to think? The פסוק אשרי אדם מפחד says פסוק, but there are other פסוקים which contradict this. The Rav did not know. It is clear that, eventually, the whole world will recoil in פחד from G-d, and will lose its rationality, but the question is if it is a מצוה or not. The Rav did not know and had given much thought to this. Recall, that the Rambam described ראש השנה as יראת ופחד, and certainly, on ראש השנה there is a מצוה of פחד. It is questionable if it is confined to that one day of ראש השנה, or if it applies to the rest of the year or not.

(37) The שופר, at the מיושב stage, expresses פחד - man is wakened from his complacency. He is caught by surprise. He faces danger and is deprived of a sense of security. He has no confidence in himself or in the future. He does not know how to respond rationally, and so responds instinctually. Animals, when grazing on the steppes, suddenly feel threatened,

and will run and cling to each other, which actually exposes them even more. שופר at the initial stages is חיל and פחד - sudden terror (as opposed to יראה which is a rational and mature response).

ראש השנה is a day of פחד since man does not think of judgement during the entire year. The idea of facing judgement is limited to ראש השנה. During the year, man is self assured and confident, and forgets about judgement. On ראש השנה, judgement strikes suddenly like a hurricane. Anything that arises suddenly, produces פחד and חיל - dread and terror.

Dread and פחד also evoke hopelessness. When man experiences יראה, he can be certain of himself and can maintain a sense of dignity. On these occasions, he is capable of resolving problems and has בטחון and trust in his faith. When confronted with פחד, on the other hand, man loses his self-confidence and suddenly experiences a sense of humility. His very existence becomes a frightening affair and a nauseating experience. Life loses its value. Instinctually, he asks in his fright, "Why was I created?" He is like a trapped animal for whom all routes of escape are sealed off. Primitive man was afraid of the dark. Modern man experiences dread (פחד) when he is confronted by an incurable disease. The experience of heading imminently into the grave strikes him with fear (פחד), and he feels nausea with life. He feels that his life is worthless and experiences dread. Similarly, elderly people experience a growing dread and פחד, of marching straight into the grave, especially when they think of what will happen during the next year following their demise. Altenberg, an Austrian writer, describes a New Years' Day, but one in which he is not alive. Young people do not understand this experience; only old people can understand it. It is an excruciating experience of life, which is, at once, both hideous and nauseating, but also fascinating. The Rav did not know if the תורה wants us to experience

this singular mood all of the time, of hating life and, at the same time, loving it, since we are afraid to leave it. That feeling is basic in the קדושת היום of ראש השנה. The Rav studied ליקוטי תורה to resolve this question, but did not find the answer to this question, if פחד is required during the year or not.

(38) The ליקוטי תורה discusses פחד on ראש השנה. The ליקוטי תורה provided three rationales for what the מצוה of שופר symbolizes:

i) According to the גמרא , שופר represents the sighing and groaning of a successful person who finds himself defeated. This was indicated by the mother of סיסרא. She was powerful and rich. One afternoon, she was expecting סיסרא to arrive from the field of battle, with wagons full of riches and clothes for her. She then realized sudden defeat. People commit suicide as a result of פחד! Euthanasia is a result of פחד of death, and not so much the avoidance of pain. פחד is irrational insanity (והיית משוגע ממראה עיניך) and absurd. This is שופר. The story of סיסרא was not cited solely to define the term יבבה, which is the תרגום of תרועה, related by the גמרא, and, by comparing it to סיסרא, where the word ותיבב appears, we deduce its meaning. It is more than that. The ירושלמי says that we must blow one hundred notes דסיסרא (just as the mother of סיסרא did). There is a philosophical bond between the crying of the שופר and the crying of סיסרא. Since the mother of סיסרא cried 100 times, we blow 100 notes on the שופר. שופר symbolizes אם סיסרא. שופר represents the insanity of those who deny defeat. This was also the case of Hitler, who denied that the Allies would defeat him, even when all of his aides knew that the end was imminent. He dreamed that he would regain victory with the aid of a magical and mythical army. Suddenly, he experienced פחד when he realized that there was no one left to

protect him. אדם סיטרא, at the end, finally realized that she was totally defeated. This is represented by the שופר, which reflects the sudden defeat of man and the ensuing פחד generated therefrom.

ii) שופר also represents the howling of animals. This is also פחד, but from a different approach. The animal does not know what יראה is. The animals' response is mechanical. They cannot plan on escape. They lack intellectual capacity, and do not realize when danger will strike. Instead, they smell danger instinctually, and instead of dispersing and hiding, they run to the center and cling to each other, exposing themselves to even greater danger. They act contrary to their own basic interest. This is פחד. This is the howl of animals. This is שופר.⁸³ It means that dignified man has lost the battle. Man can not appear before G-d as a dignified man, wearing the divine crown of majesty. He is a complete failure. He is a brute, like the beast in the field. Man is compelled to approach G-d without his dignity; man approaches G-d as a brute, an undignified irrational animal. שופר is the howl of man who suddenly realizes, on the morning of ראש השנה, that his existence is lost. He should have thought of this the entire year, but he did not. There is no security in this world. His money is useless. Man is a permanently threatened being. An animal is a happy creature, and does not feel threatened since an animal can not anticipate danger, and does not know that it will die, and that catastrophe will descend upon him. The animal can only smell danger instinctually, and at that very moment, will shriek and howl. Man anticipates death and disaster, and so on ראש השנה man appears before G-d, and is frightened. The rationale of אדם ירושלמי or בבלי

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The most beautiful דרשות of ליקוטי תורה pertain to ראש השנה and יום כפור, but they are very difficult to understand.

סיסרא, (i.e. that man is defeated suddenly and is surprised and not oriented, and the שופר is the outcry of the proud and arrogant mother of אִם סִיסְרָא), and the rationale provided by the לִיקוּטֵי תוֹרָה, (i.e. that the שופר is the howl of an animal, deprived of capacity to think and struck by disaster), are strikingly similar.

iii) The Rav believed that שופר is the crying of a child. This is especially true of the תרועה. The child can not catch his breath, and so cries in short gasps. This is the sound of the תרועה. A child does not know what יראה is. He is an animal who can not anticipate events. He does not know of future or past. He can not think of anything other than the present. If a child touches a hot plate, he cries. He is in despair.

So, the שופר is either the crying of the proud man who realizes suddenly that he has lost the battle (אִם סִיסְרָא); or as the לִיקוּטֵי תוֹרָה said, the howl of an animal who is suddenly surrounded without any avenues of escape and instinctually feels death; or, as the Rav said, the crying of a child. It does not matter. שופר represents the emotions of פחד and חיל at the beginning stages!

(40) The פייט of בפצותי בפיט repeats the word חיל, and the mood of horror, of man who is lost and can not extricate himself. It says חיל יום פקודה - the day of judgement is terrible and all find themselves in the clutches of the dread produced by the day. Everyone is a captive of that day. In מוסף the פייטן says: ואין בידי מעש - we are hopeless.

The experience of dread culminates in ונתנה תוקף - which portrays the חיל of the angels. יאחזון - they are captives of dread since מי יזכה לפניך בדין. There is a slow build up of the experience of פחד, which culminates in ונתנה תוקף, and, then, we discontinue, and say

קדושה! A new phase begins.

The פייט says מאז אפד. There is חיל ופחד since the יום הדין is inevitable. Man attempts to reassure himself that the יום הדין will be avoided, and so the פייטן responds: אפד מאז, G-d is actually dressed up in His judicial robes and is ready for judgement; judgement is imminent AND INEVITABLE. G-d sits on His throne of judgement and so it is impossible to avoid Him. This awareness of judgement should produce PANIC and פחד in man. Man can not avoid facing judgement. That is the voice that speaks through the שופר.

The פייטן continues:

אפד מאז משפט היום בחון מעשה כל יום דינם בו לפלס לפדיום. The three last syllables of יום, היום and פדיום demonstrate something strange: there is a dialectical tension between יום and היום, and between איום and פדיום. There is an inner contradiction in the semantics. The פייטן seems to repeat himself when he says לשפט היום as well as בחון מעשה כל יום. There is an irony expressed by these words. בחון מעשה כל יום - man's mistake expresses itself in his failure to understand that any day could become היום, the singular day and the designated day. כל יום, on the other hand, refers to every other day. G-d judges, and man is afraid. Man realizes that he has spent his life following the routine of כל יום, and was unaware that each day can become converted into a special designated day, a day of judgment. The unplanned, tiresome, repetitiveness of כל יום is the source of sin. Judaism has a tremendous awareness of time. Man's main offense is his waste of time. Time is his most precious possession, and man does not appreciate it. He wastes his youth. He does not realize that each day can become the זה היום, an important day in his life, if he is not guided by the mentality of כל יום! So, אפד מאז means G-d judges on this special day (היום), since man's

deeds on כל יום (i.e. every day) were trivial and routine. Man refused to recognize that each day could be converted to something significant - a day of judgement. Man trivializes each day, and dismisses any need to yearn to G-d, or to make each day important. Man could have saved himself by turning כל יום into היום.

לחז"ל said it beautifully: אדם נידון בכל יום. All of the ראשונים ask, if he is judged every day, then what is the significance of ראש השנה? They advanced many theories. The Rav answered that man is judged every day but is unaware of it. Man should try to organize each day in the same manner that he organizes the day of ראש השנה. Man is unaware that he is judged every day. Had man been aware that he is judged on every day and that every deed is written and counts, then he would not have to be afraid of ראש השנה, since he would have conducted himself accordingly on every day. It is man's trivializing of every day (כל יום), the mortality of כל יום, routine and repetition, that is the source of fright on היום.

(41) approach (יקומים) the creatures - גישת יקומים פני איום, דינים לפלס לפדיום (41) You. איום and פדיום are contradictory. איום means fearsome, awesome, dreadful, and refers to G-d. Man knows he will be found guilty since as it says: והלא הן האנוש מאלוה יצדק, והלא הן האנוש מאלוה יצדק, והלא הן האנוש מאלוה יצדק. The verdict is clear cut and irreversible. Man can not win. The awareness of ראש השנה is that we are guilty (אם תמצה עומק הדין, מי יצדק לפניך בדין) - if G-d would judge us, we would be found guilty. So איום expresses man's complete admission of guilt, claimed without consolation and with no salvation. This is why we repeat נורא (awesome and fearsome) on ראש השנה, since we face G-d face to face, and fear G-d like the guilty man fears the judge, when he knows that a guilty verdict will be issued. There are no defenses, no attenuating circumstances, and no excuses. Even the angels are frightened. איום

denotes approaching G-d and anticipating condemnation and hopelessness.

But *יהדות* never concludes with *פחד*. *יהדות* promotes hope, and so the *פייטן* concludes *דינם...לפדיון*. *פדיון* means the same as *פדיון* - to be ransomed, in the sense of *כופר*. This is the reverse of *איום*, since if one anticipates *איום*, then there is no redemption, and if one anticipates redemption there is no *איום*. On *ראש השנה*, man never wins. He is defeated and found guilty, but he is then ransomed and redeemed. G-d accepts ransom from man, though the passages are contradictory. In *תהילים* it says: *לא פדה יפדה איש, לא יתן לאלוקים כופר* - there is no ransom for man. In *איוב ל"ח* it says: *ורב כופר אל יטעך* - again, G-d rejects ransom. If one is found guilty, then he is condemned. However, we find other verses where the idea of G-d accepting ransom is legitimized. It says in *איוב*: *אם יש עליו מלאך מליץ*: G-d accepts ransom (even if it is one in one thousand). How do we reconcile these passages?

The Rav answered that some ransom is gladly accepted, while others are disdainfully rejected. *ראש השנה* is a day of ransom. First, we experience *פחד* - complete and absolute guilt, complete annihilation of man. There are no attenuating circumstances, and the road leads straight to the grave. Man experiences total dejection and loss. Man then offers ransom and substitution on *ראש השנה*. Why? How?

The Rav explained that the *עקידה* is central to the *קדושת היום*, since it is the story of substitution (*פדיון*) - *ויעלהו לעולה תחת בנו*. The *עקידה* describes the concept of ransom. Without ransom, *ראש השנה* would be a day of complete horror and terror. A day of complete self negation. The ransom in the *עקידה* was clearly not the *איל*. G-d was not interested in accepting the mere *איל*. The ransom that G-d accepted was that the *עקידה* actually took place.

It was a reality. G-d wanted Abraham to lose Isaac, and Abraham did in fact lose Isaac. The עקידה was analogous to a patient confronted with an incurable malignant disease. The doctors cruelly inform his family of his fatal condition. This is cruel and ruthless. Doctors are so detached and inhumane. The family loses the patient at that time, even though the patient has not yet died. The family is so lost, that death actually delivers them from distress. They love the ill person; they cherish his company, and yet they must see him deteriorate constantly. They do not tell him of the seriousness of his condition; they lie to him about how quickly he will recover. They smile and laugh in order to conceal his true condition from him. At the same time, they know that his grasp on life is tenuous. They would sacrifice anything for him, and yet must live now to witness his demise. Death is infinitely preferable to this situation. The excruciating and horrible experience of losing part of oneself by losing a loved one is much more terrible than death. When G-d told Abraham to offer Isaac, Abraham was consumed by fear for three days. He never told Isaac of his intended fate. When did Abraham lose Isaac? He lost him when G-d first told him והעלהו לעולה. It was not necessary for Abraham to wield the knife to lose Isaac; he lost him when the communication was first delivered to him - והעלהו לעולה - give him up, he is Mine. For Abraham, Isaac was lost to him at that moment. It was a sealed verdict. Abraham could not disobey G-d's orders. Isaac was lost to him at that moment. When G-d told him not to harm Isaac, he untied Isaac and placed him on the ground. It was a new son that was given to him. The substitution was that the words והעלהו לעולה did not refer to Isaac's physical destruction, but alluded to the fact that Isaac was lost to Abraham for those three days. The והעלהו לעולה should have meant Isaac's physical destruction; it did not, and the איל was taken instead. G-d lays claim to all aspects of man, and not to just one aspect. All

of man's talents, his loved ones, and his riches belong to G-d, who can take away all, whatever and whenever He chooses. The claim is total, and not limited. G-d can take away whatever He chooses at any time. G-d could have taken Isaac's physical destruction. G-d, however, accepted the spiritual loss of Isaac in substitution for the physical loss of Isaac. That type of ransom is acceptable to G-d. The איל was not the substitution; rather, the איל only symbolized the substitution. The substitution consisted of Abraham losing Isaac for the three days that they travelled to הר המזבח . This is what is meant by יצחק צבור על המזבח .

(42) The פייט uses the word לשפט instead of the word למשפט. שפט is the singular of שפטים. The word שפט always appears in תנ"ך in the plural - שפטים - and never in the singular. There is a difference between שפטים and משפטים. משפטים means punishment, the implementation of justice when man is found guilty (the application of the law). So לשפט means to punish - the guilt is already taken for granted. It is as if he said לשפטים היום . The day was ordained as the day on which man will be punished. Man is a priori guilty - הן - בקדושי לא יאמין. The assumption of ראש השנה is of man's guilt. Man must be aware of his guilt on ראש השנה . The verdict is not in doubt. Man is certainly guilty. משפט, on the other hand, is a trial - when the verdict is in doubt and where man may be found innocent. Modern man is not used to this kind of thinking. He thinks that G-d owes him a debt, and raises constant complaints against G-d. This is especially prevalent among Orthodox Jews who immediately rile against G-d when tragedy strikes them. This is the wrong awareness. Man is guilty; he deserves whatever G-d accords to him. All men are guilty. There are no excuses.

(43) We say מלך גדול נורא prior to תקיעת שופר. נורא typifies the mood of ראש השנה. The days are called the ימים נוראים which mean, not so much the Days of Awe, as the

Days of Dread! On ordinary holidays, there is 'יראת ה'; on ראש השנה, there is פחד (and נורא). ישעיהו describes the future day of judgement in which G-d will judge the very cosmos and universe as promoting פחד and dread. פחד is a prologue of ראש השנה!

(44) The פייטן concludes דינם לפדיום. Man can ransom himself from his guilt and from the wrath of G-d. The typical ransom is similar to the עקידה which actually took place in the spiritual dimension, though Isaac survived in the physical sense. Thus, ראש השנה is not just the day of man's complete and total guilt; it is also the day of man's ransom. How does this prompt שירה ?

The first sound of שופר is that of the איל, symbolizing that man has been found guilty, but that there is a chance to avoid this fate by paying ransom. Who ransoms us? Who pays the ransom?

The פייטנים disagreed if the world was created in תשרי or ניסן. All of the פייטנים accepted the view that man was created in תשרי⁸⁴. We say זה היום תחילת מעשיך and היום הרת עולם. The first ראש השנה was on Friday.⁸⁵

The פייט continues: הראשון אדם בו נוצר - man was created on ראש השנה. וצוה חק. ראש השנה - He also sinned on ראש השנה. He was told not to eat from the עץ הדעת, and he violated that injunction.

The ultimate accomplishment for a Jew is ובו תדבקון (and not merely והלכת בדרכיו). The Ramban quotes ר"י הלוי that ובו תדבקון means שיהא אדם מעון לשכינה, that man be an

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כ"ה אלול on the world was created earlier.

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Nowadays, לא אד"ו ראש and so ראש השנה cannot occur on Friday.

abode for שכִּינּוֹה, the ultimate resting spot of שכִּינּוֹה! In other words, man is supposed to be the friend and companion to G-d. Similarly, the פסוק of אֱלֹהִים הָרֹעֵה אוֹתִי, according to רמב"ן, means that G-d was my companion. G-d associated with me. This is consistent with the aforesaid view of ר"י הלוי. He believes that man was created for one purpose, namely, to be a companion to G-d.

The ראש השנה of קדושת היום reflects the companionship and association between man and G-d. Man is the friend of G-d. This is a great occasion for joy and celebrating. But, on the same day, וצור חוק ולא נצר - man alienated himself from G-d, and this companionship was terminated.

So, on the first ראש השנה, man became the companion of G-d, but then he lost this companionship with G-d, and his friendship was terminated. It says אדם נוצר וצור חוק ולא נצר. נצר means created. נצר means did not comply or guard. This is sarcasm. As a נוצר and created being, man is expected to abide by the will of his creator, joyfully. The immediate conclusion of the fact that man was created, is that man should abide by his creator's will. But לא נצר, man did not comply. Even though he is a יצור (נוצר), he was a לא נצר. This is the sarcasm, in that the נוצר was לא נצר. Why didn't man comply with the will of G-d? והייתם כאלוקים - man refuses to admit that he is a creature. He is too vain and proud to admit this truth that he is a created being, and not a creator. Man became a usurper of the divine authority by his sin. This is still the main folly of modern man. Modern man tries to control the universe, genetics, physics, and astronomy. He thinks that one day he will be able to control the cosmic drama and achieve immortality. Usurpation is the main theme of modern man. On ראש השנה, we celebrate companionship between man and G-d, and then the attempted usurpation of man

who attempted to replace G-d, and the resulting alienation of man by G-d. We celebrate the greatness of man, as well as the smallness of man. Man was certainly guilty on that first ראש השנה. G-d could justifiably have destroyed man who tried to usurp G-d's role. Nonetheless, זה מליץ (the word זה refers to G-d - זה קלי ואנויהו); G-d is the intercessor and defender of all man, even vain man, and even man who attempted to usurp G-d and who was alienated from him.

The פייט continues:

זה מליץ כהרחיב בצר. חקקו למשפט ולדורות הונצר.
- כהרחיב בצר - He delivered man from distress or narrowness. The פייטן was referring to the famous מדרש which answers why אדם הראשון did not die after he violated, וביום אכלת ממנו, מות תמות. The מדרש answers that יום may mean a day in the life of G-d (in terms of eternity - כאסף שנים בעיניך). This is what he means כהרחיב בצר - G-d broadened and extended the short day of מות תמות ממנו, ביום אכלת ממנו, which would have required Adam to die on that day, and, instead, this was extended to mean a day in G-d's terms (which is eternity), or, one thousand years (כי אלף שנים בעיניך כיום). It is interesting to note that Adam lived for one thousand years, less the years which he transferred to King David.

If Adam deserved to be destroyed, then why was he pardoned? Adam certainly lacked the ransom that was available to Abraham? The ראשונים have a disagreement if Adam repented or not. It seems that קין was the first one to discover תשובה, and that Adam did not even have הכרת החטא. If so, why was he absolved? This is important for us as well since we, too, often lack הכרת החטא and repentance, and so who absolves us in those circumstances? There can not be התעררותא דלתתא without התעררותא דלעילא. Therefore, what chance do we have

on ראש השנה⁸⁶ as a reality of judgement? Who redeems us when we are unworthy? How and why is this accomplished?

The פייטן answers זה מליץ - G-d suddenly changed roles from judge to advocate of man. רז"ל say that there is a contradiction between two passages: in one it says אלוקים ישב (G-d sits) and in another it says, ה' נצב (G-d stands). They answer that initially G-d is judge, but when He sees that there is no chance for the defendant (i.e. man), then G-d becomes man's defender. But the question remains, who pays the ransom that is always required? How are we redeemed? The answer lies in the next words of the פייט which reads: חקקו למשפט ולדורות הונצר - whatever happened on that first mysterious ראש השנה occurs in every subsequent generation (i.e. לדורות הונצר). That day on which man was created, and on which he sinned, was judged and found guilty; That day on which he was then ransomed and brought out of distress; That day is חקקו למשפט - such a day was set up permanently for all subsequent generations and reoccurs on every ראש השנה. Man lives through the same drama on every subsequent ראש השנה, since לדורות הונצר, the drama is preserved for every generation. Man is supposed to be the companion of G-d. He then constantly usurps G-d; he is judged; and he is found guilty. G-d then becomes his defense attorney and he is ransomed by G-d. So, ראש השנה is the sequence of those events - companionship, alienation, and judgement. He is found guilty but G-d then ransoms man. Why? Who pays the ransom?

The answer is found in the next verse: טיעת חוצב גבעות וצורים. This is unclear, but the answer is explicitly formulated in זכרונות. The פייטן merely classifies and reformulates the

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Modern Orthodox Jews attempt to portray ראש השנה in psychological terms. The Rav pointed out that this is incorrect. ראש השנה must be interpreted in theological and metaphysical terms, and as a reality of judgment. It should not be understood in any other way. ראש השנה is a foundation of Jewish thinking

answer. Basically, זכרונות is the story of ראש השנה!

The main theme of זכרונות is a comprehensive view of creation by G-d. When G-d views his creatures, he sees not only those who exist now, but also those who existed in the most distant past (at the twilight of creation), as well as those who have not yet come into existence. Past and future do not exist for man. While G-d operates in three dimensions of time, man sees only the present, fleeting moment. What was yesterday is gone, what will happen tomorrow has not yet arrived. Man's time awareness is limited and reduced to a single point of no dimension. The present, however is immediately gone at the next moment; the present can not be captured. Thus, man's awareness of time is an awareness of non-existence. Man reduces his existence to a certain point of no dimension. For G-d, the division into the three dimensions into which man's awareness is subjected, is inapplicable, since G-d views everything under the gaze of eternity. To him, all three dimensions are suspended. This premise is of great importance for ראש השנה. G-d sees the past and future as occurring in the present, even though in man's time experience the past has already occurred, and the future is not yet existent. This is what we say: אתה זוכר מעשה עולם - G-d remembers and judges all of creation, in all three time dimensions, since to G-d the future is already in existence, the past has not been terminated (עולם means all dimensions of time).

