

Vibration-Sensing as a Means of Fulfilling the Mitzvah of Shofar



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Introduction

Many deaf people have a unique capacity to sense vibrations caused by music and loud noises. Some of these individuals have a finely attuned sense of these vibrations, beyond what a hearing person would detect. Indeed, one study compared the brain activity of people born deaf with the brain activity of hearing people when experiencing specific sets of vibration, and found that the deaf individuals processed the stimuli not in the parts of the brain associated with touch, but with sound.

Can the Mitzvah of Shofar on Rosh Hashana be fulfilled by a deaf person through experiencing vibrations produced by a Shofar? If the answer is yes, there will be important ramifications for a number of specific Halakhic questions:

- While deaf people are typically seen as exempt from the Mitzvah of Shofar, would such a person (if male) be fully obligated to “hear” Shofar in this manner?

- Should a *bracha* be recited when blowing Shofar solely for a deaf person who experiences it through such vibrations? What *bracha* would that be?
- Can a deaf person who “hears” the vibrations of Shofar blow Shofar for hearing people?

Even if the answer is “well, maybe”, there will be important practical ramifications for such people on Rosh Hashana.

- Should such a person take steps to “hear” Shofar in this manner, as it may reasonably constitute a fulfillment of the Mitzvah?
- If a person who relies on hearing aids in order to hear Shofar is themselves capable of detecting vibrations from the Shofar, should they *also* make sure to detect and focus on the vibrations?

There are two possible paths towards arriving at a “yes”:

- A. Establishing, on a scientific/factual level, that the vibration-sense that some deaf individuals experience is itself a form of hearing, such that Halacha has little reason to differentiate between this and “natural” hearing. (I offer a brief treatment of this path here, though it is not the primary focus of this paper.)

Consider, for an extreme example, bone conduction. This is the phenomenon by which vibrations from the outside world (e.g. from a guitar) are transmitted directly into a person's bones, causing the bones of the body to slightly vibrate. This vibration is detected by the cochlea which converts it into electric signals and sends them to the brain, where they are processed into experience of sound. This is in contrast to typical hearing ("air conduction") in which vibrations in the outside world pass through the air (in the form of sound waves), enter the outer ear, and are amplified and directed by various parts of the inner ear, before likewise being detected by the cochlea and processed by the brain.

It is often reported that Beethoven used bone conduction to continue composing even as he steadily lost his natural hearing. With a rod placed on his piano and held in his teeth, the music would vibrate his facial bones as he played, stimulating the cochlea and producing sufficient musical stimuli for Beethoven to create masterpieces. Today's bone conduction headphones (marketed to hearing people) work similarly. Instead of sending sound waves into the ear, they send vibrations into bone, with the effect of producing sound in the listener's brain.

It is difficult to describe bone conduction as anything other than "hearing." The quality may be lower than one might expect from air conduction, but sound is clearly heard. If one can imagine a bone conduction mechanism for transmitting vibrations directly from the Shofar, it would be quite plausible to argue that the experience produced is itself a form of hearing, and that the Mitzvah is obviously fulfilled by it.

Far less clear-cut are the range of vibration-senses that deaf people experience when exposed to loud sounds. A person who was born deaf and is sitting close to a Shofar may detect unique vibrations from such an experience, though obviously not as clearly or completely as they might through direct bone conduction. Indeed, such vibrations may produce stimulation in the auditory parts of their brain, though it is unclear if they are experiencing it as "sound" in the sense that hearing people do.

It is not my intention to sift through the scientific/factual evidence, as it applies to the wide diversity of experiences of different kinds of deaf and hard of hearing people. Suffice it to say that to the extent scientific or factual evidence points to a lived experience akin to hearing, a strong case can be built that Halacha should recognize it as hearing.

- B. Conceding that the vibration-sense is not experientially, scientifically, or halakhically recognized as a form of hearing, but establishing that the Mitzvah of Shofar can be fulfilled through sensations beyond hearing.