G-d judges all those creatures which existed in the past, but are no longer there. ופוקד כל יצורי קדם

He explains: לפניך נגלו כל תעלומות והמון נסתרות שמבראשית - from the beginning, through the present and into the future. You depart from מקדם and move into eternity.

ואין שכחה לפני כסא כבוד - you do not forget the past.

ואין נסתר מנגד עיניך - nothing is hidden in the future.⁸⁷

Thus, ואין שכחה - G-d has not forgotten those people who existed in the past, and the ואין נסתר means that G-d recognizes the anonymous people who have not yet been born, the unknown and silent who have not yet said anything. The mysteries of future והמון נסתרות are open to G-d.

אתה זוכר כל המפעל - You remember and are aware of creation.

צופה ומביט עד סוף הדורות - You look and gaze into future and see everything which will happen. As far as G-d is concerned, there is no difference between potentiality and actuality. Whatever has a potential, is actual and real. This is the first message of זכרונות.

When man is judged on ראש השנה, he appears in front of the Almighty, not as a lonely being, not as an isolated being, like a closed entity, but he appears as part of the great universe, the cosmic dramas and process of being, and whose deeds are examined and scrutinized, not just in relation to the person who is judged, but in light of past events which perhaps did have their impact on the individual, and on the formation of his character and abilities. There is after all a genetic code and an endless chain of causality. When G-d judges an individual, he judges not only him, but will judge his parents, grandparents, etc. since everyone has a share in him. He will judge not only the present society in which the individual is found, but all prior societies, since they may have had an indirect influence on that individual. A deed very distant from us may have influenced an individual's character. G-d judges the past as causality.

The second message of זכרונות is that G-d also judges the individual with respect to the

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The והמון נסתרות refers to the mysteries of the future, which are, nonetheless, open to G-d.

future as well. The past is a question of causality; the future is a question of finality. Can the individual contribute to creation? Can he be credited with great accomplishment or not? Furthermore, the individual is placed within the frame of reference of events which belong to the future, to a non-real as yet time. An anonymous period of time in the future. The impact which this individual may have on future occurrences, is weighed carefully and scrutinized. An individual may leave and exert no influence on society and not accomplish anything in his life span, but he may have a tremendous impact and influence upon future generations. A grandson of his or a distant descendant may make a tremendous contribution to the welfare of our people or to mankind. A person is judged not just by his deeds within the present dimension of time, but also by the deeds of his forefathers. G-d takes into consideration the conditions and circumstances of the past which had their impact upon him. He also weighs the deeds of man vis-a-vis the future, what that man means to the future millennium hence. In other words, the individual is judged as the link between those who were already here and are no more, and those who are not yet here. G-d judges both in retrospection and anticipation. An individual may be found guilty for not performing better; his own performance is shameful. There is great potential in him which he wasted, and so he should be found guilty. On the other hand, G-d often applies mitigating factors to the sinful individual since the future, anonymous and silent generations will legitimize the existence of the individual retroactively. Sometimes, the individual's existence is legitimized and becomes justified and meaningful, in retrospect, only thousands of years later. Sometimes, one is guilty, but G-d defends him, since the guilt is not solely attributed to him because certain events occurred thousands of years before he was born that already determined that person's guilt.

Retrospection and anticipation are the themes of זכרונות. G-d judges individuals based only on their own conduct, and not on the future conduct of their descendants. That would be unthinkable in human courts. The immediate past, such as his home environment and poverty, is sometimes a mitigating factor in modern courts. But the distant past is never taken into consideration. No human is omniscient except G-d, and so only G-d can judge with retrospection and anticipation.

In other words, the mitigating circumstance and the ransom that saves us is primarily the future. The past explains, but the future is the ransom. What saves man the usurper, is man's eternal endowment. Man cannot destroy himself, even if he so wishes. Man remains with an inner endowment, with which G-d blessed him, even though he is steeped in filth. In other words, the morality of man is indestructible. No matter how deeply involved he is in sin and moral filth and sordidness, not everything in him is defiled. There remains in him something pure and noble which reflects eternity. In a matter of minutes, the same ram (איל) - which Abraham saw נאחז בסבך בקרניו - trapped with his horns, can be saved. This ram portrays modern man; the horns of the ram (קרן) reflects man's grandeur, creativity and power. Man is caught in the thicket and can not extricate himself from that entanglement. The same arrogant, vain and blasphemous ram and man can, in a matter of minutes, be found on the מאבח ויקח. את האיל ויעלהו לעולה תחת יצחק בנו. The ram's personality changed once he realized that to be a usurper means to lose everything good, and man must sacrifice everything for G-d.

This is the idea of תשובה. One can never predict man's actions, and even if he is completely intoxicated and completely addicted to sin, that the return seems impossible, then, though he himself may be lost, nonetheless, the nobility and good in him that could never be

realized is passed on to future generations. It is indestructible. Sometimes, man has a chance to get hold of himself and realize his great potential - this is the *יום כפור* of *תשובה*. On *ראש השנה* we speak of man who is not powerful or courageous enough to change his life. His potential, though, is not lost. There is a genetic code and this potential is passed on and transmitted to future generations.

טמא say that *חז"ל* - only G-d can derive *טהור* from *טמא* - *מי יתן מטמא טהור על אחד*. Abraham was born to *תרח*. Abraham was a great visionary with enormous powers of intellect, *כוחות הנפש*, with discriminating judgement and precision, together with unlimited kindness. He derived this from his parents. *תרח* did not realize his own potential, he wasted it. But, whatever he had, was indestructible. The endowment of *תרח* was transmitted to his son, Abraham. Abraham was great because of *תרח*, and *תרח* derived his endowment from his father *נחור*. Only G-d can derive *טהור* from *טמא*. Whatever is beautiful in man is passed on to future generations. Man can never lose his greatness even though, at times, he tries very hard to do so.

What does G-d accept as ransom from us? What was the ransom of Adam, who did not even have *הכרת החטא*? Adam gave, as ransom, his great potentiality. This great potential was not even realized immediately. Adam's immediate descendants were not at all remarkable. The great potential was realized only twenty generations later with Abraham. But on that particular *ראש השנה*, on that particular day of judgment on the very first Friday, Adam was credited with Abraham. Adam was not ready to sacrifice anything, but he was credited with Abraham's readiness to offer Isaac as a sacrifice twenty generations later.

This is what *ר"א הקליר* means:

טיעת חוצב גבעות וצורים. יולדו בו מראש צורים. כיושבי נטעים המה היוצרים ללמד בו צדק לעצורים.

טיעת) - The one who shaped the rocks and hills (i.e. G-d), implanted (טיעת means implanted) something (i.e. man), at that time. He continues that ילדו בו מראש צורים - what he implanted was that man is regarded as if he was already born at the time when those first rocks were formed. In other words, Abraham was, so to speak, present at the time that the first rocks were formed (at בריאת העולם). He continues, - our forefathers are regarded as being present among those people who planted (i.e. at the time when the world was shaped). - the אבות are regarded as the creators of the world: they were partners with G-d in shaping and creating the world. What does this mean? Why? He continues - לעצורים - in order to ransom and justify those who were trapped and could not pay the ransom (i.e. Adam). The subject is חוצב - the creator; the verb is טיעת - implanted a potential in nature. What did he implant? The answer is ילדו בו מראש צורים - that the Patriarchs were already born at the time that the world was created. They are deemed to be כיושבי נטעים המה היוצרים - they are treated as if they fashioned the human beings. It means that G-d invited the Patriarchs to participate with him in forming the world. Why was this necessary? - if man should sin, then there will be the future generations, and the אבות, to ransom him and redeem him. The purpose of יצירה was realized in the אבות who epitomized the principles that G-d implanted in nature ('עבודה וכו'), the principles of morality. The phrase is thus translated: The one who shaped the rocks and hills, implanted a potential in nature (i.e. man), in that it is as if the Patriarchs were born at the same time in creation. They are considered as if they fashioned the world, together with G-d. This

necessary, so that there will be somebody who can ransom the sinner.

Adam was ransomed since G-d judged him, not as an individual, but as the father of humanity. Thousands of years later, Abraham justified the pardon awarded to Adam, as if the drama of עקידה had taken place on the day of creation.

How does this apply to us? Adam had no past, and so only the future could ransom him. Similarly, we have ransom in the past and also anticipated ransom in the future. This is the message of זכרונות: ועקידת יצחק לזרעו ברחמים תזכור - we are too small to pay the ransom, we are not ready to participate in the awesome drama of עקידה, but Abraham already paid the ransom for us. G-d judges us, not only as individuals, but as descendants of Abraham.

On the other hand, we also have faith and trust that the future will justify our existence. There is a great potential which, even if not realized by us, will be finally realized eventually. The potential which G-d implanted in every being will be translated into deeds and will be completely realized. The future justifies our existence. This is זכרונות.

We say ופקדנו משמי שמי קדם - this means that we ask G-d to help us realize the drama that is in the distant past as if it just happened. ותראה לפניך עקידה - this is not the physical עקידה, but the decision to sacrifice (וכבש רחמיו...) is the ransom of the עקידה. His decision to resign is the spiritual עקידה.

By זכרונות, we speak about the ransom which had been paid in the past for us. שופרות גילוי which is אתה נגלית בענן כבודיך speaks of ransom that will be paid for us in the future. ובאו האובדים מארץ אשור and then שכינה - all Jews will return to G-d, and not one Jew will be lost. This will conclude in תקיעת שופר and the rebuilding of the בית המקדש. We tell G-d that, after all, without Jews there will be no drama of שופרות. The drama will חס ושלום.

vanish. There will be no ransom, no hope, and the future will be bleak.

The future has another ברכה as well, namely, מלכיות, the theme of which is that man will triumph over himself. Because of that hope and expectation, we expect G-d to ransom us on account of both the past and the future.

Thus, ראש השנה has a strange קדושת היום. It begins with the greatness of man, his dissent into the abyss. He is ransomed temporarily, and then, in the distant future, will be the complete reconciliation between man and G-d!

תושלב"ע

שיעור בעניני ראש השנה - ירחי כלה, תש"ל

שיעור בעניני ראש השנה - ירחי כלה, תש"ל

מאת הגרי"ד הלוי סולובייציק זצ"ל

נרשם על ידי ברוך דוד שרייבר

(I) The difference between יום תרועה and זכרון תרועה;
עבודה שבלב constitutes an זכרון תרועה
The different views of the רמב"ן and רמב"ם regarding the meaning of
זכרון תרועה:

The תורה describes the יום טוב of ראש השנה in י"א ט, כ"ט, as follows:

In כ"ג, ג, however, the תורה states: ויקרא: כ"ג, ג. באחד לחודש השביעי... יום תרועה יהיה לכם ראש השנה. The תורה thus describes ראש השנה as both יום תרועה, as well as זכרון תרועה. The רמב"ם in א' הלכה א' describes the מצות שופר as follows:

מצות עשה של תורה לשמוע תרועת השופר בראש השנה שנאמר יום תרועה יהיה לכם.

In גמרא, asks: מסכת ראש השנה דף ט"ז,

אמר רבי יצחק למה תוקעין? למה תוקעין, רחמנא אמר תקעו. אלא למה מריעין? מריעין, רחמנא אמר זכרון תרועה. אלא למה תוקעין ומריעין כשהן יושבין ותוקעין ומריעין כשהן עומדין? כדי לערבב את השטן.

The גמרא originally questioned the need to blow the תקיעות, to which it responded that the תקיעה is mandated מן התורה. However, when queried as to the necessity of the תרועה, they answered that the תורה demanded that we engage in זכרון תרועה. Why did the גמרא respond differently to the questions of למה תוקעין and למה מריעין, in one case answering that תקיעה is mandated by the תורה (i.e. רחמנא אמר תוקעין), while only citing the words זכרון תרועה in response to the question of למה מריעין? Furthermore, why didn't the

גזירה respond, when רבי יצחק inquired about the origin of מצות שופר, that there is a גזירה which the [דף ל"ד] גמרא¹ often cites as the source from which this מצוה is derived.²

The foregoing question can only be answered by first analyzing all of the facets of מצות שופר. There are two distinct facets (קיומים) which inhere in the מצות שופר. On the one hand, שופר is a מצוה similar to מצה, which is comprised of an objective act (מעשה) (שבגוף). On the other hand, מצות שופר also contains a קיום תפילה, which latter aspect is also a מצוה מן התורה. תפילה is supplication to G-D employing articulate words. תפילה, however, is תפילה without words - a cry (תפילה בלא דיבור). Originally, the texts comprising the נוסח התפילות were memorized.³ Thus, it was incumbent on the people to rehearse the non-standard תפילות, such as those used on the Three Festivals, which they had not yet

1

That גמרא reads as follows:

מנין שבשופר? תלמוד לומר [אצל יובל] והעברת שופר תרועה. אין לי אלא ביובל, בראש השנה מנין? תלמוד לומר בחודש השביעי... שיהיו כל תרועות של חודש השביעי זה כזה.

2

The Rav noted that [פרק א' סימן ה'] has a slightly different version of the גמרא which reads as follows:

אמר רב יצחק למה תוקעין? למה תוקעין רחמנא אמר תוקעין. אלא למה תוקעין ומריעין כשהן יושבין ותוקעין ומריעין כשהן עומדין, כדי לערבב את השטן.

The ר"ש deletes the second question with respect to מריעין. He explains that the גמרא's question was directed solely to explain the practice of performing מצות שופר twice, once when sitting and the other when standing.

Notice the addition of the word מריעין in the second question of the ר"ש text. This is inappropriate since רב יצחק's question did not mention מריעין. It is only appropriate according to our text in which רב יצחק questions the necessity of both the תקיעה as well as the תרועה.

3

It was forbidden to transcribe them, as the גמרא rules:

דברים של בעל פה אי אתה רשאי לכותבן.

committed to memory.⁴

On the other hand, שופר does not require literacy - it is wordless. It imitates both the groaning of old men (שברים) as well as the cries of a baby (תרועה). Every animal prays to G-d instinctively, blindly and without rational thought, as do the cosmos and the rest of the universe. Their prayer is expressed by the sounds that they emit, and this constitutes the שירה ותפילה of creation. If תפילה could only be expressed with speech, then the rest of creation, other than man, would be unable to engage in תפילה. We know, however, by reading the Psalms and the other Books of תנ"ך, that the entire cosmos and all of creation join man in offering שירה ותפילה to G-D.⁵ Thus, the Rav concluded that שופר contains elements of תפילה.

The Rav Zt"l offered the following to support his thesis of the dual aspects inhering in מצות שופר:

Proof #1

We recite in the מוסף of ראש השנה:

כי אתה שומע קול שופר, ברוך אתה ה' שומע קול תרועת עמו ישראל ברחמים.

This תפילה signifies that G-d listens to the petition and supplication of the שופר, and is strikingly similar to the שמונה עשרה תפילה of חתימה found in the everyday שמונה עשרה.

Proof #2

⁴ Rav Chaim often said that he could not pray as well from the סידור as from memory. He, therefore, would memorize the entire תפילה of ראש השנה during חודש אלול, so that he could concentrate on the תפילה by reciting it orally.

⁵

השמים מספרים כבוד קל וכו' (תהילים י"ט, א) See

The merger of תפילה ושופר is mandated מן התורה according to many ראשונים.⁶ They point to our tradition in which we juxtapose the recitation of the זכרונות ושופרות with the performance of the blowing of the שופר. This indicates that the שופר, which does not employ speech, deciphers the code of תפילה in which speech is employed. By contrast, it would be foolish to merge מצות מצה with תפילה, since מצה does not contain any element of prayer. מצות שופר, on the other hand, constitutes a form of תפילה and so can be merged with תפילה proper.

Proof #3

In מסכת ראש השנה דף כ"ו, it states:

שופר של ראש השנה של יעל פשוט. אמר רב לוי מצוה בכפופין ... במאי קמיפלגי? מר סבר בראש השנה כמה דכייף איניש טפי מעלי, ומר סבר בראש השנה כמה דפשיט איניש דעתיה טפי מעלי.⁷

רש"י cites two conflicting passages to explain this controversy. One passage states that man should be humble during prayer והיו עיני וליבי שם כל הימים. The other passage implies that, during prayer, man should feel uplifted and be grateful for G-d's endowment - נשא לבבינו אל - כפים. These two motifs are both תפילה motifs. Why does רש"י cite these passages to explain the גמרא's justification for using certain types of שופרות in order to perform the שופר מצות שופר? In מסכת יבמות דף ק"ו, when discussing the appropriate posture to be used during prayer, the

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See רש"י פרשת אמור: כ"ג, כ"ג, who interprets the זכרון תרועה of פסוק as requiring the recitation of the זכרונות ושופרות of ברכות מלכות.

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in other words, there are two views on whether it is preferable for man, on ראש השנה, to be bent and humble (כייף), or, to be erect and confident (פשיט).

The Rav explained, that רבא apparently concluded, that without כוונה, one does not fulfill the entire מצוה of שופר, since he is lacking the תפילה aspect of שופר (the עבודה שבלב); however, he does satisfy the physical component realized by the raw mechanical act of blowing the שופר. This is what רבא added to the original statement that מצוה does not require כוונה. We can infer from this conclusion that there is an additional aspect of the מצות שופר, which is derived from זכרון תרועה (i.e. a קיום תפילה ועבודה שבלב), and which can only be realized with כוונה and forethought.

Proof #5

The שופר כיון דלזכרון אתא כלפני ולפני דמי⁹ says: מסכת ראש השנה דף כ"ו in גמרא

There are certain מצות, such as תפילה, whose very essence express themselves with being in the presence of G-d, and in confrontation with G-d. שופר is one of them since it contains תפילה and petitional components as well.

Thus, there are two themes of שופר: i) the physical act of blowing the horn (מעשה); and ii) the thoughtful intention (עבודה שבלב). The latter aspect of עבודה שבלב is satisfied only if one blows the שופר within the framework of the ברכות of זכרונות, מלכיות, and is derived from the motif expressed by זכרון תרועה which, as we have seen, is a קיום תפילה.

Based upon our theory of the duality of the מצות שופר in which the מצות שופר contains

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The context of this phrase is the גמרא contention that any object which must be brought into the קודש קדשים may not remind G-d of the מעשה עגל. Thus, the clothes of the כהן גדול could not contain gold since that is reminiscent of the gold of the עגל. Similarly, the שופר of a cow may not be used since it is reminiscent of the עגל. The גמרא points out that even though the שופר was not blown inside the קודש קדשים, nonetheless, since it brings us closer to G-d, it has the status of an item which is brought into the קודש קדשים. This supports the theory that מצות שופר contains a petitional element of a תפילה.

motifs, which is derived from זכרון תרועה, the words of the תורה which describe the מצות שופר as תרועה, in actuality should be translated as זכרון through תרועה, which in effect means "תרועה through תפילה". The word זכרון, which literally translates as remembrance, presupposes תפילה, since remembrance can only be obtained after one petitions G-d. One who does not petition G-d cannot be answered by G-d. Thus, זכרון is the תפילה of the worshipper to surrender to G-d through the תרועה, and to confront G-d and become closer to Him. The תרועה inspires man to repent. In this interpretation, man remembers G-d. However, there is another interpretation of זכרון תרועה which is that we petition G-d to remember man, as we say שומע קול תרועת עמו ישראל ברחמים; we ask G-d to remember us and to come nearer to us.

The רמב"ם in 'ד מהלכות תשובה הלכה ד' remarks that the שופר arouses man to repent. He says:

אף על פי שתקיעת שופר גזירת הכתוב היא, רמז יש בדבר ... חפשו במעשיכם וחזרו בתשובה... This is זכרון on the part of man, as described in the first interpretation of the תרועה, in which man calls to G-d, and G-d responds and remembers man (and becomes closer to man). According to חכמי הקבלה, this is termed התעוררותא דלתתא, when man awakens and searches for G-d. This is then followed by התעוררותא דלעילא, when G-d responds and searches for man. This is a double זכרון. Later on, the Rav will demonstrate that the רמב"ם's view is also reflected in his Halachic interpretation of מצות שופר as constituting a מצוה of שמיעה. The רמב"ם agrees with the second interpretation and, thus, disagrees with the רמב"ם's Halachic ruling and rules that מצות שופר is a מצוה of תקיעה.

To return to our original question, of why the גמרא stresses both למה תוקעין as well

as למה מריעין, apparently, in light of the above, when the גמרא says למה תוקעין, it means the מצות שופר per se (the raw physical and mechanical act of blowing the שופר); however, when it says למה מריעין, it means the תפילה component of שופר. The reason for this is derived from the פסוק which uses the word ותקעתם to describe the blowing of חצוצרות on Shabbos and Holidays, even though both a תקיעה and a תרועה are required.¹⁰ However, when imposing the imperative to blow on the חצוצרות in times of trouble [על הצר הצורך], the תורה employs the word והרועתם בחצוצרות which requires us to blow a תרועה, even though a תקיעה¹¹ was also required. It appears that the sounds of the תקיעה and תרועה respectively correspond to the two הלכות which inhere in the general מצוה of חצוצרות, namely, i) the raw act of blasting on the trumpets - מעשה תקיעה; and ii) the קיום בלב of צעקה. In order to demonstrate the discreteness of these two motifs, the תורה focused on each sound separately and imposed it as the primary sound, depending on the occasion. Thus, when describing the מצות חצוצרות on the Holidays, they employed the word ותקעתם, even though both a תקיעה and תרועה were blown, since the primary motif is תקיעה; on the other hand, when imposing the imperative of blowing on the חצוצרות in times of tragedy, they employed the word והרועתם to demonstrate the motif of צעקה. If this is so, then the גמרא's question of למה תוקעין refers to the first motif which is the physical act of blowing the שופר. They

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רמב"ם, פרק ו' מהלכות תמידין ומוספיו הלכה ו' See

ותקעו והריעו ותקעו.

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רמב"ם, פרק ד' מהלכות תענית הלכה ט"ו This is set forth in the
כשהיו מתפללין כסדר הזה בירושלים היו תוקעין הכהנים ומריעין ותוקעין, ואחר כך בברכה שנייה מריעין ותוקעין ומריעין.

responded that we blow the שופר since the תורה so commanded us - רחמנא אמר תקעו. They then asked למה מריעין, which refers to the additional motif which requires supplication and צעקה as well as the mechanical blowing of the שופר, and concluded that we engage in this conduct of צעקה since the תורה described the מצוה in terms of תרועה. They then concluded that their question was directed at the fact that we blow both notes when sitting and standing - למה תוקעין ומריעין כשהן יושבין ותוקעין ומריעין כשהן עומדין - standing. They responded that this repetition is designed לערבב את השטן.

Interestingly, on דף כ"ט, the גמרא says:

אמר רבי לוי, כתוב אחד אומר שבתון זכרון תרועה [רש"י - ולא תרועה ממש אלא מקראות של תרועה יאמרו] וכתוב אחד אומר יום תרועה יהיה לכם? לא קשיא כאן ביום טוב שחל להיות בשבת וכאן ביום טוב שחל להיות בחול.