That is, are there halakhic sources which conceive of the Mitzvah of Shofar as requiring not *hearing*, per se, but some broader kind of experience, which vibration-sensing satisfies? Quite possibly. As we will see, there is some precedent for "trans-sensory" fulfillment of mitzvot, in which a Mitzvah that is typically understood to require one kind of sensory activity can, as it turns out, be fulfilled just as well through another.

Illustrating this possibility requires exploring three halakhic topics: 1) Is there actually a

mitzvah to *hear* shofar? 2) The principle of *shomeah k'oneh* 3) *Shomeah k'oneh* as it relates to shofar. It is to that exploration that this paper now turns.

Is There Actually a Mitzvah to Hear Shofar?

This is a well known debate in the Rishonim, often cast as between Rambam and Rabbeinu Tam, as to whether the Mitzvah is to *hear* Shofar or to *blow* Shofar.

The ambiguity on this point can be traced back to the Torah itself, which relates that there is a Mitzvah related to Shofar on Rosh Hashana, but provides no verb for how to perform said Mitzvah. The holiday is described as a זכרון תרועה, "memorial of the [shofar] blast" (Vayikra 23:24) and as a יום תרועה, "day of the [shofar] blast" (Bamidbar 29:1), but it is never made explicit whether the obligation is to produce or to listen to said blast.

Much of the Rishonic debate revolves around the proper formulation of the *bracha* before blowing Shofar. The Rosh cites the following views:

ור"ת כתב, שיש לברך על תקיעת שופר, משום דעשיתה היא גמר מצותה. וראבי"ה הביא ירושלמי, תוקע צריך לברך אקב"ו לשמוע בקול שופר ... וכן כתב בה"ג, הא דמברכים לשמוע בקול שופר ולא מברכים לתקוע בשופר, או על תקיעת שופר ... משום דבשמיעת קול הוא יוצא ולא בתקיעת שופר.

Rabbeinu Tam wrote that one should recite the *bracha* as "[Blessed are you Lord, our God, King of the universe, who has sanctified us with His Mitzvot and commanded us] *about blowing Shofar,*" for it is the action itself [of blowing] that completes the Mitzvah.

But the Raavya cites a passage from the Yerushalmi that the one blowing needs to recite, "... who has sanctified us with His mitzvot and commanded us *to hear the sound of Shofar*" ... And so does the Behag write. Namely, that we should recite the blessing as, "...*to hear the sound of Shofar*" and not to recite, "*to blow Shofar*" or "*about blowing Shofar*" ... because it is with the hearing of the sound that we fulfill the Mitzvah and not with the blowing of the Shofar!

Rabbeinu Tam emphasizes that the Mitzvah is to blow Shofar, whereas the Raavya (basing himself on a Yerushalmi passage that we do not have) and the Behag believe that the Mitzvah is to hear the Shofar. Rabbeinu Tam's view is shared by the Sheiltot (171), the Smag (Aseh 42), and the Yeraim (419), whereas the Raavya and Behag's cause is forcefully championed by the Rambam (*Shofar Sukkah v'Lulav* 1:3, 2:1).

The Rambam's position, that *hearing* is the Mitzvah, is the most natural. The Mishna and Gemara take for granted that one can fulfill the Mitzvah by listening to Shofar (e.g. Mishna Rosh Hashana 3:5, וכן מי שהיה עובר, and 3:6, וחרש שוטה וקטן) and never suggests that every single obligated person would have to themselves blow Shofar. Hearing is the primary way that we fulfill this obligation, making it seem like the Mitzvah is, well, to hear the sound of Shofar.

That said, the Rambam's position has its difficulties. The Mishna (*ibid.*) declares that you cannot fulfill the Mitzvah by listening to a Shofar blown by an exempt individual (e.g. a child). If the Mitzvah is to *hear* Shofar, why should the identity of the Shofar *blower* matter? Similarly, the Rambam rules that

you cannot fulfill the Mitzvah by listening to a Shofar blown for practice or otherwise blown by someone not intending to perform the Mitzvah (Shofar 2:4). But if the Mitzvah is to *hear* Shofar, why should the intention of the Shofar *blower* matter?

This is not the place to spell out the Rambam's defense. Suffice it to say that his opinion today remains the dominant one, with the Shulchan Aruch ruling that the correct Beracha is "... *to hear the sound of shofar*" (OH 585:2) because "the matter is not dependent on the blowing" (Beit Yosef *ibid.*)

That said, the Rabbeinu Tam view maintains its weight (cf. MB 4) and is worthy of further exploration. If in fact the Mitzvah is to *blow* Shofar -- as made possible through the Torah's own ambiguity, and implied through various restrictions on the intent and identity of the blower -- how is it possible that one can fulfill this obligation by listening? Rabbeinu Tam almost certainly relies on the Talmudic principal of שומע כעונה (*shomea k'oneh* -- "hearing is akin to reciting"). That is, someone who hears the Shofar is akin to someone who blew it. It is to this principle, and how the Rabbeinu Tam school would attempt to apply it here, that we now turn.

***Shomea k'Oneh* in General & in Minimalist/Cognitive Form**

The principle of *shomea k'oneh* first appears in Sukkah 38b, in a discussion of various call and response customs that were once part of reciting Hallel. One such practice was for the *chazan* and the congregation to alternate saying phrases of Hallel (e.g. the *chazan* says ברוך הבא and the congregation then says בשם ה'), such that everyone involved recited some words of Hallel but merely

heard the rest. Despite each person only reciting part of the liturgy, everyone is considered to have properly fulfilled the Mitzvah of reciting Hallel. Rava notes that, apparently, the words that a participant only heard are treated as if they were spoken by that participant himself. Or to put it briefly, *shomea k'oneh*. Indeed, R. Shimon b. Pazi provides a Scriptural source for the principle. When a Torah scroll was discovered in the Beis HaMikdash (2 Melachim 22), the scribe Shafan reads it before Yoshiyahu, king of Judah, who listens as it is read. Later, the prophetess Chuldah, speaking on behalf of God, describes the Torah scroll as having been "read by the king of Judah", despite the fact that he merely listened to the reading. Apparently, simply listening is akin to audibly reciting. That is, *shomea k'oneh*.

In the Talmud, the principle is explicitly mentioned only in regard to Hallel, but it is a powerful concept and later authorities apply it to additional situations. To name a few: Rashi (*ibid.* ד"ה הוא אומר, see also תוס' ד"ה תוס' שמע who agree in principle), following the Behag, applies it to listening in on Kaddish and Kedusha; the Rosh (Pesach 10) understands that this is how most people fulfill their obligation to read the Megillah; the Mishneh Berura (61:40) states that one can perform the Mitzvah of reciting Shema by listening to someone else recite it.

A classic debate about *shomeah k'oneh* is whether the principle states that hearing is a form of speech or whether it maintains that hearing, though not a form of speech, is nonetheless sufficient to fulfill speech-based Mitzvot. In other words, does *shomeah k'oneh* offer us a more inclusive view of speech ("your hearing counts as speech!") or a more inclusive view of the Mitzvot associated with speech ("hearing isn't

speech, but don't worry, these Mitzvot can actually be fulfilled through hearing, if you prefer").

There are practical differences between these two theories. Consider the case of a person who is in the middle of their silent Amidah, hears the *chazan* begin Kaddish, and wishes to somehow engage in the Mitzvah of answering to the Kaddish. They cannot recite the words of the Kaddish response ("yehei shmei...") as such speech constitutes an obvious interruption in their silent Amidah. The principle of *shomeah k'oneh* suggests that quietly listening to the Kaddish responses would itself be a meaningful form of participating in the Kaddish. That said, would this act of listening constitute an interruption in their silent Amidah? If *shomeah k'oneh* means that hearing is itself a form of speech, this would be an interruption in their Amidah and the person should therefore not pause to intently listen to Kaddish. If *shomeah k'oneh* never claims that hearing is itself a form of speech, then pausing to listen into Kaddish would be a meritorious use of his prayer time. (See Rashi and Tosafot *ibid.* for this debate, and Kehillot Yaakov [Pesachim 40] and Birkat Avraham [Sukkah 38b] amongst others for the conceptual analysis.)