י feels that when ראש השנה occurs on a weekday¹², the תפילה is a composite of both the mechanical act of blowing the שופר as well as the צעקה and petition represented by the ברכות. Thus, on such occasions, the שופר interprets the תפילה comprised of the ברכות של מלכיות, Each ברכה¹³ converts the שופר blowing into תפילה. The preceding ברכה converts the שופר blowing into תפילה, ושופרות consists of three components: i) a statement and professional opinion - "this and that is true" ... ובכן, ועל כן, ובכן - a tautology; and ii) passages from תנ"ך to support that opinion; and iii) בקשה - a petition for the destruction of the evil order and its replacement with G-d's dominion. This petition is then followed by the blowing of the שופר which repeats that sentiment. Thus, the

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which the Torah describes as יום תרועה,

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The Rav will demonstrate later on that the תקיעת שופר of each of the ברכות differs from the others.

שופר is in effect a means of petition (תפילה).

When describing the מצוה of שופר, the רמב"ם in 'מהלכות שופר הלכה א' cites פרק א' מהלכות שופר הלכה א' as establishing the imperative of מצות שופר. As we have demonstrated, this פסוק relates to the physical component of שופר - the raw act of producing a sound - which is the primary מצוה of שופר. He does not cite the פסוק זכרון תרועה which relates to the petitional and תפילה component of שופר. When the גמרא refers to the rule that מצות שופר requires כוונה, or when detailing the requirements relating to the recitation of ברכות in conjunction with the blowing of the שופר (i.e. the merger of שופר and תפילה), it cites the פסוק זכרון תרועה. Apparently, the רמב"ם focused on the primary component of מצות שופר which is the physical aspect and not on the mental aspect.¹⁴

(II) The role of the שופר in the בית המקדש:

The משנה states in כ"ו that:

שופר של ראש השנה ... פיו מצופה זהב ושני חצוצרות מן הצדדין, שופר מאריך וחצוצרות מקצרין שמצות היום בשופר.

פרק א' מהלכות שופר הלכה ב' explains the רמב"ם:

ולמה תוקעין עמו בחצוצרות משום שנאמר בחצוצרות וקול שופר הריעו לפני המלך ה'.
Apparently, this is not considered a separate הלכה pertaining to the מקדש since the רמב"ם mentioned it only in הלכות שופר, and not in תמידין ומוספין. The גמרא on כ"ז explains as follows:

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Notice that even the תקיעות דמיושב which, seemingly, are not designed to complement the petitional component of שופר, since they precede the שמונה עשרה, also require a שופר הכפוף, which indicates that even these תקיעות contain a petitional component of צעקה and עבודה שבלב. This will be discussed later on.

תניא במה דברים אמורים במקדש אבל בגבולין מקום שיש חצוצרות אין שופר ומקום שיש שופר אין חצוצרות ... מאי קראה? דכתיב בחצוצרות וקול שופר הריעו לפני המלך ה' - לפני המלך ה' הוא דבעינן חצוצרות וקול שופר אבל בעלמא לא.

The רמב"ם continues:

אבל בשאר מקומות אין תוקעין בראש השנה אלא בשופר בלבד.

He implies that one may not blow the שופר together with the חצוצרות outside of the בית המקדש. The גמרא, however, implies that blowing חצוצרות together with the שופר outside the בית המקדש is not mandatory, but one who elects to blow them may do so. They, therefore, concluded that לא היו נוהגין כן אלא בהר הבית בלבד, it is not customary to do so, and did not say אסור לתקוע. Thus, they feel that one who elects to blow both may do so.¹⁵

The רמב"ם permits the blowing of one hundred קולות and is unconcerned with the שבות of which he apparently feels does not apply during the performance of all facets of מצות שופר. Why then does the רמב"ם feel that תקיעת חצוצרות are enjoined outside the בית המקדש?

The Rav answered that we must first understand what the קיום of חצוצרות in the בית המקדש consists of. There are two positions on this:

i) In the מקדש one must hear both the שופר and the חצוצרות; the מצוה changes from consisting solely of שופר to consisting of both שופר and חצוצרות. Whoever is present in the מקדש, must hear both the חצוצרות and the שופר. This is reflected by the פסוק of בחצוצרות וקול שופר הריעו לפני המלך ה'; or

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See שיעור ירחי כלה [1972] for a lengthy discussion of the role of חצוצרות in the בית המקדש. [Editor's Note]

ii) The מצוה does not change in the מקדש. The מצוה is the same for both מקדש and גבולין. But in the מקדש, one is required to engage in שירה through the medium of the חצוצרות, simultaneously with the blowing with שופר, similar to the standard שירה in which the כהנים blew on חצוצרות while the לויים sang שירה.¹⁶ So the מצוה to sound the חצוצרות on ראש קיום, which originated from the פסוק of 'ה' לפני המלך, is a שירה בכלי. Thus, when the שופר is blown in the מקדש, there is imposed an additional obligation to engage in שירה with the חצוצרות. This is a חובת ציבור and not a חובת יחיד.

This controversy may be predicated on a different מחלוקת.¹⁷ The ראב"ד says¹⁸ that the פסוקים of תרועה and יום תרועה pertain only to the המקדש, and not to any place outside of the המקדש. He bases his theory on the fact that both of these פסוקים are juxtaposed to the פסוק of 'לה' אשה, which deal with the הקרבת הקרבנות. The מצוה שופר is thus, by definition, limited to the המקדש. He says that מצוה שופר in the גבולין is derived only from a דרשה, though it is still התורה. The blowing of שופר in the המקדש, thus, differs qualitatively from that of גבולין. We may infer from this thesis that מצוה שופר in the מקדש forms an integral part of המקדש, and it is this additional feature that distinguishes the מצוה of שופר in the מקדש from that of שופר in all other places.

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See פרק ג' מהלכות כלי המקדש הלכה ה' where he writes that ... והלויים ... הכהנים תוקעין בחצוצרות. Similarly, the חצוצרות were blown during the ניסוך המים and during the פסח קרבן פסח. אומרים שירה.

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The Rav does not know which view is more accurate since there are many proofs pro and con.

18

בהשגת הראב"ד על הבעל המאור, דף כא ע"א מדפי הרי"ף מסכת סוכה: [תוקעין שופר במקדש בשבת ולא בגבולין] מפני שאין לשופר עיקר מפורש בגבולין שלא אמר תורה שבתון זכרון תרועה אלא במקום והקרבתם אשה לה' [במקדש].

The Rav adds, that on שבת we blow the שופר in the מקדש and not in גבולין, since שופר in מקדש is a separate מצוה, which like all עבודות המקדש take priority over שבת. This new מצוה of שופר in מקדש also includes חצוצרות.¹⁹ Thus, according to the first interpretation, that the מצוה שופר differs in מקדש from that in גבולין and the two are totally different מצוות, then in מקדש the מצוה שופר includes both שופר וחצוצרות. However, according to the second interpretation, that the מצוה שופר in the מקדש is identical to שופר בגבולין, and the מצוה does not change, there is an additional obligation to engage in שירה in the מקדש through the medium of חצוצרות. The Rav pointed out that there is no other ראשון who agrees with this view of the Rav. If this is the case, why then does the רמב"ם insist that we cannot blow חצוצרות outside of the מקדש on ראש השנה?

The Rav answered, that in his opinion (על פי חסידות), it seems that the instrument of שופר places man in close proximity to G-d. In the lexicon of the גמרא it is said that²⁰ שופר שופר קדשי קדשים near the presence of G-d in the מקדש. Man places himself in the presence of G-d in the מקדש, where the nearness to G-d is intensified, this unique experience is symbolized by the addition of חצוצרות, which, as stated in the פסוק of שופר, is representative of the intense spiritual proximity to G-d. Outside of the מקדש, in גבולין, where this nearness is not as intense, the חצוצרות are not required. Thus, the פסוק of שופר, is interpreted to mean that לפני המלך ה', when there is complete nearness to G-d, an enhanced presence, then this experience

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This differs from Rashi's explanation that we blow חצוצרות במקדש even on שבת since אין שבות שבת. במקדש.

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This theme will be more fully developed later on.

is symbolized by הריעו לפני המלך ה', by blowing on the חצוצרות. When the enhanced presence of G-d is patent and palpable, we symbolize it with the blowing of שופר together with the חצוצרות. To blow חצוצרות outside of the מקדש, would erase the boundary that distinguishes the מקדש from all other areas. שופר is proportionate to the presence of G-d in גבולין, but in the מקדש, where G-d's presence is more acute, the חצוצרות must be sounded as well. The sound of שופר heralds the presence of G-d, but not in the same manner as the combination of שופר and חצוצרות sounded in the מקדש. They did not wish to commingle the respective קדושות and that is why the רמב"ם enjoined the sounding of חצוצרות outside of מקדש. This seems to conform well with the view of ראב"ד, expressed earlier, that the מצוה of שופר changes depending on the locale; in the מקדש where the presence of G-d is exalted, we blow both שופר and חצוצרות, while outside of the מקדש, where the presence of G-d is not as palpable, we blow only on a שופר. Furthermore, the פסוק which serves as the basis for the מצוה of שופר deals only with this special מצוה of שופר which takes place in the מקדש²¹. It is interesting to note, that זכר implies that a special recitation of זכר למקדש must be said prior to performing the מצוה of שופר. This can be explained in light of the foregoing view of the ראב"ד that שופר is the instrument of complete גילוי שכינה, which presents itself in totality only in the מקדש and not in גבולין, where only a limited גילוי שכינה is experienced.²²

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It would follow from this, that the reason why the Torah does not mention specifically that the תרועה is produced by a שופר, and only refers to the מצוה of producing a תרועה [ראש השנה דף ל"ג], is because the מצוה of שופר described in the Torah consists of one which merges the שופר with the חצוצרות. In the 1972 ירחי כלה Lecture, the Rav expounded on this theme at great length. [Editor's Note]

22

Rashi in כ"י ע"ב says that on a fast day the function of חצוצרות is כנופיא.

(III) The origin of זכרונות, ושופרות, מלכיות:

Whether or not the זכרונות ושופרות of ברכות are מן התורה or מדרבנן²³, depends on the analysis of the גמרא in דף ל"ד which reads as follows: ומצוה בתוקעין יותר מן המברכין. הא כיצד, שתי עיירות באחת תוקעין ובאחת מברכין, הולכין למקום שתוקעין ואין הולכין למקום שמברכין. פשיטא הא דאורייתא והא דרבנן. There are texts which say מדברי סופרים²⁴ הא דאורייתא והא, in which case the recitation of the ברכות are מן התורה. However, even if our text is correct, and the recitation of the ברכות are מדרבנן, the Rav quoted the ספר יום תרועה who explained that the גמרא ruling that it is preferable to pray in a place where they will blow the שופר, as opposed to a place where they will recite the ברכות, refers to a situation where the latter place will not blow the שופר at all, while the former place will blow the שופר, but not recite the ברכות. In such a case, the recitation of the ברכות without the accompanying שופר, is only מדרבנן and thus it is preferable to pray in the former place where they recite the ברכות. In such an event, reciting the ברכות is only מדרבנן; however, the merger of שופר and תפילה is מן התורה and, therefore, the recitation of the ברכות in conjunction with blowing the שופר is מן התורה. As a matter of fact, מצות עשה לשמוע תרועת השופר that פרק א' מהלכות שופר הלכה א' rules in רמב"ם. However, in פרק ג' הלכה י"ג he writes:

שתי עיירות, באחת יודע ודאי שיש שם מי שיברך ברכות ואין שם תוקע, ובשנייה ספק יש

²³

Rashi on ט"ו says פסוקי תרועות יאמרו דף כ"ט that the recitation of these פסוקים are מן התורה which is consistent with his view in אמור that the

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The term מדברי סופרים refers to those items which are מן התורה in origin, but which are derived from תורה שבכתב and are not explicitly stated in the תורה של שבעל פה, such as קידושי כסף.

שם תוקע ספק אין שם תוקע הולך לשנייה שהתקיעה מדברי תורה והברכות מדברי סופרים. It is unclear from the רמב"ם's terminology and use of the word סופרים if the ברכות are strictly מדרבנן and not התורה. At times, the רמב"ם uses the words סופרים to designate something which is מן התורה but derived from the י"ג מדות, while at other times he uses that word to describe a מצוה מדרבנן. Nonetheless, in the above cited passage, which refers to the recitation of the ברכות without the accompanying of the blowing of the שופר, the words סופרים certainly designate a מצוה מדרבנן.

It is peculiar, however, that in פרק א' מהלכות שופר הלכה א' he says: מצות עשה הציבור חייבין לשמוע, while in פרק ג' הלכה ז' לשמוע תרועת השופר בראש השנה מצות עשה מדברי סופרים. The word חייבין, as opposed to the words שמונה עשרה שופר in conjunction with the recitation of the סופרים, denotes that blowing the שופר is probably מן התורה. The Rav stressed that the חזרת הש"ץ on ראש השנה is qualitatively different from that during the year, since the תקיעות על סדר הברכות of מצוה is predicated on חזרת הש"ץ which is a communal obligation (חובת הציבור) and not an individual imperative (חובת היחיד). We see that on ראש השנה, the חזרת הש"ץ plays a unique role. In the Rav's opinion [based on that רמב"ם], the primary motif of חזרת הש"ץ generally, is to provide a means of prayer for the ignorant people, the אינו בקי. Once חזרת הש"ץ was established, it thereafter assumed a communal role at all times, since it relates to the entire ציבור. Thus the פרק ט' מהלכות תפילה הלכה ג' רמב"ם ruled that: [והש"ץ] מתחיל ומתפלל מתחילת הברכות להוציא את מי שלא התפלל. והכל עומדים ושומעים ועונין אמן אחר כל ברכה וברכה, בין אלו שלא יצאו ידי חובתן ובין אלו שכבר יצאו ידי חובתן.

Even those who disagree with the רמב"ם and do not believe that חזרת הש"ץ generally relates to the entire ציבור, nonetheless, they too agree that on ראש השנה, the חזרת הש"ץ has special relevance, and relates to the entire ציבור, by enabling the ציבור to participate in the special מצוה of סדר הברכות על תקיעות. The ירושלמי goes one step further and rules that one who was not present at the commencement of חזרת הש"ץ on ראש השנה cannot satisfy his requirement to recite the ברכות of ושופרות, זכרונות, זכרונות, simply by hearing the balance of the חזרת הש"ץ. The גר"ח added that when ראש השנה occurs on שבת and the שופר is not sounded, then the ציבור must still attend to חזרת הש"ץ in order to fulfill the זכרון תרועה requirement.

(IV) Does the מצוה of שופר consist of תקיעה or שמיעה;
The difference between שומע כעונה and שומע כעונה;
The different views of the גר"ח and the Rav regarding the role of the תוקע;

Whether or not the מצוה of שופר consists of תקיעה or שמיעה is an ancient controversy. Most of the Gaonim felt that המברך לתקוע טעות הוא בידו, and recommended that one recite a ברכה of שופר קול שופר. However, when discussing an unrelated topic, the רי"ף writes (דף י"א מדפי הרי"ף) that:

שאלו מקמי ריש מתיבתא, המברך על תקיעת שופר בתר ספר תורה והשיח [האם] צריך לברך על התקיעות שעל סדר הברכות או לא?

The רי"ף's description of the ברכה as על תקיעת שופר implies that he recited that ברכה and not that of לשמוע. The הגיבורים explains that the one posing the question to the ריש מתיבתא felt that the ברכה is על תקיעת, but that this view was not necessarily shared by the רי"ף. Furthermore, the language of the one posing the question is unclear, in that the question

can easily be interpreted as referring generally to the one who recites the ברכה on the מצוה of תקיעת שופר and not as a description of the precise ברכה which must be recited.

The רמב"ם writes in פרק ג' הלכה י' that:

המנהג הפשוט בסדר התקיעות כך הוא: אחר שמחזירין הספר²⁵ יושבין כל העם ואחד עומד ומברך בא"י לשמוע קול שופר וכל העם עונין אמן.

The רמב"ם defines the מצוה of שופר as שמיעה, as he says in many instances, including in the preamble to הלכות שופר, that מצות עשה לשמוע קול שופר. This is also confirmed in his ספר ספר. In ש"ות הרמב"ם, מהדורת בלאו, חלק א' סימן קמ"ב. In the difference between the ברכה of על תקיעת שופר and that of לשמוע קול שופר. He responded as follows:

ההבדל גדול מאוד. וזה המצוה אינה התקיעה אלא שמיעת התקיעה, שאילו היתה המצוה המחוייבת תקיעה, היה כל אדם חייב לתקוע כמו שחייב כל אדם לישוב בסוכה, והשומע שלא תקע לא היה יוצא ידי חובתו²⁶. והיה גם התוקע שלא שמע יוצא ידי חובתו כגון אם סתם אזניו תכלית הסתימה ותקע היה יוצא משום שתקע. ואין הדבר כן. אלא שהמצוה היא השמיעה ואין תוקעין אלא כדי לשמוע, כמו שהמצוה היא ישיבת סוכה ולא עשייתה, ואין אנו עושין אלא כדי לישוב, ולכן נברך לישוב בסוכה ולא לעשות סוכה ונברך לשמוע קול שופר ולא נברך על תקיעת שופר.

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Our מנהג is to return the ספר תורה following the תקיעות דמיושב. The Rav did not know the reason for our מנהג. He explained that the רמב"ם to replace the ספר prior to the תקיעות דמיושב is based on the theory that before commencing a new מצוה of שופר, we must completely dispose of the prior מצוה of קריאת התורה.

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The Rav explained that the רמב"ם meant that the principle of שומע כעונה would not apply if the מצוה was תקיעה. This will be dealt with later on.

The ם"רמב offers two proofs that שמיעה is the primary מצוה, and not תקיעה. Firstly, there is no independent obligation to blow the שופר, since one can discharge the מצוה by listening to another's תקיעה. Secondly, תקיעה without שמיעה is ineffective as is set forth in ראש השנה דף כ"ח ע"א, מסכת ראש השנה דף כ"ח ע"א, which states that:

התוקע לתוך הבור, אם קול שופר שמע יצא, ואם קול הברה שמע לא יצא.

Thus, one who merely blows the שופר but does not hear the sounds generated therefrom has not satisfied the מצוה of שופר. The ם"רמב concludes from this ruling that the מצוה is to hear the שופר and not merely to produce sounds from it. The Rav noted, however, that the latter proof merely establishes that תקיעה alone is insufficient; it does not necessarily follow that the מצוה consists exclusively of שמיעה and that there is no מצוה to perform תקיעה at all! Why then did the ם"רמב conclude that תקיעה without שמיעה is meaningless?

The Rav pointed out that the ם"רמב's theory that the מצוה of שופר consists exclusively of שמיעה, and not תקיעה, is inconsistent with the ם"רמב's ruling in פרק ב' מהלכות שופר where he ruled that:

... נשים ועבדים וקטנים פטורים [משופר] ... כל מי שאינו חייב בדבר אינו מוציא את החייב

ידי חובתו. לפיכך אשה או קטן שתקעו בשופר השומע מהן לא יצא ידי חובתו.

The ם"רמב rules that a minor or a woman cannot act as an agent to blow the שופר for an adult male, since the acts of one who is exempt from a מצוה, cannot relate to one who is charged with that imperative. As the משנה often says²⁷: כל שאינו מחויב מן הדבר אינו מוציא את הרבים ידי חובתו. Similarly, in פרק א' מהלכות מגילה הלכה ב', the ם"רמב rules:

אחד הקורא ואחד השומע מן הקורא יצא ידי חובתו, והוא שישמע ממי שהוא חייב בקריאתה.

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ראש השנה דף כ"ט ע"א. See

לפיכך אם היה הקורא קטן או שוטה השומע ממנו לא יצא.

The rationale behind this ruling is that if one's קריאה is not a מצוה then it cannot possibly relate to someone else. In the case of התוקע לתוך מן הבור, however, the תוקע does not discharge his duty since he does not hear the שופר.

The Rav further noted that, at first glance, we would infer that the רמב"ם feels that מצות שופר does not operate under the principle of שומע כעונה, since had מצות שופר operated under the principle of שומע כעונה, then the רמב"ם has no proof that the מצוה consists exclusively of שמיעה and not תקיעה. The fact that one can fulfill the מצוה of שופר by hearing, without blowing, is not dispositive, since we can easily maintain that the מצוה is תקיעה and not שמיעה, and, yet, one can discharge his obligation merely by hearing another's תקיעה, based on the principle of שומע כעונה (similar to the case of מגילה where the ציבור discharges their duty of reading the מגילה merely by listening to the reading of the מגילה by the קורא). The fact that the רמב"ם used this observation (i.e. that the proof that the מצוה is שמיעה not תקיעה, is derived from the rule that only one person in the entire congregation need blow the שופר, and all others discharge their duty merely by hearing the sound of his תקיעה) is demonstrative of the רמב"ם's feeling that שומע כעונה does not operate in the מצוה of שופר.²⁸

The Rav asked that, if, according to the רמב"ם, שומע כעונה does not operate by שופר and that the מצוה consists exclusively of שמיעה, why then can a שוטה, וקטן, חרש, not serve as a תוקע? The Rav pointed out, that apparently, we cannot get along without a תקיעה, and we require that the תקיעה be generated by a בר חיובא, otherwise, it is not considered to

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The חתם סופר did not see the רמב"ם and, therefore, raised the identical question on his own.

be a תקיעה. If this is the case, however, how then does the רמב"ם know that the מצוה consists exclusively of שמיעה and not תקיעה?²⁹

The Rav then asked: the רמב"ם also rules in 'ד' מהלכות שופר הלכה ד' that: המתעסק בתקיעת שופר להתלמד לא יצא ידי חובתו. וכן השומע מן המתעסק לא יצא. נתכוון שומע לצאת ידי חובתו ולא נתכוון התוקע להוציאו או שנתכוון התוקע להוציאו ולא נתכוון השומע לצאת, לא יצא ידי חובתו עד שיתכוון שומע ומשמיע.

If the רמב"ם feels that the primary מצוה is שמיעה - to hear the notes of the שופר, why then does he impose a requirement of כוונה on the part of both the שומע ושותק?

The גר"ח [Rav Chaim Zt"l] answered that the intent of the Rambam is completely different. Rav Chaim felt that the principle of שומע כעונה DOES in fact apply to מצות שופר and, to the contrary, it is precisely because שומע כעונה does apply to מצות שופר that the רמב"ם was able to prove his point that מצות שופר consists exclusively of שמיעה. Rav Chaim explained that, unlike all other מצות which do not require כוונה, the מצוה of שופר requires כוונה. He theorized that this כוונה was required solely in order to effect the principle of שומע כעונה, so that one could discharge his obligations by listening to another's תקיעה. Rav Chaim further explained that the רמב"ם reasoned that if the מצות שופר did not consist of the obligation to hear the שופר, then we could not apply the principle of שומע כעונה to שופר, since we can only apply שומע כעונה if there already exists a שמיעה. For example, by קריאת הלל, before we even deal with the problem of שומע כעונה, we must first establish that there is a שומע, whose hearing of the הלל has significance, whether or not he is

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Apparently, the רמב"ם feels that the שופר blown by a וקטן, שוטה, חרש, is not even deemed to be a תקיעה, and thus an adult cannot satisfy his obligation by hearing this sound. But the question remains, how does he know that this is so?