The two approaches have slightly different understandings of the mechanics of *shomeah k'oneh*, but they agree that the principle asserts that hearing something is in some sense similar to uttering something. But why should that be true? On a physical level, speaking and hearing are obviously different activities. What then is the rationale behind the *shomeah k'oneh* similarity? What allows for this "trans-sensory" fulfillment of a Mitzvah?

It is tempting to explain the principle by highlighting that the Mitzvot involved (Hallel, Kaddish, Shema, etc.) are ones in which certain texts are meant to be invoked and their meaning internalized, and that such internalization happens basically just as well through speech as through listening.

Whether giving a speech or listening to one, a person dwells on and cognizes the ideas contained in that speech. Whether saying the words of Hallel or listening to them, the Hallel idea has been invoked and comprehended. (See R. Dovid Dov Levanon's שופר הגדרת מצות שופר who explains like this, in the name of R. Zalman Nechemia Goldberg.)

Indeed, such a rationale fits the narrative arc of the 2 Melachim 22 scriptural source.

When Yoshiyahu hears Shafan read, he is inspired to initiate a mass Teshuva movement. He personally initiates the destruction of various sites of Avodah Zara and gathers the people for a massive Korban Pesach celebration. Yoshiyahu internalized the words of Torah that he heard. Sure he was merely listening, but the words were just as much his as they were Shafan's.

This cognitive rationale for *shomeah k'oneh* strips the principle of any claims about physical, bodily action. It agrees that physically, listening is not at all like speaking, but that cognitively -- in the realm of communication, comprehension, and internalization -- the listening and speaking are in fact similar. If true, *shomeah k'oneh* would only apply to Mitzvot involving words and where the only apparent requirement is for a person to meaningfully invoke those words. I call this the Minimalist/Cognitive Theory of *shomeah k'oneh*, as it applies to relatively limited cases and is rooted in a sense that both hearing and speaking achieve a similar cognitive experience.

A classic question that highlights the limits of the Minimalist/Cognitive Understanding is whether a Cohen can fulfill his Mitzvah of reciting Birkat Cohanim by listening silently as another Cohen blesses the people. (In some Italian communities, this was indeed the practice. See Shut Reshit Bikkurim 4.) There is a unique requirement that Birkat Cohanim not just be spoken, but spoken בקול רם, in a loud voice (Sota 39a; SA OH 128:14). Saying it quietly, audible only to yourself, is insufficient. It is one thing to employ *shomeah k'oneh* to state that a silent Cohen who listens to Birkat Cohanim is considered to have cognized, invoked, or internalized the words. But it is another thing for *shomeah k'oneh* to state that a silent Cohen is considered to have just said something in a loud voice. For this reason, the Beit HaLevi (on Sefer Bereishit, near the end, Inyanei Channukah) -- an advocate of the Minimalist/Cognitive Theory -- rules that a Cohen cannot fulfill this Mitzvah by listening.

A number of other uses of *shomeah k'oneh* are susceptible to the same critique. For example, one must recite Megillat Esther from a physical, kosher scroll -- reciting it off by heart does not satisfy the Mitzvah (OH 590:3). It is one thing to employ *shomeah k'oneh* to state that by listening to Megilla someone has invoked or recited the words. But it is another to say that a person sitting without any scroll in his hand, and perhaps not even with a scroll in direct view, is somehow considered to be reading from a kosher klaf. Similarly, Kiddush must be more than invoked -- it must be recited over a cup of wine. Listening can put the words into your mind, but can it put a cup in your hand? How can we justify the accepted practice to satisfy mitzvot like these simply by listening?