מקרא מגילה וקריאת הלל of מצוה יוצא. We are able to so establish that the הלל and מגילה are significant, even before we introduce the concept of שומע כעונה, since the person who hears לימוד כתבי הקודש of מצוה and הלל certainly performs an independent שמיעה with significance. His שמיעה has significance even absent the question of whether he is יוצא the מצוה of הלל through that שמיעה. Similarly, by ברכות, one who hears a ברכה must answer אמן, even if he does not wish to be יוצא with that ברכה. There is a הלכה of שמיעה by ברכות in that even a casual listener [שומע] must answer אמן. This has nothing to do with the principle of שומע כעונה, and this renders the שמיעה as "meaningful", even absent compliance with the מצוה, and even without regard to שומע כעונה! In other words, before introducing the question of whether or not שומע כעונה can be applied to a certain מצוה, we must construct the type of שומע, and introduce the שמיעה as a relevant concept (which is not predicated on the מצוה which he wishes to perform). This establishes a relationship between the שמיעה and the קריאה. Without this relationship, the listening is not classified as שמיעה, and שומע כעונה would not apply. Thus, in all of the other situations of שמיעה, such as הלל, מגילה and the like, the שמיעה is meaningful, even before we introduce שומע כעונה, since there exists that meaningful relationship between שמיעה and קריאה.

Rav Chaim explained that first the Rambam proved that the מצוה consists ALSO of שמיעה from the fact that one can discharge his obligations by listening to another's תקיעה, which operates under the principle of שומע כעונה. Based on what he established, that שומע כעונה is effective only if there is a prior relationship between the קורא (תוקע) and the שומע, the רמב"ם concluded that the שמיעה is significant. He reasoned that if the מצוה would exhaust itself with only תקיעה, then there would not be any קיום of שמיעה, since in such a

case, there would be no relationship between the שמיעה and the תקיעה (there being no מצוה of לימוד כתבי הקודש, or otherwise, realized in hearing the שופר sound). It would, thus, be impossible to establish the efficacy of שומע כעונה with regard to מצות שופר. Consequently, one who listened to, but did not blow, the שופר, would not discharge his obligation. Since we know that one can fulfill the מצוה of שופר by listening to another's תקיעה, then we must conclude that the act of שמיעה, alone, and without regard to the satisfaction of one's obligation, is meaningful and is thus a קיום המצוה. Once the status of שמיעה as a meaningful and significant event and a קיום מצוה, is established, then there can be introduced the principle of שומע כעונה to allow the שומעים to be יוצא with another's תקיעה. Absent this, the מצות שופר would be similar to מצות סוכה, and the שומע would not be יוצא with the actions of another.

So, first the רמב"ם proved that שמיעה is a קיום מצוה, and is meaningful, from the fact that we do apply the principle of שומע כעונה to שופר and allow one to be יוצא with another's actions. (If the שמיעה were not deemed to be meaningful, and the שומע heard a sound without significance, then there could be no קיום שמיעה, and שומע כעונה would not apply and the שומע would not be יוצא.) The רמב"ם then cited the rule of the גמרא that one who does not hear the notes produced by his own תקיעה does not discharge the מצוה. He deduced from this, that תקיעה without שמיעה is insufficient, and thus concluded that the מצוה consists exclusively of שמיעה. But, he first had to establish that שמיעה is meaningful, because if it is not meaningful then we cannot apply שומע כעונה to the שומע, who lacks the status of שומע על פי דין. The רמב"ם compares this latter scenario to מצות סוכה, where there is no relationship

between the one performing the מצוה and the observer.³⁰ The רמב"ם then says that having established the relationship, between the שומע and the תוקע, we then conclude that the מצוה consists exclusively of שמיעה from the fact that a תוקע who does not hear the notes does not discharge his duties.

However, the question still remains, why do we require כעונה at all? Why can we not simply listen to the שופר and be יוצא without application of שומע כעונה? Why do we need a תקיעה at all? Why do we need שומע ומשמיע? Finally, why can we not be יוצא with the תקיעה of a minor?

The גר"ח answered that each מצוה has two components: the מעשה המצוה and the קיום המצוה. Sometimes, the two merge. In תפילה, for example, the מעשה המצוה is comprised of the recitation of the שמונה עשרה, while the קיום המצוה is comprised of the עבודה שבלב. By מצות שופר, the מעשה מצוה is the תקיעה, but the קיום המצוה consists of the שמיעה. He explained that all מצוות must, by definition, contain a physical component, consisting of action and performance, in order to identify them as מצוות. The מצות שופר is the only מצוה which is not predicated on physical performance. It consists exclusively of not doing anything physical, since שמיעה per se is a mere sensory sensation. However, since every מצוה must be defined by the performance of a concrete act, the תקיעה, and not the שמיעה, assumes the role of the מעשה המצוה. שופר is singular in that it expresses itself in SENSATION (only). There is no parallel to this מצוה which consists of being exposed to a sensory stimulant. It is a מצוה which consists of non-action. If this is so, then the hearing of

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Later on, the Rav will say that if מצות שופר is a קיום תפילה, then the מצוה should be תקיעה, and not שמיעה.

the שופר must be accompanied by a deed (a מעשה מצוה); otherwise, we can not classify this sensory audition as a מצוה. The overt act which transforms the שמיעה into a מעשה מצוה is the תקיעה. So, though the קיום מצוה of מצות שופר is שמיעה, nonetheless, the מעשה מצוה is comprised of the תקיעה, since the תקיעה is the only act or פעולה by which the מעשה מצוה expresses itself. Rav Chaim regarded a קיום מצוה which lacked a מעשה מצוה as מתעסק, which is Halachically ineffective. One who is מתעסק (i.e. one who is not conscious when he performs a מצוה), does not discharge the מצוה. Rav Chaim explained that perception without action is meaningless. We thus require the תקיעה, since a קיום מצוה without an accompanying act - a מעשה מצוה - is meaningless.

In order for one's תקיעה to relate to another's שמיעה, so that the שמיעה be associated with an overt מעשה מצוה, we must utilize the principle of שומע כעונה. This can only be achieved, however, if the שומע intended to be יוצא, and the תוקע to be מוציא (i.e. כוונת שומע ומשמיע). שומע כעונה links the שומע with the תוקע, so that the קיום מצוה of the שמיעה is associated with the מעשה מצוה of תקיעה. שומע כעונה fosters this relationship between the תוקע and the שומע so that the תקיעה be related to the שומע. When we speak of the substance of the מצוה, the substance is שמיעה, but, שמיעה must be associated with an action with which it is related. שמיעה alone is a state of mind without any activity, and, in order for the שמיעה to be regarded as a קיום מצוה, it must be related to a מעשה מצוה in accordance with the general principle that all מצוות require the performance of an overt act. The שומע must be able to claim responsibility for both the שמיעה, and the תקיעה, and he can only do so, if he intended to be יוציא with the תקיעה. In such an event, the תקיעה is related to him and is deemed to have precipitated the שמיעה. Without this association, the שומע would

be deemed to be a מתעסק, which is ineffective. מתעסק is defined as one who was exposed to the שמיעה but who did not participate, and had no relationship, with the action and, therefore, the שמיעה is not deemed to be meaningful and לא יצא.

In other words, שומע כעונה and כוונת שומע ומשמיע are necessary to establish the relationship of the two, and to give meaning and significance to the שמיעה. Similarly, one cannot satisfy his obligation by listening to the תקיעות produced by a וקטן, שוטה, חרש, since the תקיעה must be related to the שמיעה and must constitute a מצוה מעשה. The תקיעה of a קטן is not classified as a מצוה מעשה and thus cannot be related to the שמיעה of an adult.³¹

The Rav disagreed with R' Chaim, and posited his own interpretation. The Rav first quoted the Rambam who writes in הלכה י"א that:

זה שתוקע כשהן יושבין הוא שתוקע על סדר הברכות כשהן עומדין.

Why must the first תוקע also perform the דמעומד?³² Notice that the רמב"ם continues: ואינו מדבר בין תקיעות דמיושב לתקיעות דמעומד. Only the תוקע may not converse before the completion of all of the דמעומד; the rest of the ציבור apparently may converse between the דמעומד ושל מעומד.³³ The רי"ף ורבינו האי גאון say that

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The origin of שומע כעונה is found in דף ל"ח סוכה דף ל"ח:
מניין לשומע כעונה? שנאמר אשר קראן יאשיהו. וכי יאשיהו קראן, והלא שפן קראן? אלא מכאן לשומע כעונה.
It applies when the שומע plays a significant role even absent the performance of the מצוה.

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Some answer that this is based on the principle that אומרים לו גמור, המתחיל במצוה אומרים לו גמור, but that rationale is inapplicable here since the רמב"ם stresses that it is incumbent on the initial תוקע to continue to perform the תקיעה על סדר הברכות.

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Many other ראשונים, such as the רשב"א ורשב"א disagree. The בעל המאור concurs with the רמב"ם. Whether one may converse between the מעומד ושל מעומד, is the subject of a debate between many ראשונים וראשונים which will be discussed later on.

the *ברכה* of *קול שופר* is also related to the succeeding *דמעומד* and, therefore, rule that the *ציבור* cannot converse between the two. They write [דף י"א מדפי הרי"ף] that the *ריש מתיבתא* was asked if one who conversed prior to the *דמעומד* must repeat the *ברכה* of *קול שופר*. The *ריש מתיבתא* responded that, though it is inappropriate to converse between the two, nonetheless, one who does converse need not repeat the *ברכה*³⁴. The *רי"ף* explicitly enjoined both the *תוקע* and the *ציבור* from conversing prior to the completion of the *דמעומד*. The *כסף משנה* points out that the *רמב"ם* expressly rejected that view. Why did the *רמב"ם* take this position? The inquiry and the response of the *ריש מתיבתא*, was, in the opinion of *רמב"ם*, directed exclusively at the *תוקע* (in the singular) and not at the *ציבור*. What is the rationale behind this distinction?

The Rav felt that the *רמב"ם* maintains that the *ברכה* is not related to the *ציבור* since they did not perform any action or any *מעשה מצוה*. The *ברכה* relates exclusively to the *תוקע* who engages in the *מעשה מצוה*, and he is the only one enjoined from conversing until after the entire *מצוה* covered by the *ברכה* is completed.

The Rav inferred from this, that R' Chaim's thesis is incorrect. R' Chaim had theorized that the primary *מצוה* consists of *שמיעה*, but that *שמיעה* is incomplete without *תקיעה*, since *שמיעה* is only a sensation and not a *מעשה מצוה*, and to obtain a *מצוה*, we must utilize the principle of *כעונה*. If this would be the case, then the *ברכה* recited by the *תוקע* would ALSO relate to the *ציבור* who, through the principle of *כעונה*, are deemed to have a relationship with the physical production of the notes - the *תקיעה*. By *מקרא מגילה*, for

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וזה לשונו: ואהדר להו הכין קא חזו רבנן שגוערין במי ששח עד שלא יתקע על סדר הברכות אבל לחזור ולברך אינו חוזר.

example, the ציבור cannot converse once the קורא recites the ברכה, since the ברכה applies to them as well, inasmuch as the מצוה (and ברכה) is מקרא מגילה, as opposed to שמיעת מגילה, and in order for the ציבור to satisfy their obligation, the קריאה must be shifted and related to each member of the ציבור. This is accomplished by the principle of שומע כעונה, which serves to convert the שמיעה of the ציבור into a קריאה. The קריאה is thus shifted to the ציבור, and, at the same time, the ברכה is shifted to them as well. They are, therefore, enjoined from speaking after the recitation of that ברכה. Since this injunction of not conversing following the תקיעה, does not apply to the ציבור by שופר, we must conclude that the ברכה is not related to the ציבור at all, and that likewise, the תקיעה is not related to their שמיעה. The Rav, therefore, concluded that the מצוה of שופר consists of שמיעה without תקיעה. This is explicit in the שו"ת רמב"ם cited above:

המצוה היא השמיעה, ואין תוקעין אלא לשמוע כמו שהמצוה היא עשיית הסוכה.

In the Rav's view, the תקיעה belongs exclusively to the תוקע. The תוקע recites a ברכה of שופר לשמוע קול שופר on the שמיעה, which is the קיום המצוה of שופר, and not לתקוע, since the רמב"ם generally requires that ברכות be recited on the מצוה and not on the מעשה מצוה. The רמב"ם rules that when there is a מעשה מצוה, but no קיום מצוה, then the ברכה is recited on the act - the מעשה מצוה³⁵. For example, by שחיטה, the ברכה of השחיטה is recited on the act of שחיטה, even though that act is only a מצוה and not a מצוה per se, since there is no קיום מצוה. Similarly, על מצות עירוב is recited, since there is no קיום מצוה of עירובין, and the ברכה is recited on the מעשה מצוה of placing the

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The Rav pointed out that ברכת אירוסין is recited on the קיום מצוה, of אירוסין, and not on the מעשה מצוה.

עירוב. When there is both a מעשה מצוה and a קיום מצוה, then the ברכה is recited on the קיום מצוה.³⁶ Thus, the תוקע who performs the מעשה מצוה, as well as the קיום מצוה, recites לשמוע קול שופר. However, a ברכה cannot be recited on a קיום מצוה, which lacks a prior מעשה מצוה. Thus, by שופר, the ציבור, who do not perform any מעשה מצוה, and obtain only a קיום מצוה, since שמיעה is only a sensation and not a concrete act, are not required to recite a ברכה at all. It follows from this, that the ברכה recited by the תוקע does not relate to them at all, and they are, therefore, permitted to converse after the תקיעות.

By שופר, the ברכה is for the exclusive benefit of the תוקע, and not for the ציבור. Accordingly, though the תוקע may not speak, nor otherwise interrupt, after the recitation of the ברכה and following the blowing of the תקיעות דמיושב, the ציבור may converse after the תקיעות דמיושב and prior to the תקיעות דמעומד. The Rav inferred from this ruling, that just as there is no ברכה for the שומע - the ברכה is only for the תוקע - similarly, the תקיעה is not related at all to the ציבור.

The question remains, however, why do we require שומע ומשמיע? עוד שיכוון שומע ומשמיע? Furthermore, if there is no ברכה for the ציבור since there is no מעשה מצוה - a concrete act - what kind of a מצוה is it? Don't all mitzvos require the performance of an overt act?

The Rav offered his own theory to resolve these questions which differs in many fundamental respects from that offered by R' Chaim. The Rav explained that, apparently, the

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As we will see later on, the רבינו תם disagrees and requires that the ברכה be recited on the final מעשה, even though the קיום מצוה is realized at a later stage.

principle of עד שיכוון שומע ומשמיע was designed to resolve this problem³⁷. He explained that by שופר there is only one תוקע, but many שומעים. Their שמיעה does not rise to the level of being regarded as a תקיעה; rather, they are regarded as שומעים, and the מעשה תקיעה is not related to them. Their status as שומעים would otherwise be sufficient for them to have properly discharged the מצות שופר. However, שמיעה alone, without כוונה, is regarded as מתעסק. We define מתעסק as one who is not conscious of performing an act. Similarly, since שמיעה is only a passive sensation, it is classified as מתעסק unless it is accompanied by כוונה, which elevates it into a conscious מצוה קיום. In order to negate this - להפקיע שם מתעסק - we require כוונת שומע ומשמיע. The כוונה of the שומע to be יוצא, and the כוונה on the part of the תוקע to be מוציא, converts the שמיעה itself, which is normally a passive act and state of mind, into a קיום מצוה. Thus, שמיעה requires כוונה in order to be deemed an adequate (legal) שמיעה, and in order to be elevated into a מצות שמיעה and a קיום מצוה. The Halacha requires כוונה on the part of the ציבור to ensure that they are not deemed to be a מתעסק.

The Rav felt that the principle of שומע כעונה does not apply to שופר. If שומע כעונה applied to מצות שופר then it would relate the ברכה to the שומע as well, which, as we have seen, is not the case. The Rav explained that the principle of שומע כעונה applies only to those מצות which consist of reading and recitation - מצות אמירה ודיבור. The מצוה of שופר is exclusively sensory, and the שמיעה of one person can not be converted into a תקיעה, which is a physical action. He, therefore, felt that the מצות שופר is comprised exclusively of שמיעה.

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This כוונה requirement was not meant to establish the validity of שומע כעונה, as we shall demonstrate, since the Rav believes that שומע כעונה does not apply to מצות שופר.

There is no requirement of תקיעה, and the act of תקיעה is analogous to the act of building a סוכה, which is certainly not a מעשה מצוה. However, in order to preclude the שמיעה (which is generally only a state of mind) from being classified as a מתעסק (i.e. להפקיע שם מתעסק), we require that both the תוקע and the שומע possess the requisite intent of כוונה לצאת ולהוציא. The תוקע should bear in mind that he blows for the שומעים, who, in turn, intend to be יוצא with that act of תקיעה. This removes the taint of מתעסק, which generally, disqualifies one who is not conscious of performing a מצוה, since the תוקע is made aware that his performance is a מעשה מצוה. Similarly, if the שומע did not have כוונה לצאת, then that שמיעה is also classified as מתעסק, and, thus, disqualified, since the שומע is not conscious of performing a מעשה מצוה. This is a הלכה which is unique to הלכות שופר, and requires that both the תוקע ושומע must each have כוונה לצאת ולהוציא, as the case may be. This חובת כוונה on the part of the שומע and משמיע, is not found by מגילה, הלל, nor in any other הלכה; it is unique to שופר. The reason for this requirement is that מצות שופר is not susceptible to the rule of כעונה שומע, while the principle of כעונה שומע applies to all other מצות. The Rav stressed that the הפקעת שם מתעסק (i.e. the removal of the מתעסק taint) is not accomplished by relating the מעשה תקיעה to the שומע. Rather, the מתעסק impediment is removed by requiring כוונת שומע ומשמיע. This requirement of כוונה was not introduced to facilitate the application of the principle of כעונה שומע, since, as discussed, the principle of כעונה שומע has no application to the מצות שופר, which is a mere sensory sensation and not a physical action. In this respect, the מצות שופר is distinguished from all other מצות. This explanation of the Rav is very consistent with the view expressed by the רמב"ם in the letter cited above, where the רמב"ם expressly said that the מצות שופר is comprised exclusively of שמיעה and

that the תקיעה is analogous to the building of a סוכה and is not a מעשה מצוה.³⁸

To review, R' Chaim's position is that the מעשה מצוה is the תקיעה, and required that the entire ציבור be deemed to be תוקעים. He deduced this, since each מצוה, by definition, requires the performance of an overt action - a מעשה מצוה. One cannot be יוצא a מצוה without engaging in some activity. Thus, the תקיעה of מעשה מצוה must be related to each individual. This conversion of the [שומעים] ציבור into תוקעים, is accomplished only by applying the principle of שומע כעונה. Thus, just as by מקרא מגילה, each member of the ציבור is deemed to be a קורא, so too, each member of the ציבור is deemed to be a תוקע. Since each member is deemed to have actually blown the שופר, the ברכת שופר must relate to each of them (as is the case by every מעשה מצוה). Each member of the ציבור is regarded as being a תוקע (in the case of שופר) and as a קורא (in the case of מגילה). There are five hundred תוקעים and five hundred קוראים, and not just one תוקע or one קורא. This conversion is accomplished with שומע כעונה, in which every שומע is regarded as the Halachic equivalent of an עונה, or תוקע, as the case may be.

The Rav disagreed for two reasons: (i) since the רמב"ם in the שו"ת said that the act of תקיעה, in and of itself, is meaningless and not a מעשה מצוה. He thus compared the act of תקיעה to the mechanical act of building a סוכה, which is clearly not a מעשה מצוה; and (ii) since the רמב"ם permits the ציבור, as opposed to the תוקע, to converse after the recitation of the ברכה, prior to the דמעומד תקיעות. This implies that the ברכה relates solely to the תוקע

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The Rav added, that, based on this thesis, in the event that the תוקע already fulfilled his duty, and a יחיד requests him to blow the קולות ל' for him, then neither the תוקע nor the שומע would be able to recite the ברכה. The שומע cannot recite a ברכה since the ברכה does not relate to the שומע; the תוקע cannot recite a ברכה since he has already discharged the מצוה. This is a novel Halachic ruling.

and not to the ציבור, and, similarly, that the תקיעה does not relate to the ציבור either. The Rav felt that the רמב"ם does not require תקיעה at all, and the שומעים are not classified as תוקעים, but remain שומעים. However, in order to ensure that their שמיעה is significant, and will not be disregarded as the שמיעה of a מתעסק, כוונת שומע ומשמיע is required. Moreover, the ברכה relates solely to the תוקע, and only the תוקע is precluded from interrupting.

Thus, if תקיעה is indispensable for the performance of the מצות שופר, as espoused by R' Chaim, then every member of the ציבור is deemed to be a תוקע (by application of the principle of שומע כונה), in a manner similar to that of מגילה.

If, however, it is unnecessary for each member of the ציבור to be deemed to be a תוקע, as espoused by the Rav, then there is only one תוקע and many שומעים.³⁹ However, each must have the requisite שומע ומשמיע in order that their respective acts not be classified as מתעסק.⁴⁰

V) The ברכה instituted for מצות שופר:

According to the רמב"ם, the ברכה recited before sounding the שופר is קול לשמוע קול שופר, and according to רבינו אשר פרק ד' סימן י' דף ל"ט. על תקיעת שופר, רבינו תם, שופר, and according to [בש"ס ווילנא] writes:

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The Rav was alerted to this view of רמב"ם that only the תוקע, as opposed to the rest of the ציבור, may not converse prior to the תעומת דמעומד, by his uncle, the גר"ז. However, at the time, the Rav's father, רב, משה, dismissed this observation.

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The Rav noted that this requirement of שומע ומשמיע is unrelated to the general controversy of מצות שופר, and even if, generally, מצות שופר is required by שומע ומשמיע, כוונת שומע ומשמיע is required by מצות שופר, and even if, generally, מצות שופר is required by שומע ומשמיע, כוונת שומע ומשמיע is required by מצות שופר.

ורבינו תם כתב שיש לברך על תקיעת שופר משום שעשייתה היא גמר מצותה. והראב"ה הביא מהירושלמי לברך בקול⁴¹ שופר ... משום דבשמיעת קול שופר הוא יוצא ולא בתקיעת שופר ופעמים שהתוקע בעצמו לא יצא כגון שהיה עומד על שפת הבור והכניס פיו לתוך הבור ותקע. It is interesting to note, that ר"ת does not rule that the מצוה of שופר consists only of a תקיעה; rather, he asserts that since the תקיעה is the מצוה, the concluding act of the מצוה, then the ברכה should be formulated in terms of that concluding portion of the מצוה, in accordance with the general principle that all ברכות are recited on the עשייה גמר, the concluding act, even though the קיום המצוה is realized at a later stage. Thus, for example, if ציצית is a חובת רובת⁴², then we recite the ברכה of לעשות ציצית upon inserting the חוטין into the בגד, since the insertion of the threads is the concluding and final performance of that מצוה, even though the קיום המצוה is realized only later, when the בגד is provided with ציצת. The reason for this is that this מצוה, that one's garments contain the requisite ציציות, is a passive act, and not susceptible to the recitation of a ברכה. If, however, ציצית is a חובת גברא⁴³, then the ברכה would be recited only when wearing the בגד. Thus, ר"ת feels that the תקיעה is the concluding event of this מצוה and that there is no other deed following the תקיעה, since שמיעה is a mere passive occurrence which happens automatically. He reasoned that this is similar to the case of ציצית (if it is a חובת מנא) where the insertion of the threads is not the

⁴¹ לשמוע בקול means to listen, as opposed to לשמוע קול, which means to hear, without necessarily listening.

⁴² i.e. the מצוה ציצית is to provide all of one's four-cornered garments with ציצית.

⁴³ i.e. the מצוה ציצית is to wear ציצית, if one wears four-cornered garments.

קיום המצוה (rather, the קיום מצוה is the fact that the בגד is provided with ציצית), and the ברכה is nonetheless recited upon the insertion of the threads. That same reasoning should apply to שופר. No action is required once the תקיעה has been produced. The ברכה should, therefore, be recited on the concluding act of תקיעה. Thus, ר"ת does not disagree with the רמב"ם that the מצות שופר consists of the שמיעה; rather, their sole disagreement is that the רמב"ם requires the recitation of a ברכה on the קיום המצוה, while ר"ת requires its recitation on the final and concluding action which is responsible for producing the sound. To put it in another way, they do not disagree about the nature of the מצוה of שופר; they only disagree about the appropriate occurrence which governs the חיוב ברכה.

VI) *The רמב"ם's view that the תקיעות merge with the תקיעות*
דמעומד:

The Rav contrasted the רמב"ם's language in the description of the requirement to recite a ברכה on the מצוה of שופר, with his description of the requirements to recite a ברכה set forth with regard to numerous other מצות.

פרק ד' מהלכות תפילין הלכה ד' - כיצד מברכין, על של ראש מברכין ...

פרק ג' מהלכות ציצית הלכה ח' - וכיצד מברך ... כל זמן שמתעטף בה ביום מברך עליה קודם שיתעטף ...

פרק ה' מהלכות מזוזה הלכה ז' - וקודם שיקבענה מברך תחילה ...

פרק ו' מהלכות סוכה הלכה י"ב - מברך קודם שישב ...

פרק ז' מהלכות לולב הלכה ה' - וכשהוא נוטלם לצאת בהן מברך תחילה על נטילת לולב ...

פרק א' מהלכות חנוכה הלכה ג' - ומברך קודם קריאתה ...

פרק ג' מהלכות חנוכה הלכה ה' - וגומרין את ההלל ומברך לפניו ...

In all of the foregoing, the רמב"ם sets forth the obligation to recite a ברכה on each respective מצוה. In שופר, however, he does not designate the obligation of ברכה. Rather, in פרק ג' מהלכות שופר הלכה י' he writes as follows:

המנהג הפשוט בסדר התקיעות של ראש השנה בציבור כך הוא: אחר שקוראין בתורה ומחזירין הספר למקומו, יושבין כל העם. ואחד עומד ומברך לשמוע קול שופר וכל העם עונין אמן ...

Notice, that the רמב"ם never expressly said חייב לברך or כיצד מברך, as in the prior instances. Rather, he merely said that המנהג הפשוט לברך; he states that it is traditional, but not mandatory, to recite a ברכה. Why is מצות שופר different from all other מצוות in that the ברכה is not mandatory? Furthermore, why did the רמב"ם mention the ברכה only with respect to ציבור and not as a general matter, which would apply to both a יחיד and ציבור?

The Rav cited the popular answer advanced by many commentators, that this is based on the historical fact that the Rabbis did not institute the practice of blowing the שופר prior to the תפילה (as an independent event - denominated as the תקיעות דמיושב) until the time of the חכמי הגמרא⁴⁴. The בעל המאור says that the מטבע קצרה of שופר did not exist in the early days since they blew the שופר only within the framework of the ברכות of מלכיות, and, when מצות שופר is integrated with תפילה, there is no need to recite a separate ברכה, since the תפילה serves as the functional equivalent of the ברכה on שופר⁴⁵. Once חז"ל introduced the תקיעות דמיושב, in which the שופר was blown prior to the תפילת חז"ל, and not within the framework of ברכות, they were compelled to introduce a separate

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As a matter of fact, the בעל המאור dates this תקנה to the days of the early גאונים.

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We find a similar state of events by קריאת שמע, which also is not preceded by a ברכה, since it is read within the framework of the ברכות קריאת שמע.

ברכה of שופר קול שופר on the תקיעות דמיושב. The בעל המאור concluded that the ברכה of שופר קול שופר applied only to the תקיעות דמיושב, and not to the תקיעות דמעומד, which were sounded within the context of the ברכות of שופרות, זכרונות, ומלכיות.

The commentators say that this is also the intent of the רמב"ם, who couched the recitation of the ברכה in terms of tradition, המנהג הפשוט, instead of an imperative, כיצד. He feels that, originally, no ברכה was recited before blowing the שופר, since it was blown only על סדר הברכות. However, once the חכמי הגמרא altered the ritual of שופר, requiring the תקיעות דמיושב to be blown prior to the עמידה, then, at that time, a ברכה of שופר was introduced. This later institution is, therefore, only a tradition, a מנהג, and the רמב"ם thus employed that specific language, המנהג הפשוט לברך, to describe it. Since the requirement to blow שופר prior to the עמידה is only a מנהג, the ברכה instituted on those תקיעות is, likewise, only a מנהג.

The Rav agreed that the foregoing is accurate, but added that the רמב"ם had an additional meaning to convey. The Rav was troubled by the רמב"ם's description that יושבין יושבין. Why are they required to sit? The Rav explained that we find a similar requirement with respect to the recitation of the שמונה עשרה by the ש"ץ, in that by שמונה עשרה, the רמב"ם requires that the ציבור remain sitting and that the ש"ץ then rise from his seat and remain standing. The רמב"ם writes in 'ח-א' as follows: בשחר, כל העם יושבים ושליח ציבור יורד לפני התיבה ועומד באמצע העם ומתחיל ואומר קדיש וכל העם עונין אמן ... אחר כל ברכה וברכה ... במנחה אומר שליח ציבור אשרי יושבי

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This is found in ג' הלכה י' פרק ט', cited earlier, in which he says: המנהג הפשוט בציבור כך הוא... יושבין כל העם ואחד עומד ומברך בא"י לשמוע קול שופר.

וכו' קורא הוא והעם מיושב. ועומד שליח ציבור ואומר קדיש והם עומדין אחריו ועונין כדרכן ומתפללין כולן בלחש.

The Rav felt that the ם רמב"ם in הלכות שופר, who similarly required that יושבין כל העם ואחד ... (i.e. that the בעל תוקע rise from his seat, and that, at that time, the rest of the congregation remain sitting) meant to categorize the blowing of שופר בציבור as a תפילת ואחד עומד: (ibid): ם רמב"ם. The Rav referred to the end of that sentence where the ם רמב"ם says (ibid): ומברך לשמוע קול שופר, ועונין כל העם אמן. Why does the ם רמב"ם stress that the ציבור is obligated to answer אמן? Isn't the response of אמן a universal הלכה of response to a ברכה?

The Rav explained that, apparently, the ם רמב"ם felt that this is a הלכה בציבור. The Rav noted that the ם רמב"ם mentions the נוסח הברכה only with respect to the ציבור. We find that the ם רמב"ם requires עניית אמן in other cases for a ציבור where the ציבור collectively discharges a חובת ציבור. For example, he writes:

פרק ט' מהלכות תפילה הלכה ג' - [השליח ציבור] מתחיל ומתפלל בקול רם ... והכל עומדים ושומעים ועונין אמן אחר כל ברכה וברכה.

פרק ח' מהלכות תפילה הלכה ה' - וכן לא יהיה אחד מברך ברכת שמע והכל שומעים ועונין אחריו אמן אלא בעשרה ...
פרק ה' מהלכות ברכות הלכה ג' - ואחר כך אומר [ברכת המזון] והן עונין אמן אחר כל ברכה וברכה.

There are two methods by which we can classify the phenomena that one may discharge his obligation to recite ברכות merely by listening to another's recitation:

x) When one is יוצא with another's ברכה through application of the principle of כעונה, in which case we require לצאת, but do not require the שומע to answer אמן; and

y) By **בציבור** only **יוצא** **אינו בקי** is **יוצא** and only if he answers **אמן**.⁴⁷ An individual may not be **יוצא** his obligation to recite these three **ברכות** simply by listening to another's recitation.⁴⁸ Only a **ש"ץ** can be **מוציא** the **בקי**. This does not operate under the principle of **שומע כעונה**; rather, it is a **תפילת הציבור**. In this case, the **ברכה** then becomes a collective **ברכה** of the **ציבור**, and the **אינו בקי** is **יוצא** if he answers **אמן** since he is regarded as a member of the **ציבור**. This is denominated by **חז"ל** as **אחד** and applies only to **מברך לכולם** and **תפילה, קריאת שמע, וברכת המזון**. In this latter case, **כוונה** alone is insufficient, and, also **עניית אמן** is required in order for the **בקי** to be **יוצא**. This is in contradistinction to all other **ברכות**, which take place among individuals, and where **שומע כעונה** is applied to allow one person to discharge his recital obligations by listening to another's **ברכה**, even if he does not answer **אמן**.

By **מצות שופר**, the **רמב"ם** writes that **אמן** **עונין**, which indicates that the **קיום שופר** is a collective **ברכה** of **מברך לכולם**. There is a separate **קיום שופר** of **אחד**, in contradistinction to the **קיום שופר של יחיד**. Thus, the **ברכה** is a **ברכה** and not a **ברכה היחיד**. An individual can not blow **שופר** during his recitation of **מלכיות, זכרונות, ושופרות**.⁴⁹ The **רמב"ם** adds **על סדר** **הציבור** **לשמוע התקיעות** **על סדר**. This obligation to hear the **הברכות** is limited to the **ציבור**. We,

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See **רשימת שיעורים על מסכת סוכה עמוד קפ"ז** for a comprehensive treatment of these two phenomena. See also **ספר זכרון שמואל סימן י"ח-י"ט** and **ספר בד קודש חלק ד' סימן א'**. [Editor's Note]

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The reason for this exception is explained by the **ר"נ** - **מדפי הרי"ף** - in the name of the **ירושלמי**, as based on the notion that it is inappropriate for one to rely on another's prayer.

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The **גמרא** **[דף ל"ד]** specifies: **לא אמרו כן אלא בחבר עיר**.

therefore, must conclude that there is a separate קיום יחיד to blow prior to תפילה, and a separate קיום ציבור to blow during the תפילה. Having said this, the question arises, is the קיום accomplished by the תקיעות דמיושב the same for both the יחיד and the ציבור? The Rav answered that the רמב"ם, apparently, feels that they are not identical. He writes in פרק ג' הלכה י"ב as follows:

וכל הדברים האלו בציבור, אבל היחיד בין ששמע על סדר הברכות בין שלא שמע על הסדר, בין מעומד בין מיושב יצא, ואין בזה מנהג.

Why didn't the רמב"ם merely state that the individual satisfies his obligation to hear the תקיעת שופר merely by hearing the שופר under any circumstances? Why did he have to go into detail and specify: 'בין ששמע על סדר הברכות ובין מיושב וכו'? Finally, what does the phrase ואין בזה מנהג mean? Which מנהג does he refer to?

The Rav theorized that the מנהג of תקיעות דמיושב applies only to a ציבור. This means that the קיום מצוה של תקיעות דמיושב is, exclusively, a קיום ציבור. Originally, the ציבור only blew the תקיעות על סדר הברכות and those תקיעות דמעומד were a קיום צבור. The מנהג הפשוט introduced the concept that the קיום ציבור of the תקיעות דמעומד are merged with the תקיעות דמיושב, and so the תקיעות דמעומד now commence with the תקיעות דמיושב. The מנהג הפשוט of the תקיעות דמיושב, was not introduced as a separate קיום מצוה, as by יחידים; rather, both the מיושב and the מעומד were merged into one קיום ציבור (תפילה). The מעומד were extended backwards to take place prior to תפילה (as a קיום ציבור). That extra portion is termed מיושב and requires a separate ברכה. But, the מיושב is one continuous performance with the מעומד. The תקיעות הציבור take place commencing with the מיושב, and this portion requires a ברכה and is deemed to be part of the

תקיעות דמעומד. In the days of חז"ל, the מעומד never required a ברכה since they occurred within the framework of the ברכות of the עמידה. The תקיעות דמיושב, however, cannot get along without a ברכה since they are not enveloped within the ברכות of the עמידה (as was the case by the תקיעות דמעומד). Since the two are merged, the ברכה which is recited on the מעומד, which is really the initial portion of the תקיעות דמעומד, applies to the מעומד as well. The Rav substantiated his theory that the ברכה applies to both the מעומד and מיושב, from the prohibition which prevents the תוקע from conversing between the two, which indicates that the two are merged into one unit for which one ברכה is recited. Thus, when חז"ל later introduced the מיושב as an extension, backwards, of the מעומד, the separate ברכה recited on the extension, was, by definition, also applied to the other portions (i.e. the מעומד) which are part and parcel of the מיושב.

It follows from this, that just as the תקיעות דמעומד are a קיום תפילה, so too, the תקיעות דמיושב, just prior to the עמידה, also constitute a קיום תפילה. The קיום תפילה commences with the תקיעות דמיושב. If תקיעות דמיושב would be a קיום יחיד, and the תקיעות דמעומד would be a קיום ציבור, then they could not be merged into one מצוה for which only one ברכה is required! Apparently, they have one common denominator in that they are both קיומי ציבור. This is the rationale behind the מנהג הפשוט.

The רמב"ם requires that יושבין כל העם, the ציבור sit during the תקיעות דמיושב, and שופר, the person who serves as the תוקע rises and blows the שופר, and תוקע ומברך, the person who serves as the תוקע rises and blows the שופר, just as by תפילה, where the ציבור remains sitting and one person (the שליח ציבור) rises and recites the תפילה. As we noted, this is similar to the פורס על שמע and תפילה in which the

ציבור מצרף of the ציבור is the מצרף of the ציבור.⁵⁰ Sitting serves as the מצרף of the ציבור, and converts the resulting action into a קיום ציבור. Similarly, the same person who blows the תקיעות דמיושב must also blow the תקיעות דמעומד. The בעל תוקע is a מצרף in that he integrates the תקיעות דמיושב into the framework of the תקיעות דמעומד, and they merge into one קיום ציבורי של תפילה. Since the one who blows the תקיעות דמיושב must merge them with the מעומד into one indivisible קיום, he must perform both the מיושב and the מעומד, and likewise, may not converse between the two and divide them.

On the other hand, when discussing the procedure for a יחיד, an individual, the רמב"ם says אין בזה מנהג, which means that the תקיעות דמיושב performed by a יחיד are not a קיום, and have no relationship with the תקיעות דמעומד. Accordingly, the individual can listen at whatever juncture and in whichever manner he wishes, בין ששמע על הסדר ובין שלא שמע ובין מעומד בין מיושב.

In conclusion, the רמב"ם felt that the תקיעות דמיושב are merged with the תקיעות דמעומד to form one קיום ציבור, and the תקיעות דמעומד are deemed to commence with the מיושב. It is for this reason that the ציבור must sit, since sitting serves as the מצרף for actions conducted by the ציבור. They must also answer אמן as is required by other ברכות הציבור. Similarly, the תוקע who recites the ברכה may not converse prior to the מעומד, and the same תוקע must perform both the מיושב and the מעומד, in order to complete its integration.

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כל העם יושבים ושליח ציבור יורד לפניו in which he stresses that פרק ט' מהלכות תפילה הלכה א' See ... התיבה ועומד

(VII) The purpose of the דמעומד תקיעות;
The novel approach of the רמב"ן

In תרועה a גמרא discusses the requirement to blow ל"ד ע"ב In and whether we are required to blow a תרועה which resembles a child's cry, ילולי יליל, or one that resembles a old man's groan, גנוחי גניח. The גמרא concludes that אתקין רבי אבהו and שברים and שברים both. This practice of performing both ותקיעה, תרועה ותקיעה and תרועות has been universally accepted. The question raised by many commentators is whether ruling רב אבהו is mandatory or merely preferable.

theorized that one satisfies his obligation by blowing either a שברים or a גאון רב האי. He explained that רב אבהו merely wished to instill uniformity among Jews, but that one satisfies the requirements with either note.

פרק ג' מהלכות שופר הלכה ב' He writes in רב האי גאון disagrees with רמב"ם that:

תרועה זו האמורה בתורה נסתפק לנו בה ספק לפי אורך השנים ורוב הגלות ואין אנו יודעין היאך היא, אם היללה שמייילין הנשים ביניהן בעת שמייבבין, או האנחה כדרך שיאנח האדם פעם אחר פעם כשידאג לבו בדבר גדול, או שניהם כאחד האנחה והיללה שדרכה לבא אחריה הן הנקראין תרועה. שכך דרך הדואג מתאנח תחילה ואחר כך מילל. לכך אנו עושין הכל.

According to the רמב"ם, who disagrees with רב האי, one is not יוצא the שופר by blowing only one of the two notes. Both notes are mandatory. The רמב"ם, in הלכה י"ב, answers the question as to why we blow only one set of תשר"ת or תש"ת or תר"ת for each of the מלכיות, זכרונות, וכו' רי"ף. He writes:

ברין היה שיתקעו על כל ברכה כל בבא מהן שלש פעמים כדרך שעשו כשהן יושבין, אלא כיון שיצאו מידי ספק בתקיעות שמיושב אין מטריחין על הציבור לחזור בהן כולן על סדר הברכות אלא די להן בבא אחת על כל ברכה כדי שישמעו תקיעות על סדר הברכות.

The ם שברים or ם רמב"ם disagreed with גאון and felt that there is a lingering ספק if the ם שברים or ם רמב"ם are the correct notes required for the מצוה of שופר. Since the two are mutually exclusive, and all three ברכות are התורה מן, he maintained that all of the notes should be produced following each ברכה. However, he allowed the production of only some of the notes in the ם שברים, following the דמיושב, since the ם שברים now constitute the primary מצוה of שופר. We do not perform all these sets following ושופרות, זכרונות, מלכיות, וטרחא דציבורא (טרחא דציבורא). As we demonstrated previously, the ם רמב"ם also rules that the ם שברים represent the commencement of the דמעומד, and they form one unit of תפילה. Obviously, the rationale of טרחא דציבורא is very difficult to understand, and the Rav could not explain it well.

The ם רמב"ם in the [דף י"א מדפי הרי"ף] provides an entirely different answer. He writes:

ואני אומר שטעמו של רבינו [הרי"ף] בטורח הציבור הוא אמת, ועיקר הדברים מיוסד על פי מה שפירשנו שתיקנו חכמים להיות תוקעין ומריעין כשהן יושבין ויוצאים ידי חובתן ותיקנו שיהיו תוקעין ומריעין כשהן עומדין על סדר הברכות, שהברכות הללו מלכיות, זכרונות ושופרות כל עיקרן בהתרועות ניתקנו וכן בתענית ובשעת מלחמה שמוסיפין שש ברכות ובהן נמי זכרונות ושופרות ומתריעין עליהן ... [ואם] נתמנה להן שופר ותקע ואחר כך נתמנה להן מברך, חוזרין ותוקעין על סדר הברכות דומיא דתענית, שאף על פי שאין היחיד חייב בתקיעות

[מכל מקום] תוקעין הציבור על סדר הברכות. ושם אמרו במסכת תענית [בברכה אחת] תקעו [בברכה שניה] הריעו. למדנו דכיון שאין כל יחיד ויחיד חייב בתקיעות לא נשאר לנו אלא חובת ברכות שתקנו בהן תקיעות כדי שיעלה זכרונינו לטובה בשופר והוה ליה כתעניות ובתקיעה כל שהוא יצאו ידי התרעה של ברכות, הלכך לא רצו להטריח שלא לצורך.

The theory is very revolutionary. He feels that the חובת תקיעת שופר were accomplished during the דמיושב⁵¹. Having performed the primary מצוה of שופר, there remains the other aspect of תקיעות על סדר הברכות, which is a function of תפילה similar to the חצוצרות which were blown על סדר הברכות in times of crisis, war and important תעניות. He uses the term התרעות, and not תקיעות, since the word תרועה denotes תפילה and תעניות⁵². Accordingly, the ראש השנה does not consist solely of the recitation of a standardized text; rather, it is comprised of a merger of recitation with the blowing of the שופר. This merger is called מצות התרעה. The התרעה is an integral part of this תפילה, which consists of both התרעה בשופר and התרעה בפה. The requirement to blow the שופר על סדר הברכות, then, is not a מצות שופר, but a מצות התרעה which, in essence, is simply an expanded מצות תפילה. Certain תפילות, such as those on ראש השנה and ימי התעניות, require the recitation of a text simultaneously with the blowing of a שופר or חצוצרות. In contradistinction to the requirements of מצות שופר, where the precise forms of notes are mandatory, by מצות התרעה, it is of no concern, if one produces גנוחי notes [שברים] or ילולי notes [תרעות]. The accuracy of the notes are important only for the מצות שופר. However,

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This is unlike the רמב"ם who, as we pointed out earlier, said that the תקיעות דמעומד are an extension of the תקיעות דמיושב, and constitute one תפילה קיום.

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על הצר הצורך אתכם והרעותם בחצוצרות [במדבר: י', ט'] as it says,

as far as מצות התרעה is concerned, any form of notes, even a תקיעה note, is adequate. It is for this reason, that we need blow only תר"ת or תש"ת or תשר"ת during the סדר הברכות of the עמידה of ראש השנה. It is not necessary to blow all קולות ל' during the עמידה, as is done during the תקיעות דמיושב. By definition, one who hears the תקיעות דמיושב discharges the מצות שופר completely; he only lacks מצות התרעה, which is a חובת תפילה and which is satisfied by any form of notes generated by a שופר.⁵³ The רמב"ן then went on to prove, that blowing the שופר within the framework of סדר הברכות is only a קיום of תפילה and צעקה, similar to that on a יום תענית, by virtue of the limitation that it be performed solely during the עמידה, and not during the individual's חזרת הש"ץ.

So, according to the רמב"ן, the תקיעות דמעומד do not enhance the תקיעות דמיושב, nor are they even a function of מצות שופר. Therefore, either תשר"ת or תש"ת or תר"ת are sufficient for any of the ברכות of שופרות, זכרונות, ומלכיות. This also explains why the תקיעות דמיושב were instituted in the first place. חז"ל wanted to differentiate between the two קיומים of מצות התרעה and מצות שופר. The רמב"ן felt that the nature of תקיעות דמעומד is one of צעקה on a יום התענית and has no connection with שופר. Accordingly, any form of blowing is sufficient. That is why the תורה defines it as a יום תרועה (and not תקיעה) since יום תקיעה means שמחה, while יום תרועה denotes both שמחה (הריעו לפני המלך ה') and also the response to יום צרה (והרעותם בחצוצרות). He maintains that צעקה is obligatory on ראש

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It follows from this line of reasoning, that one who blows a תקיעה ותרועה in the order set forth in the מצות ה' ע"א, משנה במסכת תענית דף ט"ז ע"א, also discharges the aspect of התרעה.

and, therefore, **ראש השנה** is recited.⁵⁴

The Rambam's view is revolutionary (and also explains why the Gaonim recommended that people fast on **ראש השנה**). According to the Ramban, the day of **ראש השנה** is the first day of **תענית** and **תשובה**, and was designated and designed as a day of **תשובה** and **תענית**.

The Rav noted that the Rambam does not agree with the Ramban that the **תקיעות דמעומד** are a **צעקה**. He writes in **פ"ג מהלכות שופר הלכה ז'** that **לשמוע חייבים** **התקיעות על סדר הברכות**. Had the Rambam agreed with the Ramban, he would not have said **לשמוע חייבים**; he would have written **לתקוע חייבים**, as he writes in **הלכות תענית**. Also, as we pointed out, the Rambam feels that the **תקיעות דמעומד** are an extension of the **תקיעות** and constitute one **שופר**.⁵⁵ Finally, the Rambam forbids the **תוקע** from conversing between the **מיושב** and the **מעומד**, while the Ritba maintains that the Rambam permits conversation between the two, since they constitute two distinct **מצות**: one of **שופר**, and the other of **צעקה**.