***Shomeah k'Oneh* in Maximalist/Agency Form**

As such, the Chazon Ish (OH 29:3) offers a far broader understanding of *shomeah k'oneh*, one not limited to the cognitive experience of listening to words. In the Chazon Ish's view, *shomeah k'oneh* states that a kind of unity occurs between listener and reciter, such that the hearer's Mitzvah can be fulfilled through the actions of the reciter. (In this form, *shomeah k'oneh* is best translated not as "hearing is like reciting" but as, "hearer is like reciter".) While the Chazon Ish employs terms like *hitachdut* (unity) and *shutafut* (partnership) to describe this mechanism, later readers have illustrated it with reference to the concept of *shlichut* (agency, performing an action on behalf of someone else; see Rav Asher Weiss, ל"ו חכמו, ישכילו זאת, 2014). Just as a principal party may appoint an agent to nullify their Chametz, or betroth a spouse, or deliver Tzedaka on their behalf, so too can a reciter (the agent) perform the Mitzvah on behalf of the listener (the principal). The listener can stand there silently, with no cup in his hand, and no scroll before him, because the listener is not performing the Mitzvah -- the reciter is performing it, on his behalf. I call this the Maximalist/Agency Theory of *shomeah k'oneh*.

To be clear this should not be confused for classic *shlichut*, in which the agent performs the task (e.g. traveling 1000 miles to betroth a woman) while the principal need not be present. In regard to *shomeah k'oneh*, the listener must stay there and listen, for it is the listening itself that constructs the legal bridge between listener and reciter, allowing the latter to perform the ritual on the former's behalf. Likewise, classic *shlichut* is understood to work only for select Mitzvot.

When a Mitzvah requires direct bodily involvement, *shlichut* cannot be used. (See Tosfot Rid, Ketzotz HaChoshen 182:2 for this distinction.) Thus, for example, one cannot appoint an agent to eat Matzah for them on Seder night or lay Tefillin for them each morning. Or to put it differently, when a mitzvah mandates not the creation of some end result (e.g. Challah must get separated from this dough) but the performance of a process (e.g. take Lulav and Esrog) the former can be fulfilled through *shlichut* but the latter requires direct involvement (See Maharach Or Zarua 128, Koveitz Shiurim - Ketubot 153 for this distinction). Broadly speaking, classic *shlichut* would not be effective in contexts like Hallel or reading Megillah. Much like I cannot ask a friend to lay Tefillin on their arms for me, I generally cannot ask someone to recite Hallel with their mouth to fulfill my obligation. But via the *shomeah k'oneh* mechanism, by sitting there and listening, some kind of partnership or unity is nonetheless created, where the person reciting a text is now fully able to fulfill the obligations of those listening.

This model can also be neatly rooted narrative context of 2 Melachim 22. Shafan read from the discovered Torah not in his individual capacity but as a functionary of the royal court. Indeed, he is not described as reading to the king but rather ויקרא לפני המלך, as reading *before* the king. A reading in the king's court, within the king's presence, is rightly understood to be undertaken on behalf of the king. Though Yoshiyahu was merely listening, his presence and position in that space make clear that the reading occurs on his behalf.

The Chazon Ish does not himself offer a *rationale* for why a listener is able to unload his halakhic obligations through the actions

of a reciter. Yes, the mechanism is that listening creates a kind of agency relationship -- but why should it? What about listening creates that? And if listening can, what other kinds of activities have that ability? But perhaps the Biblical precedent provides the seeds of a rationale. A recitation at the royal court, before the king, is clearly undertaken on behalf of the king; a recitation before a Jew, *shomeah k'oneh* posits, should likewise be seen as being undertaken on behalf of that Jew. Presence can itself be a form of designating agency.

Either way, the Maximalist/Agency Theory allows for *shomeah k'oneh* to fulfill mitzvot (e.g. Kiddush) that require both speech (words of Kiddush) and some kind of physical behavior (over a cup of wine). But it also paves a path for using hearing to fulfill mitzvot that have nothing to do with verbal cognition at all. Indeed, if *shomeah k'oneh* is not about the power of hearing to internalize words, but is about the power of hearing/presence to create agency between two people, *shomeah k'oneh* should be able to work when what's heard has no words at all. With this point in mind, we return to the topic of Shofar.

Can One Fulfill Shofar through *Shomeah k'Oneh*?