The Rav concluded that he did not know if, according to the Rambam, any of the **תקיעות** serve as a **צעקה** motif, or not.

רמב"ן תפילת מוסף in the view of the

The Rambam's theory that **ראש השנה** is a **צרה**, which requires the recitation of **ברכות**

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No **ברכה** was ever instituted for the **מצות** of **ברכת המזון**, **קריאת שמע**, or **תפילה**, since these **מצות** themselves are formulated within the framework of a series of **ברכות**. Similarly, there is no special **ברכה** on **צעקה** which also consists of **ברכות** (and **תפילה**) in addition to **שופר**.

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It is for this reason that the one who serves as the **תוקע** for the **דמיושב** must also serve as the **תוקע** for the **מעומד**.

together with התרעה, as on any other תענית, has far reaching consequences. The בעל המאור [דף י"ב מדפי הרי"ף] says that the nine ברכות of ושופרות, זכרונות, מוסף, מנחה, ומעריב in each of תפילה שלחש is sounded only during the מוסף. The רמב"ן disagrees⁵⁶. The בעל המאור reasons that since everyone concedes that each individual recites the ברכות of ושופרות, זכרונות, מוסף, מנחה, ומעריב during the תפילה שלחש, even though the שופר is not sounded until the חזרת הש"ץ, then that establishes that the ברכות of ושופרות, זכרונות, מוסף, מנחה, ומעריב are independent of שופר. He, therefore, advised that the ברכות of ושופרות, זכרונות, מוסף, מנחה, ומעריב be recited during all תפילות. The Ramban cites a תלמוד ירושלמי which seemingly supports this view.

The בעל המאור concedes that the standard מנהג is contrary to his view, but points out that מנהגים are fluid and often change. He provides another example of the fluidity of מנהג with respect to תפילה שלחש, by relating that, in his childhood, the ציבור would not recite the ברכות of ושופרות, זכרונות, מוסף, מנחה, ומעריב during the תפילה שלחש, since they felt that these ברכות are recited only during the חזרת הש"ץ. Thus, he concludes that it is not surprising if the מנהג changed and that nine ברכות are presently recited only during מוסף.

The [במלחמות ה'] רמב"ן responded by citing the משנה on ע"ב ל"ג ע"ב which states that:

רבן גמליאל אומר שליח ציבור מוציא את הרבים ידי חובתן.

The גמרא explains that even the חכמים who disagree with ר"ג, and do not normally permit the ראש to be מוציא one who is proficient in prayer, a בקי, nonetheless, concede that on השנה the ש"ץ is מוציא את הבקי. The רמב"ן explained that the חכמים felt that the ש"ץ can

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The Rav said that R' Chaim often said that the בעל המאור thesis is correct.

be מוציא the extra ברכות of ראש השנה, but cannot be מוציא them with the תפילות normally recited on טובים טובים. The entire ציבור must recite the שבע ברכות during the הלחש של תפילה בלחש, just as they do during the other תפילות, since the seven ברכות are חובת היום, and are not subject to the special exception granted for the three ברכות of ראש השנה.⁵⁷ They would then recite all nine ברכות, even the seven which they previously recited, in unison with the ש"ץ. This then, was the מנהג which the בעל המאור recalled from his childhood. The רמב"ן upholds the מנהג of the בעל המאור 's childhood of reciting the שבע ברכות during the הלחש של תפילה בלחש, since that מנהג originates with those גאונים who were familiar with the tradition of רב אשי and prayed in his synagogue. The Ramban explains that the שבע ברכות constitute the חובת היום, and are thus subject to the general rule that ש"ץ אינו מוציא את הבקיע, while the remaining two ברכות [and the ברכה of מלכיות which is merged with the קדושת היום] are חובות הציבור, representing זעקה, for which there is a special exception that ר"ג's view was accepted with regard to these special ברכות. Thus, they should only be recited by the ש"ץ during the הש"ץ.⁵⁸

Thus, the Ramban feels that there are two distinct מוסף של תפילות, each representing a different motif:

- i) the שבע ברכות, which is the standard מוסף תפילות on all טובים טובים; and

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All of the תפילות on ראש השנה and on all other טובים טובים contain seven ברכות. These are the standard three introductory ברכות, the ברכה of קדושת היום, followed by the standard three concluding ברכות. The מוסף of ראש השנה is unique in that it contains an additional two ברכות of זכרונות and שופרות, and merges the ברכה of מלכיות with the ברכה of קדושת היום. Since these two ברכות were recited only once a year, the people were unfamiliar with them and preferred to recite them together with the ש"ץ.

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Of course, the extra ברכות of שופרות, זכרונות, and מלכיות cannot be recited separately; they must be recited within the framework of אבות וגבורות and the others, and so the entire תפילה is repeated by the ש"ץ.

ii) the תפילת תשע, which represent זעקה, and which can only be recited בציבור during the חזרת הש"ץ.

The תפילת תשע are חובת קדושת היום, while the תפילת תשע are predicated on the motif of תענית ביום צרה (and so are only remotely associated and related to the חובת היום). The תענית of the תפילת תשע is not קדושת היום; the תענית is צרה [similar to the תענית]. [בציבור were recited תפילת תשע של מלכויות, זכרונות, ושופרות, in which the גשמים].

The ר"א disagrees. He writes (דף מ' מש"ס ווילנא):

לא הבנתי הדברים הללו שנאמרו למשה מסיני, דכיון שתיקנו תשע ברכות לאומרן במוסף של ראש השנה היאך יהיו הקהל חייבין לומר שבע מהם וידלגו השתים, שכל תשע של מוסף ראש השנה הן כמו שבע של שבתות וימים טובים. וכשם שאי אפשר לדלג מאותן שבע, כך אי אפשר לדלג מן התשע, דברכות מעכבות זו את זו. ושליח ציבור פוטר את הציבור מכולן דאושי אלא שהציבור מתפללין כדי שיסדיר תפילתו. וצריכים להתפלל כולן דאם יתפללו שבע יהיה ברכה לבטלה.

The ר"א did not believe that the מוסף of תפילת לחש could be changed. Once ח"זל established the recitation of nine ברכות by מוסף, then all of the nine ברכות constitute one unit of חובת היום and they may not be reduced.

(IX) *Conversing between the תקיעות דמעומד and the תקיעות דמיושב*

The Rav reviewed all of the שיטות regarding the permissibility of conversing between the תקיעות דמיושב ותקיעות דמעומד. The הפסקה is prohibited between the תקיעות דמיושב and the מעומד.⁵⁹ Assisting the ש"ץ is also precluded since, האומר שמע,

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The Rav cautioned that the ציבור should not sing the words along with the ש"ץ, since that constitutes a הפסק. Congregational singing is a הפסק between the ומעומד ומעומד. Of course, the פייט must be

תוספות. מגונה. It is considered no משתקין אותו; שמע מפילה should be repeated twice. One may not however, condones the recitation of ה' אלוקים ה' אלוקים as a כשר. One may not repeat any words with the ש"ץ, once he has discharged his duty of תפילה completely.

The רי"ף in (in מדפי הרי"ף) writes:

שאלו מקמי ריש מתיבתא המברך יום ראש השנה על תקיעת שופר בתר ספר תורה, והסיח [ודבר] צריך לברך על התקיעות של סדר הברכות או לא. ואהדר להו הכין קא חזו רבנן שגוערין בזה ששח עד שלא יתקע על סדר ברכות, אבל לחזור ולברך אינו חוזר. ולא דמיא הא לתפילין דאמר רב חסדא השח בין תפילה לתפילה חוזר ומברך, דהנך שתי מצוה נינהו...

The רי"ף felt that, by שופר and הלל, once a portion of the מצוה is performed, an interruption would not engender a separate ברכה, since ברכות are not recited on only portions of a מצוה. We recite ברכות only on complete מצוה. A partial מצוה does not lend itself to ברכות. By תפילין, however, there are two independent מצוה, though only one ברכה is recited on both of these מצוה, and one who creates a הפסק between the של ראש and של יד is required to recite a ברכה on the של ראש, which is also a complete, separate מצוה in itself, and thus lends itself to a ברכה. In other words, שופר resembles תפילין as far as איסור הפסק is concerned. It does not resemble תפילין as far as the ברכה is concerned, and a second ברכה is not required by שופר.

The רמב"ן (by inference) disagrees since he felt that מצוה שופר differs from צעקה and that they form two distinct מצוה. Thus, he would permit interruption between the מיושב and מותר להשיח לדעתו (של הרמב"ן) - expressed this explicitly. The ריטב"א מעומד.

חזרת הש"ץ following קדיש תתקבל on all ימים טובים prior to פייט גר"א. תחנונים. This was also the מנהג וואלאזין. On ראש השנה and יום כפור, however, the ריטב"א recited פייט within חזרת הש"ץ, but not during שמע קריאת שמע. See שו"ת משיב דבר ח"א סימן י"ג. The Rav was unsure of the rationale behind this distinction.

The בעל המאור (דף י"ב מדפי הרי"ף) disagrees. He writes, ...ולפי מה שפירשנו אנו שאין משרש ההלכה ברכת שופר אלא ברכות של תפילה. אין אנו זקוקין בזה לגערה ולנזיפה. והיהא דתפילין אין לה שום ענין בכאן. ואין לנו כיוצא בה בכל הברכות ובכל המצות. ולפי דעתי נראה לי מה טעם אמרו השח בין תפילה לתפילה עבירה היא בידו, אף על פי ששתי מצות הן, כיון דכתיב בהו בתפילין של יד ושל ראש "והיה" לאות על ידך ולאחרון בין עיניך, צריך זכירה, שתהיה תכף תפילה של ראש לתפילה של יד כדי שיהיה הויה אחת לשתיהן.

The בעל המאור maintains, that the ברכה of שופר applies solely to the מיושב and not to the דמעומד. It is therefore, permissible to interrupt between the two. He explained that, originally, there was no requirement for the recitation of ברכה since the דמיושב were a later introduction, and did not exist initially. After they were instituted, the ברכה of תקיעות was not extended to that of the דמעומד. The Rav explained the בעל המאור's thesis, that מלכיות, ברכות of שופר never required a ברכה, since, in his view, the זכרונות, ושופרות fulfilled the role of serving as a ברכה on the מצות שופר. This is similar to שמע and תפילה which do not require the recitation of a ברכה since those מצות are performed within the framework of other ברכות.⁶⁰ So, when the גאונים instituted a ברכה for the תקיעות דמיושב, they limited the ברכה to the תקיעות דמיושב and did not apply it to the תקיעות דמעומד, which never required a ברכה. Hence, the בעל המאור concluded that it is permissible to interrupt between the two.⁶¹

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See also מסורה חוברת ב' for an elaborate treatment by the Rav on this point. [Editor's Note]

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In truth, the גמרא in פסחים mentions the מטבע קול שופר of שופר. The בעל המאור answered that the ברכה of שופר existed for use by יחידים. Later on, חז"ל introduced that ברכה for general

The Rav explained that the רמב"ם disagrees with the בעל המאור reasoning that the ברכה does not extend to the תקיעות דמעומד, inasmuch as the ברכה was limited in application to the מיושב and not to the מעומד, which never required any ברכה. The רמב"ם felt that the בעל המאור would be justified only if the קיום of the תקיעות דמיושב was introduced as a separate קיום of שופר (to be implemented בישיבה), and is the same קיום obtained by יחידים who blow שופר. If this were the case, then the בעל המאור would be correct in assuming that the תקיעות דמעומד remained an isolated unit which still do not require a ברכה, and are treated in the same manner as they always were. Thus, הפסק between the two would not be enjoined. According to the רמב"ם, however, the מנהג הפשוט of the תקיעות דמיושב, was not introduced as a separate קיום מצוה of שופר, as by יחידים; rather, both the מיושב and the מעומד were merged into one קיום (תפילה) of צבור. This institution of מיושב resulted in a צבור which merged the מיושב with the מעומד. Thus, the מעומד were extended backwards to take place prior to תפילה (as a צבור). The תקיעות הצבור takes place commencing with the מיושב and this portion requires a ברכה as part of the מעומד. Thus, the ברכה instituted on the מיושב must necessarily apply to the מעומד as well. The תקיעות דמיושב cannot get along without a ברכה since they are not enveloped with the ברכות of the עמידה (as was the case by the תקיעות דעמידה). So, the ברכה which is recited on the מעומד, which is really the initial portion of the מעומד, applies to the מיושב as well. It is for this reason, that the רמב"ם disagreed with the בעל המאור and maintained that the תוקע who recites the ברכה may not converse prior to the מעומד. As we have discussed, however, this injunction does not apply to the ציבור, since the ברכה does not relate

use for the תקיעות דמיושב. Since the ברכה did not originally apply to the מעומד, they did not see fit to extend it to that.

to the ציבור at all.

The בעל המאור reasons that מצות תפילין is different since אחת "כדי שיהיה הויה אחת" של יד ושל ראש פסוקים which lump the יד ושל ראש together as one unit, while there are other פסוקים which treat the יד של and ראש של as two separate units. The פסוק reads:

"וקשרתם לאות על ידיך והיו לטוטפות בין עיניך"

One verb (וקשרתם) applies to the יד של; and the other verb (לחטוטפות) applies to the של ראש. This indicates that they are two מצות, each defined by a separate verb.

There is another פסוק which reads:

"והיה לאות על ידיך ולזכרון בין עיניך"

In that פסוק, the one verb "והיה" applies to both the יד של and the ראש של. The בעל המאור reasoned that since this latter פסוק treats both the יד של and the ראש של as one unit, one may not interrupt between the two. שופר, on the other hand, is treated as two separate units. The שיטה agreed with the בעל המאור. This is a beautiful שיטה.

The חידושי הרי"טבא advanced his own view (in addition to asserting that, according to the Ramban, one may converse between the מיושב and the מעומד). He writes that one may not interrupt between the ברכה and the COMMENCEMENT of the מצוה. But, once a portion of the מצוה has been commenced, the ברכה does not preclude any subsequent interruption. The ברכה relates only to the beginning of a מצוה and not to the entirety of the מצוה. He proved this from ברכת הנהנין, where the ברכה relates only to the initial portion of the אכילה and, having made a ברכה and consumed the first parcel, the מברך may thereafter converse. This theory also applies to בדיקת חמץ, where the ריש מתיבתא would frown on interrupting

until after the completion of the entire search, while the א"ר would permit conversation after the commencement. The Rav explained that the ברכת הנהנין serve as a מתיר, similar to פדיון הקודש.⁶² Thus, once the ברכה is applied to the first portion of the הנאה, the balance of the הנאה does not require a ברכה or פדיון since עיקר פוטר את הטפל. So, one can interrupt after consuming the first parcel of הנאה, since the balance does not require a ברכה. There is no requirement of צירוף ברכה; rather, the balance is exempt from a ברכה. The בעלי תוספות in פ"ז חולין דף פ"ז, when discussing the problem of a שוחט who recites a ברכה and slaughters an animal, say that the שוחט may converse after the first שחיטה, without being required to recite another ברכה on the subsequent animals. It is not that the ברכה applies to the other slaughtering; rather, that those subsequent actions do not require a ברכה. Other ראשונים disagree, and, presumably, so would the ר"י and ר"ת.⁶³

In conclusion, there are three שיטות who permit הפסק between the מיושב and the מעומד:

- a) The בעל המאור who maintains that the מעומד do not require a ברכה (and remain as they were originally practiced);
- b) The רמב"ן who maintains that the מעומד are not a מצוה of שופר, and are instead קיום זעקה.
- c) The ר"ת who maintains that the ברכות generally apply only to the commencement

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ירושלמי פ"ו דברכות ה"א א.

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See ארץ הצבי סימן ג' הערה 7 [Editor's Note]

of מצוה.⁶⁴

(X) The rationale for the מצות שופר;
The conflicting moods of ראש השנה;
The two meanings of תרועה:

The Rav concluded this discussion by explaining the Halachic views of the רמב"ן and the רמב"ם in philosophical terms as well. He explained that שופר is an instrument of תפילה without words. G-d is the שומע, while we are the תוקעים. How does this conceptualization conform with our Halachic frame of reference and our theory that the רמב"ם views the מצוה as comprising only שמיעה? The Rav answered that the מצוה of שופר is a קיום בלב. The קיום של בלב rules that the מצוה of שופר is מטבע של ברכה, which means to listen and to arouse a response and to react to the message of the שופר by surrendering to G-d. This is similar to the רמב"ם's statement that יש במצות שופר עורו ישנים מתרדמתכם... So the מצוה and the קיום שבלב is to respond and to react to the שופר! Thus, the מצוה of שופר is שמיעה, a קיום שבלב, similar to תפילה, where the מצוה constitutes of surrendering to G-d and accepting the עול מלכות שמים. This is consistent with his view expressed in הלכות תשובה that רמז יש [בשופר] עורו ישנים מתרדמתכם, that שופר arouses man to respond. As we noted earlier, the רמב"ם interpreted האדם זוכר הקב"ה זכרון תרועה: the רמב"ם interpreted זכרון תרועה as that man surrenders to G-d, in that זכרון על ידי התרועה.

The רמב"ן on the other hand, explains that we blow שופר in order שיעלה זכרונותינו שופר - that G-d remembers man through שופר. This is consistent with the second interpretation of זכרון תרועה, expressed earlier, which is that זכרון תרועה על ידי התרועה.

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It is probable that according to the ריט"ב, one may converse even during the מיושב, following the first תקיעה.

It is for this reason that he regards the תְּקִיעוֹת דְּמַעוּמָד as akin to the התרעה of the חצוצרות, which are required during all תעניות, and which the פסוק says, are meant to engender והיו לכם לזכרון לפני ה' אלוֹקֵיכֶם. Thus, according to the רמב"ן, the מצות שופר is one of יום תענית, similar to that of a תְּקִיעָה.

The פייטנים constantly refer to שופר in terms of תפילה and תְּקִיעָה.⁶⁵ They rarely mention שמיעה. Why not? The Rav explained that they spoke of שופר in terms of תְּקִיעָה, the production of notes which precipitates תפילה and prayer, similar to the רמב"ן's view. Thus, for example, לרצותך בשופר, probably means to appease You with the prayer symbolized by the תְּקִיעָה, and not the arousal of response generated by the שמיעה, as we earlier explained according to the רמב"ם.

The ליקוטי תורה says that שופר is not the intellectual response of the human being, but is the shriek and cry of the person. There are two kinds of תפילה. Firstly, there is the organized תפילה which is pre-conceived and formulated and in which man states his plight and petitions G-d to respond to him. This is the תפילה represented by the שמונה עשרה⁶⁶. This involves the intellect and requires a clear analysis of what man needs, and his realization that he is totally dependent on G-d to favor him. This form of תפילה is an עבודה שבלב, and an intellectual performance. This behooves man who is a צלם אלוֹקִים. The other type of תפילה, is the extemporaneous reaction to pain represented by crying and shrieking. The release

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For example, לרצותך בשופר or בשופר ארצנו. Similarly, the פייטנים accepted the view of the ירושלמי that the term תְּרִיעָה refers to ראש השנה שחל בשבת, while the term יום תְּרִיעָה refers to the ordinary ראש השנה that occurs on a weekday.

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This form of תפילה requires prior meditation and concentration. Thus, חסידים שוהין שעה אחת לפני, המצטער פטור מן התפילה and התפילה.

of instinctual reaction is not characteristic of humans, but of animals who instinctively howl in reaction to pain. G-d wanted man, as the supreme intellectual being, to crown G-d (and to express man's charisma by petitioning G-d for his needs). This is the role of the שמונה עשרה within the structure of the פסוקי דזימרא.⁶⁷ It requires intelligence to structure the code of prayer and the hierarchy of prayer, by first expressing praise to G-d, and then asking for spiritual needs followed by communal needs, etc. This befits man who is great.

However, man is not always great. Often, he is stupid and ignorant. At this stage, he engages in תפילה without organization, which resembles the reaction of one who was suddenly frightened, whose equilibrium was shaken and who was shocked out of complacency. He has no time to compose a structured תפילה, and so reacts as an animal - he cries, shrieks, and exclaims his plight. Interestingly, when the גמרא discusses שופר, it speaks of גנורי גניח [groaning and crying] and יילולי [shrieking]. בכייה, crying, is unique to man; but יילולי, shrieking, is found by animals as well.⁶⁸ A יילולי is an instinctual shriek with no tone, and which does not require intelligence. It is the reaction of the irrational animal to incapacity and pain. Grazing cattle, when frightened, will suddenly cry and cling to each other. The גמרא relates that when רבי חנינא בן דוסא received a request to pray for another party, he would place his head between his knees and pray. The קדושת לוי explains that this is the posture of the animal. Sometimes, one approaches G-d with his crown of humanity and as an intelligent and important being; at other times, he approaches G-d without his distinctiveness and intellect,

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The גמרא teaches us that the structure of תפילה, in which the פסוקי דזימרא precedes the עמידה, is based on the manner in which one visits a King. The visitor first knocks on the door, sings the King's praises, etc.

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as it says, יילולי התנינים.

and as a helpless, irrational creature begging for help. This is the message of שופר. It is not בכייה, crying; it is יילולי, shrieking.

Man speaks with disguises. Often the word misrepresents the thought and even changes his thought. The Rav said that he always agonizes over the proper word with which to express his real thought. Words do not accommodate the thought; they alter the thought. Furthermore, words mean different things to different people. There is no universalization of words. Speech strips thought of its originality and uniqueness, and puts all emotions in one word, even though people experience emotions differently. That is why שופר is thought without words, תפילה בלי מלבוש, and without any disguises.

The משנה says that, on ראש השנה, the world approaches G-d כבני מרון, which is firstly interpreted as כבני אמרנא, like sheep. Why do they compare our approach to that of sheep? The Rav explained that one of the זכותים of G-d, is that, though we are unworthy of salvation, nonetheless, the mitigating circumstance is such that G-d looks upon us as sheep and animals, bereft of intelligence and speech. That is the only way that G-d can pardon us.

The second interpretation of כבני מרון is כחיילותיו של דוד, as King David's soldiers. This refers to a different facet of G-d, in which G-d looks upon us, not as individuals, but as a great army, who are committed to the great vision of the future. G-d does not focus on any one individual. G-d judges the כנסת ישראל as a whole, and as a whole, the כנסת ישראל is dedicated to a great vision. This is the rationale behind the מצוה of שופר as represented by the תקיעות דמיושב.

Following the performance of the תקיעות דמיושב, we perform the דמעומד, which interprets the שופר, converting שופר from the instrument of תפילה of the animal, who

does not understand his situation, and reacts instinctually, to the articulate supplication and תפילה of rational, intelligent humans. שופר is thus subjected, at that stage, to the interpretation of intellectual man. The ברכות of ושופרות, זכרונות, מלכיות, are the most majestic and exalted of prayers, and remain unparalleled by any other human being. Even non-Jewish theologians were amazed by these ברכות which so eloquently express G-d's dominion. In the תקיעות דמיושב, we are helpless animals, בני ארמנא, bereft of speech; we can only cry pitifully without words in a state of complete naturalness. Then the mood (and theme) changes to exalted articulate prayer. The same human being who previously could not pray with words, now approaches G-d with the most exalted of intelligent תפילה. The ספר החסידים⁶⁹ relates the typical story which capsulizes the entire message and rationale underlying the מצוה of שופר. It relates that an ignorant shepherd who could not pray would tell G-d each day that he will take care of His sheep without compensation in exchange for G-d watching over him. One of the בעלי התוספות, passed by and, after hearing this, taught him to recite שמע ישראל. After a few days he forgot how to recite the שמע ישראל, and so resumed his own prayers. That prayer was considered exalted. This is the mood of the תקיעות דמיושב. The scene of the תקיעות דמעומד is radically different. Man must rise above this and approach G-d in his glory as a צלם אלוקים.