Within the Rabbeinu Tam school, the Mitzvah is to *blow* Shofar, yet the vast majority of people in his day and ours fulfill the obligation by listening as one person blows. *shomeah k'oneh* in a Minimalist/Cognitive Understanding provides a shaky justification. Shofar is wordless; Shofar does not communicate a clear, discrete message for all parties to internalize; blowing Shofar is a profoundly physical and embodied action,

requiring a tool that is held in one hands as well as bodily training. The Minimalist/Cognitive Theory works well in regard to, say, reciting Hallel, because it makes a convincing claim: the Mitzvah of Hillel isn't an obligation to move your lips to produce a brute sound, but is about cognizing a certain set of words and sentences. But when it comes to Shofar, the Mitzvah is in fact about moving your lips to produce a particular brute sound! (Indeed, when the Rambam considers the Rabbeinu Tam position that the Mitzvah is to blow Shofar, he compares blowing to the physical act of shaking Lulav and does not countenance the possibility that *shomeah k'oneh* could operate. See Pe'er HaDor 142)

However, the Maximalist/Agency Theory works well to explain how a listener satisfies the Mitzvah to blow. By listening in, the listener appoints the blower as his agent. When the blower performs all the necessary bodily actions -- grasping the Shofar, holding it in the correct position, producing the necessary sound -- he does it on behalf of the listener, whose Mitzvah is thereby fulfilled.

Fulfilling Shofar as a Deaf Person

In the Rambam's *hearing*-oriented version of the Shofar Mitzvah, only an act defined as hearing is sufficient to satisfy the Mitzvah. Only if there is evidence that vibration-sensing somehow itself constitutes hearing, would a deaf person be able to fulfill the Mitzvah. But in Rabbeinu Tam's *blowing*-oriented version of the Mitzvah, other possibilities are available.

For one, presumably a deaf person can themselves *blow* the Shofar, thus directly fulfilling the Mitzvah. Mishna Rosh Hoshana

3:6 declares that a *cheresh*, a minor, and a mentally incapacitated person cannot blow on behalf of others, as they are fully exempt from the Mitzvah themselves. Though *cheresh* is a broad term referring to several kinds of people with difficulty hearing, in Rabbinic writing *cheresh* typically refers to a deaf-mute (Chagiga 2b, Nidda 13b, Rambam Ishut 2:26), especially when *cheresh* appears in a triplet alongside the minor and mentally incapacitated person (cf. Tevuot Shor, Gitting 59b explaining the Rambam). What's relevant about a deaf-mute is not their lack of hearing per se, but their lack of linguistic capacity, their lack of access to education, and thus their inability to function as a responsible adult in most ancient societies. As such, though the Mishna treats a deaf-mute as fully exempt from Shofar, a deaf but speaking person should in theory be fully obligated in the Mitzvah so long as there is some mode by which they can physically perform it. In Rabbeinu Tam's understanding of Shofar, there is such a mechanism: they can blow it. Indeed, the Tosafist R. Yehonatan of Lunil writes "a deaf but speaking person ... even after they fulfill their Mitzvah by blowing, they can fulfill the obligation of others [by blowing for them]" (Rosh Hashana 7b in Rif pagination, Mishna). Of course, this option is not available within the Rambam's understanding of the Mitzvah. The Meiri (RH 29a) treats R. Yehonatan of Lunil's position as the default view, but notes that if "the Mitzvah hinges on hearing and the text of the Bracha is 'to hear the Shofar sound', then he is not an obligated person" and thus cannot fulfill the Mitzvah for himself or for others.

But perhaps a deaf person can also fulfill the Mitzvah through vibration-sensing. In the Rabbeinu Tam school, the vast majority of

Jews already fulfill their obligation through a trans-sensory mechanism: *shomeah k'oneh*. The key obligation is blowing, yet mere hearing somehow serves to satisfy that obligation. As discussed above, the Maximal/Agency understanding of *shomeah k'oneh* provides the most convincing model for how, in Rabbeinu Tam's view, that would operate. The blower acts not in his personal capacity, but as a functionary of the court of listeners. By blowing in their direct presence, a presence they establish by listening intently, he effectively acts on their behalf.

Within this understanding, we need not claim that vibration-sensing constitutes hearing, but only that vibration-sensing constitutes presence. When a deaf person sits near a Shofar blower, focusing on and experiencing the sounds which emerge from a Shofar in the form of vibrations, are they any less in the court of audience members, on whose behalf the Shofar blows? Why should sensing Shofar vibrations be any less capable of creating *shutafut* than listening to the sound of the Shofar?

I offer the above as a reasonable possibility, within the school of Rabbeinu Tam, to adopt *l'chumra*. If a vibration-sensing person can fulfill the Shofar Mitzvah in this manner, many important implications emerge.

Implications of Vibration-Sensing as a Means of Fulfilling the Mitzvah of Shofar

1. Obligation in the Mitzvah

A deaf person should act, *l'chumra*, as if they are as obligated in Shofar as a hearing person. If capable of blowing Shofar, they should do so themselves, thus fulfilling the Mitzvah in accord with R. Yonatan of Lunil and the general Rabbeinu Tam school. If unable to blow, but capable of vibration-

sensing, they should make sure to experience Shofar in this manner, from a kosher Shofar, sounded properly, by a fully obligated blower. They would thus fulfill the Mitzvah in accord with this paper's suggested understanding of the Rabbeinu Tam school.

2. Blowing for other People

The Shulchan Aruch (OH 589:2) is explicit that a deaf person, even if capable of speaking, cannot blow for other people to hear, such that they fulfill the Mitzvah through his blasts. But if there is no other option, one should use such a person (so long as they are not a true deaf-mute)* because within the Rabbeinu Tam school, they are fully capable of fulfilling other people's obligation.

*(A true deaf-mute person, unable to communicate or access education, is unquestionably exempt and unable to fulfill the Mitzvah for others. It is worth noting that the status of a deaf-mute person today is not clearly established. Deaf-mute individuals today can typically communicate through sign language, such that they do in fact experience life as responsible adult members of society. Even in cases when the person is unable to learn sign language, educational advances often make some form of communication accessible to a deaf-mute person.

3. Saying a *Bracha* when Blowing or Experiencing Shofar

As they are acting *l'chumra*, a full *bracha* should not be recited by a deaf person blowing or experiencing Shofar. That said, perhaps a deaf person should recite a *bracha* without *shem u'malchut*, and if so, the *bracha* should be in line with Rabbeinu Tam's suggested text: *al tekiyat shofar*.

4. Saying a Full Bracha and Deaf People are Present

In a setting where a hearing person will be blowing Shofar and will definitely be doing so with a *bracha* (e.g. the blower is also fulfilling their own obligation; or there are hearing people in the audience who will be fulfilling their obligation) and there are vibration-sensing deaf people present, there is ground that, *l'chumra*, the Rabbeinu Tam's version of the Bracha should be recited instead of the standard Rambam/Shulchan Aruch version (*lishmoa kol shofar*). Hearing-people can fulfill their obligation, *b'dieved*, through such a *bracha* (MB 585:4, Kaf HaChayim 16) whereas vibration-sensing people are not included in any manner through the regular *bracha*.

5. People with Hearing Aids

It is questionable whether someone who relies on hearing aids can properly fulfill the Mitzvah of Shofar. R. Shlomo Zalman Auerbach (Minchat Shlomo 1:9) writes at length about how sound that is broadcast through a microphone system is an entirely new creation of the amplifiers and is no longer considered the original sound. Shofar amplified via a microphone would not be the sound of a Shofar at all, but would be akin to listening to a recording of a Shofar. Since hearing aids employ a miniature microphone system, he adds, "it pains me that now deaf people, who can only hear by using a microphone-like device, would not be able to fulfill the Mitzvah of Shofar or Megilla." Similar conclusions are reached by the Tzitz Eliezer (8:11) and R. Ovadia Yosef (Yabia Omer 1:91, Yechava Daat 4:54), though lenient rationales are offered by R. Moshe Feinstein (IM 2:108, 4:91.4) and the Chazon Ish (cited in Minchat Shlomo *ibid.*)

The above considerations suggest that if such a person can also sense vibrations they should, *l'chumra*, also focus on those sensations. Within the mainstream Psak (Rambam's understanding of Shofar and R. Auerbach's understanding of hearing aids) they are incapable of fulfilling the Mitzvah. However, via sensations, they are at least able to fulfill the Mitzvah according to one reasonable read of the Rabbeinu Tam school.