ראש השנה is a holiday of inner contradictions, which reflects this antinomy contained within the מצוה of שופר. On the one hand, it is a יום הדין, a day replete with tremor, fear and judgement. On the other hand, it has קדושת יום טוב, which entails a שמחה. In the יראתי, ש"ץ says, תפילת שחרית of חזרת הש"ץ prior to the שליח ציבור of רשות

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Interestingly enough, this story is also told of the Baal Shem Tov.

בפצותי שיח להשחיל, I am fearful to approach You with prayer. The ש"ץ continues to use words which demonstrate his fear and terror, such as חיל, רפיון and the like. What is characteristic of this רשות? The ש"ץ requests of G-d the privilege to represent the ציבור.⁷⁰ He expresses "חיל", which denotes terror, as in חל מפניך כל העולם. The motto of ראש השנה is חיל, which is more than fear. What are the attributes of חיל? The Rav explained that חיל means the instinctual reaction to the unexpected disaster which strikes without motive. A person is complacent, with a sense of security. He is suddenly shaken and shocked out of that complacency and faces disaster from the unknown. It is eerie and terrible⁷¹. חיל has physiological characteristics as well. The גמרא translates the פסוק of ותתחלחל המלכה, a derivative of חיל, as denoting that she menstruated. יראה is just the opposite. יראה means an intelligent evaluation of the known danger. Man's reaction, as expressed by יראה, is reasoned, and not instinctual. חיל is black fear. יראה is the expression of rational man. חיל is a destructive emotion; יראה is a constructive emotion. On ראש השנה, we say כל העולם כולו מפניך. First, there is חיל, fear, which is the first reaction. The universe (of man) then realizes יראה. חיל and פחד also denote that the person suffering from חיל and פחד can not take measures to protect himself. The תורה says, ובקור יאמר מי יתן, ובכך תן פחדך, and ערב, which is then followed by ויראוך כל המעשים. This יראה then leads man to the rational

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The רשות was delayed until this point, so as not to interfere with לתפילה גאולה.

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Actually, חרדה is more akin to חיל, than to יראה.

conclusion of וישתחוו לפניך כל הברואים total self effacement and genuflection.

In the תפילה, the days of ראש השנה are portrayed as days of יראה and חיל. As the רמב"ם writes⁷²: בראש השנה אין אומרים הלל שהם ימי יראה ופחד. Similarly, we stress that ויחיל ורעדה יאחזון, and, in the prayer of ונתנה תוקף, that ובכך תן פחד. In this respect it is akin to a תענית, requiring זעקה and תפילה, which expresses itself with prayer in logical and preconceived terms. The פיוטים are articles of זעקה ותפילה. The prayer of ונתנה תוקף expresses חיל, as does the פייט of יראתי בפצותי. These represent the paralysis of man. Previously, man has risen to the heights of intelligent beings, and now he is reduced to the level of animals. His fright causes him to lose his intellectual capacity. So the רמב"ן and the פייטנים introduced זעקה and חיל into ראש השנה. The רמב"ן went further, and said that in הלכה, this is expressed by the two types of שופר blowing, once by the מיושב and the other by the מעומד, as we saw before, and also by not saying הלל.

On the other hand, ראש השנה is a joyous day in that we recite שירה, is considered a יום טוב and relieves the need to observe mourning [מפסיקי אבילות].

This inner contradiction is also reflected in the dual meanings ascribed to the word תרועה in the liturgy. We say יראתי בפצותי which expresses man's terror and horror. Man is terrified to approach G-d; he is aware of his weakness and is fearful that G-d will destroy the world. Man knows he is guilty, he has no mitigating excuses and is afraid of judgement. We say:

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פרק ג' מהלכות חנוכה הלכה ו' in

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Actually, חיל denotes stark terror and is more extreme than פחד, which reflects fear.

נעלה בדין עלות תרועה, גיא עם דריה לעוררה.

This means: G-d is ready to destroy the world (גיא) and humanity (דריה). The word תרועה is representative of breaking and destroying. G-d rises in judgement [עלות תרועה], to dispense strict justice, untempered with mercy. On the other hand שופר (תרועה) is the instrument that converts חיל into יראה. This is reflected in the next sentence which reads:

בשופר אפתנו, בזכרון שופר ארצנו ובברך כריעה, במגינת רעים בגנו אתרועעה.

The mood suddenly changes. The תרועה of destruction and terror, is now converted from an instrument of destruction to one which facilitates man's approach to the King.

תרועה has two contradictory meanings. It can either mean x) the alarm of the King, as in ותרועת מלך בו, or y) the friendship of the King, as in אלוקים הרועה אותי. What causes the change from חיל to יראה? Man's guilt is clear and unequivocal; however, if man employs the שופר, then, with זכות אבות⁷⁴, the שופר is no longer an instrument of destruction and terror, and it becomes the instrument which facilitates friendship with G-d and causes G-d to befriend man.

The ברכות of אבות וגבורות in תפילה deal with irrational fear and terror. The very moment we say בא"י מחיה המתים, a different mood and frame of mind is introduced. We say ימלוך ה' ואתה קדוש יושב תהילות ישראל. These serve as the transition from חיל to יראה. The פיוטים continue to define יראה. We previously recited the פיוטים of תעיר ותריע, אדירי איומה יאדירו בקול ה' מלך, which denote terror. We now recite להכרית כל מריע.

We conclude with לא-ל עורך דין. This latter פיוט is based on two motifs:

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- x) the severity of דין, and man's ill preparedness to face judgement; and
- y) the hope that G-d will vindicate and acquit man nonetheless, לטהר חוסיו בדין.

This is immediately followed by קדושה ושירה.

In conclusion, ראש השנה has two paradoxical motifs:

- x) It is a יום טוב of hope that man will be vindicated by G-d, as עזרא said, אל תתעצבו כי, and קדוש היום לאזונינו
- y) It is a day of זעקה and תענית.⁷⁵

The first motif generates שמחה, while the second, generates תענית. Furthermore, the Ramban required זעקה through שופר just as on a תענית, because of the second motif. According to the Ramban, ראש השנה wanted to separate the מצות שופר on קיום מצות שופר from that of the מצות שמחתכם ובמועדיכם ותקעתם בחצוצרות. The פסוק says: יום תענית on a התרעה. The ספרי says that שמחתכם וביום refers to ראש השנה. Similarly, the פסוק says הללוהו. Thus, at the same time that שופר is the instrument of fear; it is also the instrument of שמחה ושירה. The Rav pointed out that ראש השנה and יום כיפור both relieve the mourner from further observing the mourning period, are מפסיקי אבילות. In the Rav's opinion, the fact that they are מפסיקי אבילות, is incontrovertible proof that they are days of שמחה. The Rav explained that the רמב"ם's assertion that they are not days of שמחה, simply means that they are unlike other ימים טובים in which man can act out and express his inner feelings of שמחה (by imbibing ודגים). On ראש השנה, one can not

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Many communities would fast on ראש השנה, in consonance with the second motif of זעקה. The בית הלוי also fasted on ראש השנה.

externalize his שמחה⁷⁶.

(XI) R' Chaim's theory regarding the structure of the ברכות:

R' Chaim had said that the בעל הערוך was correct in requiring שופר during the תקיעת שופר. He reasoned that, inasmuch as the תפילה תשע are recited at that time, these תפילה בלחש must be recited only in conjunction with the שופר. Originally, prior to the time of the רי"ץ גיאור, they recited only שבע תפילות during the שבלחש, and so there was no need for תקיעת שופר. However, once the רי"ץ גיאור instituted the תשע תפילות even בלחש, then it is incumbent to blow שופר during the בלחש תפילה as well.

R' Chaim proved something else. He pointed to the סידור הרמב"ם (p. 154 of standard edition), in which the רמב"ם includes the prayer of למדני חוקיך ... בא"י למדני חוקיך (רמב"ם), within the אוחילה לא-ל ... בא"י למדני חוקיך, even during the בלחש תפילה. Additionally, he includes זכרונות, ושופרות following each of היום הרת עולם מלכיות. According to the רמב"ם, one recites אוחילה לא-ל prior to ושופרות, זכרונות, ושופרות, and מלכיות, whether or not שופר is sounded following each of ושופרות, זכרונות, ושופרות, מלכיות, whether or not שופר is sounded in that תפילה.⁷⁷ Rav Chaim explained that these inserts are an integral part of the ברכות מלכיות, זכרונות, ושופרות. They were deleted in the days when the ברכות מלכיות, זכרונות, ושופרות were not recited in the לחש תפילה. When the ברכות מלכיות, זכרונות, ושופרות

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The יום תרועה מקרא קודש as שמונה עשרה in ראש השנה to refer to מנהג ר"א.

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The רמב"ם did not blow the שופר during the בלחש תפילה.

were reincorporated into the תפילה בלחש, these were inexplicably neglected⁷⁸. According to our מנהג, the אוחילה ל-אל and the היום הרת עולם are not an integral part of תפילה; they are merely a complement to the מצות שופר, or possibly a פייט.

(XII) The structure of זכרונות, ושופרות, ומלכיות;
The merger of קדושת היום with מלכיות;
The ברכות תקיעות express the theme of the preceding.

What do זכרונות, ושופרות, ומלכיות stand for? There are serious difficulties in constructing and explaining the text of the ברכות themselves and also a problem in understanding the פסוקים, and the relationship between them and the ברכות. The Rav first discussed the structure of the ברכות themselves, and then explained the motifs of each.

On דף ל"ב ע"א, רבי יוחנן בן נורי describes a controversy between רבי יוחנן בן נורי and רבי יוחנן בן נורי whether the ברכה of מלכיות should be merged with that of קדושת השם or that of קדושת היום. According to רבי יוחנן בן נורי, all of the פסוקים of מלכיות appear in קדושת היום (together with הקדוש השם). He held that the פחדך, ובכך תן פחדך, is clearly an integral part of קדושת השם, and קדושת השם should commence with these paragraphs. Similarly, the קדוש אתה ונורא שמך וכו' ends with קדושת השם. Why was only קדושת השם extended, and not אבות and גבורות? The Rav explained that קדושת השם already has the elements of מלכיות, and is thus particularly suited to be merged with the full ברכה of מלכיות. The גמרא relates: עשה כריב"נ יצא, עשה כר"ע יצא. Similarly, our גמרא relates:

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The [ראש השנה דף ל"ד, ע"ב] ריטב"א, however, says that the אוחילה ל-אל constitutes a רשות for the ש"ץ [Editor's Note].

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had a tradition to recite not more than nine ברכות on ראש השנה, and so were forced to merge one of the extra three of ושופרות, זכרונות, ומלכיות, with one of the standard seven ברכות.

וכשקדשו בית דין את החודש באושה, ירד ר' יוחנן בן ברוקא לפני רשב"ג ועשה כריב"נ, אמר לו לא היו נוהגין כן ביבנה.

did not require him to repeat שמונה עשרה since either method is acceptable⁸⁰.

The ברכות of זכרונות ושופרות consist of three parts - a tri-partite division:

x) ועל כן נקוה - a statement of faith (אני מאמין), in which we state unequivocally what our faith is and what we hope for.

y) ככתוב בתורתך ובדברי קדשך - to prove what we say, we quote numerous פסוקים; and

z) או"א מלוך על כל העולם - we offer a prayer that this hope should be realized.

According to ריב"נ, the introduction of מלכיות consists of ובכן תן פחדך, and the other paragraphs commencing with ובכן, which are each a statement of faith and are similar, if not identical, to that of ועל כן נקוה. ובכן תן פחדך is not a petition. ובכן means "and we are certain" (it can be expressed in Hebrew as שתתן פחדך). They then recited the ten פסוקים of מלכיות (starting with תורה etc.) and would recite ונורא שמך - concluding with הקדוש. They could not employ petitionary language in the קדושת השם, since petition (תפילות) may not be recited during the first three ברכות of the עמידה. After ר"ע's view was accepted, the פסוקים were all relocated to the ברכה of קדושת היום. The introductory paragraphs of קדושת השם, employed by ריב"נ, consisting of the statement of faith [ובכן], were, however, retained in the text of קדושת השם.

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בגליל נהגו כריב"נ, ביהודה notes that ירושלמי is in גליל, and אושא is in שבט יהודה - while נהגו כר"ע.

The Rav added, that both ר"ע and ריב"נ had the same text for both the קדושת השם and קדושת היום. They differed only about the inclusion of the פסוקים - whether in קדושת היום or קדושת השם.⁸¹ So, according to ריב"נ one would recite as follows:

אבות, גבורות, לדור ודור, ובכן תן, ותמלוך אתה ה' לבדך
and then (instead of ימלוך לעולם ועד) they would recite ten פסוקים and would
conclude with בא"י המלך הקדוש and קדוש אתה ונורא שמידך. They would then continue:
אתה בחרתנו, ומפני חטאינו, פסוקי קרבנות, עלינו, ועל כן נקוה, או"א מלוך על כל העולם
וכו'

The חתימה would read מלך על כל הארץ מקדש ישראל ויום הזכרון. Following this, they would blow the תקיעות.

The Rav proved that, according to ריב"נ, they would nonetheless include ועל עלינו and ועל שופר שופר, from the fact that, even according to ריב"נ, they did not blow until after the קדושת היום (notwithstanding the recitation of the פסוקים in קדושת השם). The Rav explained that ריב"נ concedes that the קדושת היום of ראש השנה expresses itself with בא"י מלך and מלוך על כל העולם of the ברכה of קדושת היום. Thus, the חתימה of מלכות. The theme of מלכות is also contained in the קדושת היום. So, ועל כן נקוה and עלינו, which also reflect themes of מלכות, should still be recited in the ברכה of קדושת היום. So, according to ריב"נ, מלכות is found in two ברכות: קדושת השם and קדושת היום, and the תקיעות follow the conclusion of מלכות of קדושת היום since the תקיעות refer to both of these ברכות. Finally, it must be emphasized that the חתימה of קדושת

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ובכן תן ר"ע, Likewise, ריב"נ even according to קדושת היום was said in ועל כן נקוה and עלינו קדושת השם in פחוד וכו'.

שלש ברכות is descriptive and not petition, since petitions may not be interposed until after השם הראשונות.

The גמרא then introduces the view of רשב"ג who maintains that מלכיות is one ברכה by itself, and זכרונות is merged with קדושת היום.

According to רשב"ג, the קדושת היום was structured as follows:

אבות, גבורות, לדוד ודוד, ובכן תן פחדך, בא"י המלך הקדוש, עלינו, ועל כן נקווה, ועשרה פסוקי מלכיות.

What is the חתימה of מלכיות according to רשב"ג? The Rav felt that since our text of the קדשנו במצוותיך and מלך על כל העולם (מלכיות) reflects two themes of ברכה, our חתימה also concludes with these themes and thus reads:

בא"י מלך על כל הארץ [מלכיות] ומקדש ישראל [קדושת היום].

Accordingly, רשב"ג who did not merge the theme of קדושת היום with מלכיות, and instead merged it with זכרונות, probably recited the following for the ברכה of מלכיות after עלינו ועשרה פסוקי מלכיות:

או"א מלך על כל העולם...ומלכותו בכל משלה, כי אתה אלוקים אמת וכו', בא"י מלך על כל הארץ.

He would then say:

אתה בחרתנו, ומפני חטאינו, פסוקי קרבנות, אתה זוכר, עשרה פסוקים של זכרונות, and then would conclude:

או"א זכרנו בזכרון טוב לפניך וכו' קדשנו במצוותיך וכו', בא"י זוכר הברית ומקדש ישראל ויום הזכרון.

The disagreement between רשב"ג and ר"ע is whether the main theme of השנה is

(קדושת היום or מלכיות) and whichever is the central theme must be merged with זכרונות. is the central ברכה, and since ראש השנה is יום הזכרון, the main theme is קדושת היום, according to רשב"ג.⁸² זכרונות,

The גמרא says, that, even though ריב"נ recited מלכיות together with the קדושת השם, nonetheless, ריב"נ postponed the תקיעות until after the קדושת היום. The Rav explained that ריב"נ felt that there are two texts of מלכיות: one, which is merged with the קדושת היום and the other, which is contained in the קדושת היום. Thus, the תקיעות must follow the complete texts of מלכיות. Additionally, ריב"נ did not want any interruption between the תקיעות of זכרונות ושופרות, מלכיות, and so deferred the תקיעות until after the קדושת היום, which immediately precedes זכרונות. Had they blown after the קדושת השם, as merged with מלכיות, then the ברכה of קדושת היום would have interrupted between those תקיעות and those of זכרונות ושופרות. Finally, as we said before, the ברכה of קדושת השם is descriptive, since one is not permitted to engage in בקשה and petition during the first three ברכות, until after קדושת השם. Thus, the petition of מלך על כל העולם, according to ריב"נ, which constitutes the ברכה of קדושת היום, as we have demonstrated, could not be merged into קדושת השם. Likewise, the תקיעות, which also constitute תפילה, in that they decipher the code of the prior קדושת היום as תפילה בלי דיבור, could not be blown after קדושת השם, since the ברכה of קדושת השם is only descriptive, and not תפילה. The תקיעות which represent תפילה must follow

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The אדם discusses an event that occurred in which a person deleted מלך על כל הארץ from the and recited 'וכו' ישראל וכו'. He concluded that he in unsure whether in מוסף, the person must repeat תפילה, but with regard to the other prayers he concluded that לחזור ולברך, it is not necessary to repeat. R' Chaim disagreed and felt that in both מוסף as well as all other תפילות the whole purpose of the ברכה is מלכיות (i.e. קדושת היום) and so the deletion is critical. Rav Chaim felt that מלך על כל הארץ supplements מלכיות.

other petitions and not descriptives of שבח. It was thus deferred, according to ריב"נ, until after the ברכה of קדושת היום, and the petition of מלוך על כל העולם which it defines. Thus, even ריב"נ concedes that the קדושת היום is the final text of מלכויות.

The גמרא cites ר"ע who asked ריב"נ about the propriety of reciting ten פסוקים for מלכויות, given that, according to ריב"נ, the שופר is not sounded until after the recitation of the קדושת היום. He asked:

אם אינו תוקע למלכויות למה הוא מזכיר? [אמר לו] רחמנא אמר להזכיר. אלא למה עשר, לימא תשע דהואיל דאישתני אשתני.⁸³

What is the logic behind ר"ע question? Why is it that ר"ע felt that, once ריב"נ postponed the תיקיעות until after the recitation of the קדושת היום, then it must follow that they should recite only nine פסוקים and not ten פסוקים? What does one rule have to do with the other?

The Rav answered that we must first analyze the structure of the שמו"ע. The ברכה of תורה, according to our text, consists of the recitation of three פסוקים from תורה, which are:

(1) ה' ימלוך לעולם ועד,

(2) לא הביט און ביעקוב ... ה' אלוקיו עמו ותרועת מלך בו,

(3) ויהי בישרון מלך ...

This is then followed by three פסוקים from כתובים and three פסוקים from נביאים. Immediately following this, the ברכה concludes with the tenth פסוק which reads:

ובתורתך כתוב לאמר, שמע ישראל ה' אלוקינו ה' אחד.

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Literally, this translates that ר"ע asked that ריב"נ should recite only nine פסוקים, and not ten פסוקים, since it was changed. The meaning behind this cryptic inquiry will now be discussed.

The final portion of the ברכה is the petition of:

אלוקינו ואלוקי אבותינו מלוך על כל העולם כולו בכבודיך ... קדשנו במצותיך ... בא"י מלך
על כל הארץ מקדש ישראל ויום הזכרון.

The arrangement of the ברכות of זכרונות ושופרות differs from that of מלכיות, in that the tenth פסוק from the תורה is not juxtaposed to the preceding nine פסוקים, prior to the recitation of the petition; rather, in each of זכרונות ושופרות, the tenth פסוק from the תורה is incorporated within the petition, in which we request that G-d act in accordance with the cited פסוק. Thus, by זכרונות, after reciting the nine פסוקים. We recite the petition and incorporate the final פסוק within that petition. Thus, we recite, by זכרונות as follows:

אלוקינו ואלוקי אבותינו זכרנו באכרון טוב לפניך ... וקים לנו את הדבר שהבטחתנו בתורתך
... וזכרתי להם ברית ראשונים ... בא"י זוכר הברית.

Similarly, by שופרות, after reciting the nine פסוקים, we recite the petition and include the tenth פסוק therein, as follows:

אלוקינו ואלוקי אבותינו תקע בשופר גדול לחרותנו ... ושם נעשה לפניך את קרבנות חובתנו
כמצוה עלינו בתורתך ... וביום שמחתכם ומועדיכם ובראשי חדשיכם ותקעתם בחצוצרות ...
בא"י שומע קול תרועת עמו ישראל ברחמים.

Why do זכרונות ושופרות differ in their arrangement from that of מלכיות? The רמב"ן in fact suggested that we should modify the present structure of זכרונות ושופרות and move up the final פסוק of תורה to accompany the other nine פסוקים, which precede the ברכה, and not recite that פסוק during the text of the petition portion of the ברכה⁸⁴. The Rav does not

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The Ramban also did not like the idea of saying שמחתכם וביום שופרות since that פסוק does not mention שופר. Instead he recited the פסוק of בו ותרועת מלך בו which is also found in מלכיות. In the (1972) שיעור ירחי כלה the Rav explained why this פסוק of שמחתכם was selected.

know of any ראשון who transferred the פסוק of שמע ישראל to the middle of the ברכה of רב יוסי אמר וותיקין (in the style of או"ש). The Rav explained that the גמרא says: משלים בנביאים. The word משלים means (i.e. that the final פסוק is included within the ברכה). By זכרונות ושופרות, we can introduce the פסוק within the ברכה since each of them have their own individual ברכה. In מלכיות, however, that ברכה is shared with קדושת היום and appears in all of the other תפילות, and so the inclusion of a פסוק within the framework of that ברכה would have been inappropriate.

The Rav further explained that, by זכרונות and שופרות, the character of the tenth פסוק differs from that of the preceding nine. The character (and role) of the nine פסוקים of זכרונות and שופרות are to prove that the statements which are set forth in the prior prayer are true, since G-d has so promised through his prophets. The tenth פסוק is petition - וקיים לנו מה - we have proven it is so (by quoting the prior nine פסוקים) and now, we petition G-d to please implement this petition. The same is also true of שופרות. What about מלכיות? The Rav explained that the nine פסוקים of מלכיות conclude with the פסוק והיה למלך. This is then followed by שמע ישראל וכו', which is in reality a petition and is inextricably linked with the petition of אלוקינו ואלוקי אבותינו מלוך על כל העולם which follows it. The meaning of this juxtaposition is "You G-d will always be one (and will always rule), and hence, please וכו' מלוך על כל העולם וכו'". Thus, the petition portion of the ברכה of מלכיות commences with שמע ישראל וכו'. The Rav, therefore, suggested that the פסוק of שמע ישראל be recited in one breath, together with the petition of מלוך על כל העולם, since that פסוק is

actually part and parcel of the petition portion of the ברכה⁸⁵. In conclusion, the tenth פסוק constitutes תפילה and petition, and is, therefore, inserted within the ברכה, where possible.