In fact, even if they cannot sense such vibrations, the above considerations suggest that listening with a hearing aid would itself satisfy the Mitzvah according to Rabbeinu Tam. Even if listening via hearing cannot count as an act of *hearing* Shofar, perhaps it still constitutes *presence with the Shofar blower* and thus create a bond of agency between blower and listener.

Summary & Closing Considerations

The precise nature of the Mitzvah of Shofar is subject to much debate in the Rishonim and Acharonim. The mainstream approach, championed by Rambam and generally echoed in the Shulchan Aruch, emphasizes listening. In this school, a person who is physically unable to hear Shofar would be excluded from performing the Mitzvah. However, a rich Rishonic tradition exists in which the Mitzvah is blowing Shofar with an option to participate in the blowing through the trans-sensory mechanism of Shomea k'Oneh. While there are multiple ways of understanding the Shomea k'Oneh mechanism, the Maximalist/Agency Theory put forth by the Chazon Ish fits best for explaining how listening to Shofar can satisfy an obligation that centers on blowing Shofar. In that Theory, something about blowing Shofar in the presence of engaged listeners

renders the blower a kind of agent of the listeners. Indeed, there is nothing in that theory which requires listening *per se* to be the only sense that creates such presence. It is reasonable to suggest -- within this latter Rishonic tradition -- that sensing vibrations produced by the Shofar is a just as compelling trans-sensory method for creating agency between Shofar blower and Shofar audience member. Treating this reasonable suggestion as a *l'chumra* possibility leads to a number of Halakhic ramifications for deaf individuals seeking to fulfill the Mitzvah of experiencing Shofar.

As noted earlier, the Torah contains an ambiguity which allows the Rishonic debate to thrive. It is hard to know if the Mitzvah is to *hear* Shofar or *blow* Shofar, since the Torah tells us only that Shofar is to be experienced as a זכרון תרועה, "memorial of the [shofar] blast" (Vayikra 23:24) and as a יום תרועה, "day of the [shofar] blast" (Bamidbar 29:1).

But perhaps those verses themselves provide an inclusive model of the Mitzvah. Perhaps there is no obligation to *hear* Shofar *per se*, nor any obligation to *blow* Shofar *per se*, but rather a Mitzvah from the Torah to transform Rosh Hashana into a 'Shofar day.' Successfully doing so may require elements of hearing and blowing, but if 'Shofar day' is the goal, it can be achieved through more

than one of the senses. While people who hear may get there by listening to Shofar sound waves, deaf people could fulfill this same mandate by sensing Shofar sound vibrations. Both will experience and celebrate Rosh Hashana as 'Shofar day'. (See R. Yehonatan of Lunil, Rosh Hashana 10a in Rif pagination [Gemara] for an invocation of these verses as the true basis of the Mitzvah.)

Indeed, the Torah itself already recognizes the power of a vibratory encounter with sound — and it recognizes that power specifically in the context of Shofar. At Har Sinai, the Torah reports that וְקַל שֹׁפָר תִּזְקַק מֵאֵד, וַיִּחַדְדוּ כָּל־הָעָם אֲשֶׁר בְּמַחֲנֶה, "there was the very loud sound of a Shofar and all the people in the camp trembled", with Ibn Ezra explaining that the sound itself caused them to shake. Most readers assume into the verse an interior step, in which the sound first triggers an emotional response, and it is that emotional response that then causes the body to shake. But read narrowly, it is the loud sound of the Shofar which itself causes vibrations in the people. Perhaps it is those amongst us who can detect such vibrations, who are *zocheh* to fulfill exactly what the Torah asks of us each Rosh Hashana: to feel in our bodies a memorial of that initial Shofar blast.