The Rav explained ר"ע question as follows. The tenth פסוק, which is תפילה, is merged with מזו"ש. This is understandable if מלכיות is merged with the קדושת היום. But, according to ריב"נ, who merged מלכיות with קדושת השם, it is problematic, since קדושת השם does not (and indeed cannot) contain any elements of תפילה (since אסור לשאול צרכיו בשלשה (הראשונות). The קדושת השם of חתימה is the description of קדוש אתה ונורא שמיך, while the petition of מלך על כל העולם is recited in קדושת היום. Thus, the tenth פסוק, which is תפילה, should not be recited with קדושת השם, which is שבח and descriptive, and does not contain any elements of תפילה. Moreover, ר"ע pointed out that the תקיעות, which also constitute תפילה, in that they decipher the code of the prior ברכה, are deferred until after the קדושת היום found in קדושת היום, since, apparently, they cannot be performed after the קדושת השם, which does not contain תפילה. Why then, is the tenth פסוק, which is also petition, not deferred until after the קדושת היום as well? This is what הואיל דאישתני means, (i.e. the tenth פסוק is petition and differs from the others and should, thus, not be grouped with them, and should be deferred until after קדושת היום).

In other words, as we have previously demonstrated, the תקיעות, which follow each ברכה, also constitute תפילה. Thus, the תקיעות are inextricably linked to the petition of the ברכה and to the tenth פסוק, which is also תפילה, and incorporated within that ברכה. However, ריב"נ ruled that all of the פסוקים of מלכיות are recited within the ברכה of קדושת היום.

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Recall that they could not insert the פסוק of שמע ישראל into the ברכה of מלך על כל העולם since that was used for the other תפילות as well.

קדושת היום of the ברכה take place only after the recitation of the תקיעות, השם, but that the תקיעות take place only after the recitation of the ברכה of the קדושת היום. ר"ע asked that, according to ריב"נ, the tenth פסוק [שמע ישראל] which plays the role of petition, should also be juxtaposed to the ברכה of העולם על כל מלוך and to the תקיעה which follows it, in the same manner that the תקיעות were deferred until after the קדושת היום. It is not appropriate that it be linked to the other nine פסוקים, which are only evidentiary and not petitional. Only if the פסוקים of מלכיות are recited in קדושת היום, is the final פסוק of שמע ישראל, as a petitionary פסוק, appropriately juxtaposed to that ברכה. This is ר"ע's criticism of ריב"נ that לימא תשע הואיל דאשתני. Once the תקיעות have been deferred until after the קדושת היום, then the final פסוק of מלכיות should likewise be deferred until immediately prior to the תקיעות so that it be merged together with that ברכה and the succeeding תקיעה.⁸⁶ The גמרא does not provide an answer to this question.

(XIII) The structure of the ברכה of מלכיות:

The גמרא (ראש השנה דף ל"ב ע"ב) says as follows:

משלים בנביא. רבי יוסי אומר אם השלים בתורה יצא ... ה' אלוקיו עמו ותרועת מלך בו, אומרה עם המלכיות ואומרה עם השופרות. רבי יהודה אומר אינה אומרה אלא עם המלכיות בלבד...יום תרועה יהיה לכם, אומרה עם השופרות, דברי רבי יוסי. רבי יהודה אומר אינה

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The Rav suggested that the פסוק of שמע ישראל should be recited in one breath together with 'או"א וה' הבן יקיר לי אפרים immediately after the first sentence of זכרונות, as noted above. Additionally, in זכרונות, one should add 'או"א זכרנו וכו' followed by 'או"א זכרנו וכו' (and repeat at the appropriate place להם זכרתי since מוסיף מוסיף). This solves the Ramban's question.

In שופרות, there is a double problem:

- x) The inclusion of the פסוק of שמחתכם within the תפילה of 'או"א תקע השופר וכו' and
- y) The selection of the פסוק of שמחתכם ותקעתם בחצוצרות וכו' which does not mention שופר.

The Rav suggested that one should recite after עמך ישראל the following:

פסוק and 'או"א תקע וכו' followed immediately by 'או"א זכרנו וכו' and the פסוק of שמחתכם וכו' should be recited at the standard place.

אומרה כל עיקר.

felt that the word תרועה is not the equivalent of שופרות; thus, those פסוקים refer only to the proclamation of the King, which is מלכיות and can not be recited during שופרות.

We previously noted, that the רשב"א and רמב"ן did not utilize the פסוק of והעברת since it refers to יובל, and they wished to utilize a פסוק that relates exclusively to ראש השנה. They did not utilize the פסוק of יום תרועה since ר' יהודה does not equate גילוי שכינה of שופר with שופר. The reason for this is that we need to mention either a שופר of שופרות which commences with אתה נגלת וכו' - You have revealed yourself to the world. That is why the פסוקים cited in the ברכה of שופרות deal only with the שופר of תורה and משיח - which are גילוי שכינה. On the other hand, the פסוקים of פני המלך ה' both denote the presence of G-d and are, therefore, appropriately recited in the ברכה של מלכיות. This is not true of the פסוק of יובל which does not denote גילוי שכינה.⁸⁷

The גמרא explains that the פסוק of שמע ישראל constitutes מלכיות. There are only four references to מלכיות in the תורה. In כתובים, however we find:

(1) כי לה' המלוכה, (2) ה' מלך גאות, (3) שאו שערים ראשיכם ויבא מלך הכבוד.

We supplement this third פסוק by reciting the balance of the chapter following שאו שערים. Why was this necessary? It seems that the requirement of the משנה that מעשרה אין פוחתין מעשרה that מלכיות, זכרונות ושופרות did not necessarily refer to the recital of ten פסוקים; rather, it

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The ירושלמי says that we cite the פסוק of ובראשי חדישיכם in order to commemorate that ראש חודש תשרי is also ראש השנה, albeit parenthetically.

requires the recital of ten references of מלכיות etc. The Rav proved this by quoting the גמרא on ד"ף ל"ב ע"ב which says that גיבור מלחמה ... ה' מלך הכבוד counts as two recitals, even though both references are contained in the same פסוק.

The רמב"ם, however disagrees and requires the recitation of ten פסוקים, even if they each contain numerous references. He writes in פ"ג מהלכות שופר ה"ח that:

וצריך לומר עשרה פסוקים מעין הברכה

The ראש השנה (דף כ"ז מדפי ש"ס ווילנא) in תוספתא says:

רבי יוסי אומר אומרין כל אחד ואחד בפנ"ע. רבי יהודה אומר אומרין כולן כאחד.

Unlike the גמרא, which interpreted this disagreement with regard to whether the first two פסוקים of that פרק are counted as either two or three recitals, the תוספתא implies that this מחלוקת was whether or not the entire פרק is deemed to constitute only פסוק, since they all comprise a single פרק.⁸⁸ Our text of תפילה, contained in the מחזור, conforms with the view of רבי יהודה, as modified by the תוספתא, that the entire פרק is counted as one reference, and we thus recite the entire פרק.

The רמב"ם פ"ג מהלכות שופר ה"ט writes:

שמע ישראל, אתה הראת לדעת, כל פסוק מאלו, מלכות הוא ענינו אף על פי שאין בו זכר מלכות.

This portion of his ruling is apparently consistent with the view expressed by the תוספתא that references to מלכות are regarded as פסוקי מלכיות even though the word מלך is not mentioned. He disagrees, however, with the תוספתא in that he regards multiple references contained in one פסוק as only one recital.

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See חננאל ר' who changes the text of the גמרא to conform with the opinion expressed by the תוספתא.

The text of מלכיות continues with - ועל ידי הנביאים וכו' כה אמר ה' מלך ישראל - וגואלו וכו'. If מלכיות is supposed to be universal, then why does it say מלך ישראל? This is particularly troubling since the גמרא דף ל"ב ע"ב ruled that זמרו מלכנו is not to be cited since, in the words of רש"י: לא קחשיב דלא אמליכתיה אלא על אומה אחת. The Rav answered that the context of that פסוק of מלך ישראל וגואלו is similar to שמע ישראל, which is also recited, since the final portion that follows is אני ראשון וכו' which is universal מלכות par excellence.

The question is, why they chose this פסוק which is problematic and not another unequivocal one which deals exclusively with מלכות? The Rav answered that this פסוק expresses the substance of מלכיות. In עלינו we define מלכות as - ה' אלוקינו אין עוד - G-d has no equal, and this פסוק parallels that description.

(XIV) The structure of the זכרונות of ברכה:

In זכרונות, the פסוק from the תורה chosen is ויזכור אלוקים את נח since נח was the forebearer of all mankind - אתו רביה מיניה. The Rav explained this selection, in that there are two concepts in זכרונות:

- x) G-d is the creator of mankind in general; and
- y) there is a unique relationship between G-d and כנסת ישראל.

G-d made a covenant with נח - a universal covenant (ברית). G-d also made a covenant with אברהם אבינו - the ברית of כנס"י. This universal ברית with G-d concerns all man (and even beasts - ואת כל החיה אשר בתיבה). There is also a unique ברית relationship with כנס"י. Both are mentioned in זכרונות since the concept of תשובה applies to all men, and not only to Jews. It is for this reason that we read about נינוה, which dealt with non-Jews, on יום כפור.

We demonstrate the universality of תשובה to all people, and not just to Jews. We say אשרי איש שלא ישכח which exhorts all men, and not only Jews, to repent and serve G-d. The motif of זכרונות is universal. This is proved by reciting וגם את נח - even the non-Jew, the entire humanity, must do תשובה.

In that background, there is a specific ברית with the אבות, as it says - וזכרתי את בריתי - and also an additional ברית with יוצאי מצרים made on הר סיני, as it says וזכרתי להם ברית ראשונים אשר הוצאתי מארץ מצרים. The difference between these two, is that the ברית with אברהם was that the destiny (the historical fate) of the Jewish people will be different from that of other nations - שנאמר כה יהיה זרעך וכו' ועבדום ועינו אותם וכו' - Jews have a singular history. They have a singular approach. Jews have an incomprehensible and paradoxical existence, an irrational historical role and perspective. Jews have a different modus existenti. This is the ברכה of ישראל, עם ישראל, that all Jews share the same experience. There is a second ברית - which is the ברית of מתן תורה - giving the Jews the תורה and the way of life. This ברית gave us a unique outlook on life.

We also recite ובדברי קדשך כתוב לאמר זכר עשה לנפלאותיו וכו'. The question raised by the בעל תורה תמימה is that this is not זכרונות. Rather, this פסוק means that G-d told us to commemorate holidays in order that it remind us of G-d's actions. The general theme of זכרונות, however, is that G-d should remember us. The Rav answered that in סדור רב תהילים this mistake is corrected based upon the complete two פסוקים found in תהילים קי"ב, ד', ה' which reads:

זכר עשה לנפלאותיו חנון ורחום ה'. טרף נתן ליראיו יזכור לעולם בריתו.

These are two פסוקים containing one thought unit (reference) of זכרונות, similar to the

מלכיות cited above regarding תוספתא. In our מחזור, however, the word ונאמר, was inserted between the two פסוקים which indicates that they comprise two recitals - הזכרות. The word ונאמר does not appear in סידור רס"ג and was inadvertently inserted in our text. Those פסוקים mean that we commemorate G-d's activities and thank Him for his beneficence. Hence, He will remember His covenant. The רס"ג inserts the פסוק of זכר לעולם בריתו דבר (פרק ק"ה - תהילים of הודו) as the third פסוק quoted from כתובים.⁸⁹ צוה לאלף דור...

concludes with זכרונות ויזכור וכו' וינחם כרוב חסדיו - even though this פסוק appears in תהילים prior to the other two - since וינחם is the message of the נביאים which immediately follows the פסוק of כתובים of לך חסד נעורך - and serves as a bridge between the two. We recite:

ירמיהו - לכתך בארץ לא זרוע

יחזקאל - ונאמר וזכרתי אני את בריתי אותך

ירמיהו - ונאמר הבן יקיר לי אפרים

The גאונים asked, why is it that we inserted a פסוק from יחזקאל between the two ירמיהו passages? They answered that the יחזקאל and ירמיהו passages are similar in that both contain חסד נעורך elements. We are corrupt criminals and unworthy of salvation. But G-d remembers us as a child - innocent and worthy. G-d's recollection of the criminal as a young boy transforms His anger into love and understanding. This is the message of the first פסוק of ירמיהו and that of יחזקאל. The final פסוק of ירמיהו says הבן יקיר לי אפרים - you are

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This is in contradiction with the פסוק in דברי הימים which says זכרו לעולם בריתי, which is inappropriate.

STILL a child, and worthy of love and salvation. A child cannot be corrupt. This is the difference between a father's love and that of a mother. A father remembers a child as when he was young, and this memory arouses the father's love and compassion for the child. The memory of youth placates the father's anger. A mother still regards her children as CHILDREN. So in the first two פסוקים, G-d is a father, and the פסוק says that we ask G-d to remember our actions performed when we were young and, therefore, forgive us. The final פסוק casts G-d as a mother. It reads: כי מדי דברי בו זכור אזכרנו. The word זכור used herein does not mean to remember. It means I have compassion for him; I am aware of him. Whenever I speak of him I am aware of him since I love him. If the word זכור meant to remember, then, the פסוק would be strange since the word דברי - when I speak of him - precedes the word זכור - I remember him. This is strange since one does not speak of another and then only afterwards remember him. The פסוק mentions אפרים since אפרים is the youngest child and a mother always regards her baby as a child. She remembers the youngest child more acutely than the others.

(XV) The structure of the ברכה of שופרות:

The theme of שופרות is גילוי שכינה. We say אתה נגלית, You have revealed Yourself to mankind. לפני המלך ה' is the holiday in which we are placed ראש השנה. As it says, שופר דמי כיון דלזיכרון אתו כלפנים דמי. We had גלוי שכינה in the past, by מתן תורה, and will have גילוי שכינה in the future, בימות המשיח. We say:

אתה נגלית בענן כבודיך - ועל ידי הנביאים כתוב לאמר, כל יושבי תבל וכו'

The entire world heard the שופר of מתן תורה. Similarly, the whole world will recognize the future גילוי שכינה phenomenon, the eschatological revelation of G-d, even the אובדים and even

the נדחים. It will be impossible to ignore that גילוי שכינה. This is the language cited from נביאים and תורה.

We first recite the פסוקים from תורה, followed by פסוקים from כתובים, and concluding with פסוקים from נביאים. Those from תורה speak of the מתן תורה, שופר של מתן תורה, while those from נביאים of the משיח של שופר. What do the intervening פסוקים from כתובים signify? How does כתובים serve as the bridge between תורה and נביאים? We relate events that took place in the dawn of history and those that the נביאים tell us will take place at the end of history. What is the bridge demonstrated by כתובים?

The Rav explained that the miracle and phenomena of כנס"י is that we are always לפני סיילוק אבילות, both legally and morally. שמחה takes place only לפני ה', while אבילות represents שכינה. That is why אבילות does not apply on טוב יום. The two are mutually exclusive. יום כפור, likewise, is a day of גילוי שכינה since on that day - לפני ה' תטהרו - and, once, one receives the טהרה of יום כיפור, he is placed before G-d. גילוי שכינה result in תשובה וטהרה. Similarly, מצות places man לפני השכינה. The purpose of מצות is to enable the Jew to confront G-d. This is the main objective of the תורה. ראש השנה of קדושת היום is ראש יום תרועת מלך - the day on which we announce the arrival of the King - יום תרועה is intertwined with גילוי שכינה. שופר and gives Jews the inner experience of the presence of G-d. So we say, עלה אלוקים בקול שופר, whenever Jews blow שופר, G-d appears. The caveat is that one must be sensitive to discern it. In the interim, it continues to facilitate it to the discerning members of כנס"י. שופר announced גילוי שכינה at מתן תורה, and it will also announce it בימות המשיח. In the interim, it continues to facilitate it to the discerning members of כנס"י. שופר can thus only be explained against the backdrop of מתן תורה and בימות המשיח; in the interim it is a מצוה

which achieves intimacy between G-d and Jews. שופר converts G-d into אלוקי יעקב by establishing the relationship between G-d and the Jewish people. It is for this reason that the פסוקים of כתובים, which have relevance to our current situation, were inserted between those from תורה, which relate to our past, and those from נביאים, which relate to our future. So מצות שופר explains the rationale for שופר!⁹⁰

We then recite the final chapter of תהילים of הללו א-ל בקדשו. Why is this necessary? The גאונים answered that the עשרה פסוקים correspond to the ten הללו-ה (See "ה - ל"ב), contained in that chapter. Why is this important? How is this the model of שופרות? The Rav answered that on Yom Tov we say הלל, which is a manifestation of שירה generated by⁹¹ לפני ה', which was שמחת יום טוב, לפני ה'. The הלל is read to symbolize the לפני ה' experienced on יום טוב in the מקדש. This is הללו א-ל בקדשו. ראש השנה is the יום טוב of לפני ה', and, thus, the chapter of הללו בקדשו was chosen as the prototype of שירה. We demonstrated that שופר facilitates לפני ה' (גילוי שכינה); once we are לפני ה' we are obligated to sing שירה.⁹² This is not the theme of שופרות; rather it is the RESULT of שופרות. Thus, this chapter is not included within the ten פסוקים of שופרות. Once we state that תקעו בחודש שופר and that שופר brings us לפני ה', we are moved to sing שירה. The שופר of מלכיות is of שירה (heralding the presence of G-d). The שופר of זכרונות

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There is one מדרש which derives שופר from the פסוקים of אלוקי יעקב, which is in כתובים, rather than from יובל.

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See רמב"ן סה"מ שורש א'.

⁹²

The good חזנים sing this Chapter rather than say it with נוסח and liturgy. Many ציבורים sing it with same tune used for מלך עליין.

is תשובה and תפילה, and the שופר of שופרות stands for גילוי שכינה and continues to assist us in attaining גילוי שכינה. At this juncture we are moved to sing שירה.⁹³

(XVI) Interpreting the פרק of מזמור לדוד:

The Chapter of מזמור לדוד contains the whole message of מלכות. It reads: לדוד כי הוא על - the world is G-d's property. Why? קדוש לה' - since he created it, and creation constitutes ownership. The לה' is similar to קדוש לה' - i.e. consecrated - not only is it G-d's property, but the world is SACRED, and, therefore מי יעלה הר ה' : who is entitled to enjoy this world, given its sacredness? King David answers נקי כפיים ובר לבב וכו'. Only a נקי כפיים can meet this challenge. This is what every generation preaches - זיה דוד דורשיו - that the world is SACRED.

דוד then continues to portray a strange paradoxical phenomena - the Lord and owner of the world has been expelled from it (by the sins of man). David exhorts man to allow G-d to return - ... שאו שערים ושאו פתחי עולם. The gates ask - who is He, who is G-d? מי ה' אשר - Man feels he is the master of the world and no one else - ה' עזוז וגבור ה' גבור מלחמה - King David answers - אשמע בקולו ובכך we ask G-d to confront humanity since humanity will never recognize G-d on its own. Human beings who usurp G-d must meet with failure (whether economic failure or moral failure).

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ריס"ג's explanation of מצות שופר can be reduced to three themes:

- A) (מלכיות) שירה.
- B) (זכרונות) תשובה.
- C) (שופרות) גילוי שכינה.

The difference between ורהנשאו and שאו is that שאו is voluntarily while ורהנשאו is involuntary, willy nilly. When man meets this crises - he feels alone - since he is without G-d. In particular, distressed man who does not link with G-d, feels lonely and vulnerable. The Rav questioned people from Israel about their confidence in G-d, they all have faith (whether conscious or subconscious). G-d supports man who believes in Him.

David then says - why should you be forced to return to G-d? Why do you require failure in order to attain G-d? You can discover G-d voluntarily, even through joy and happiness. You see you cannot exist alone. G-d's fingerprints are all over. Meet G-d on your own. They answer מי הוא זה (notice the הוא) - please identify Him?!? David responds - ה' - צבקות. צבקות is equal to every detail, the entire multitude of phenomena. G-d is the creator of all crises, of every discovery, of every phenomena. Man thinks - G-d inspired him. Man rejoices - G-d is the fountain of joy. Man grieves - G-d shares his grief. ה' צבקות - He is everywhere. There is no need to search. ה' הוא מלך הכבוד סלה.

תונשלב"ע

תהא נשמטו, צרורה בצרור החיים

SUPPLEMENT A

The ראש השנה equates the laws pertaining to שופר and prayer with respect to both ראש השנה and יובל (referring to the tenth day of the month of תשרי in which the Jubilee occurs).

It says:

שוה היובל לראש השנה לתקיעה ולברכות

The גמרא questions the equation between ראש השנה and יובל since on ראש השנה we recite in the תפילות that it is the first day of creation, זה היום תחילת מעשיך, which is not the case on יובל in which the prayer is recited on the tenth day of the month of תשרי. The גמרא concedes that though, in this respect they are dissimilar, nonetheless, they are identical in most other respects. Thus if the מצוה of שופר on ראש השנה exhausts itself in שמיעה, then, similarly on יובל, the מצוה should exhaust itself in שופר. However, this is not the case. The ס"מ rules in פרק י' מהלכות שמיעה ויובל הלכה י' that:

מצות עשה לתקוע בשופר בעשירי בתשרי בשנת היובל ומצוה זו מסורה לבית דין תחילה, וכל יחיד ויחיד חייב לתקוע שנאמר תעבירו שופר. ותוקעין בשופר תשע כדרך שתוקעין בראש השנה. ומעבירין שופר בכל גבול ישראל.

The ס"מ feels that יובל differs from ראש השנה in two respects: Firstly, on יובל the מצוה is תקיעה (and not שמיעה). Secondly, it is incumbent on every individual to blow the שופר on himself and not merely to hear the שופר blown by others. Interestingly, the language employed by the ס"מ is כל יחיד ויחיד חייב לתקוע and not במצוה זו. This change in language indicates that not only must the members of בית דין blow the שופר, but every individual must blow the שופר as well. It is an individual imperative which cannot be satisfied by participation or by כעונה.

SUPPLEMENT B

The *ירושלמי* quotes the *פסוק* of *האזינה תפילתי* שמעו ה' צדק, to establish that the primary *חובת היום* is effected through *מוסף תפילת*. The *בעלי תוספות* quote half of this *ירושלמי* which reads in its entirety as follows:

רב יעקב בשם ר' יוחנן, פעם אחת תקעו בראשונה ועמדו עליהם והרגם. [לכן תיקנוהו במוסף משום שיאמרו] בנימוסיהם הן עוסקין. אמר רב יונה כתוב שמעו ה' צדק האזינה תפילתי. זו מוסף. מאי כתוב בתריה, משפטי מלפניך יצא. אמר רב אחא שמעיה שעיקר מצות היום במוסף.

Apparently, *שחרית* is prayed every day - and so the *מחייב* is primarily *שחרית* (even though the *תפילה* itself is a *יום טוב* one). *תפילת מוסף* is recited solely because of *חובת היום* and so is more appropriately merged with *שופר* which also is based on *קדושת היום*. *מצות שופר* the *מחייב* is also *קדושת היום*, which is also *מחייב* of *מוסף* the *מחייב*. The *היום*.