YCT Presents

Yamim Noraim Torah Reader

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YCT
VIBRANT TORAH LEADERSHIP
ישיבת חובבי תורה

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Introduction

Rabbi Dov Linzer

President & Rosh HaYeshiva, Norman & Tova Bulow Chair, YCT

As the Yamim Noraim of 5784 draw near, we are thrilled to present to the community our Rosh Hashanah and Yom Kippur Torah Reader for 5784. As the day in which the world was born, Rosh Hashanah is a time to think globally about the health of our planet and of society. Last year was a turbulent one, with ominous, darkening skies, an increasingly polarized society in the States, and domestic upheaval in Israel. So as we look towards this coming year, we pray תכלה שנה וקללותיה, תחל שנה וברכותיה, "let last year and its curses come to an end; let this year and its blessings being to ascend," and we ask ourselves – what can we do in 5784 to help, even in small ways, to better the world in which we live?

Beyond its global, universal dimension, Rosh Hashanah is also the beginning of the *aseret yimei teshuvah*, a time of introspection and repentance, culminating with Yom Kippur. During this time we ask ourselves: what did I do last year that I regret? How can I do better going forward? The ultimate goal is transformation and forgiveness: to become a better person, to forgive others and to be forgiven by God. Perhaps most importantly, it is to learn to forgive oneself. Sadly, as many of us know, too often this period can have the opposite of its intended effect: weighing us down, causing us to beat ourselves up and discouraging us from trying to do better. It is crucial to not fall down this hole and to remember that God has promised us forgiveness exactly for this reason: so that we might start with a clean slate, unburdened by past mistakes. Just as God forgives us, we must learn to forgive ourselves. Just as God believe in us, we must learn to believe in ourselves.

It is with this in mind that we have compiled this Reader. We hope that it will provide us all with the tools and inspiration to make this coming year one of uplift, meaning and growth. The first section is a selection of Rosh Hashanah and Yom Kippur sermons penned by our rebbeim and rabbis in the field. The second section does a deep dive into Torah and halakha, where we present a teshuvah from Rav Tzvi Pesach Frank on the abstaining from shofar blowing that occurs on Shabbat, as it does this year, as well as Rabbi Ben Greenfield's teshuva on vibration-sensing as a means of fulfilling the Mitzvah of Shofar.

We would like to particularly draw your attention to the last section on Tefillah, which contains two liturgical pieces: (1) a translation of the 13 Divine Attributes that enables us to reflect on how we might bring those attributes into our own lives and (2) a positive, *ahavnu* viduy penned by Rabbi Avi Weiss, to be said alongside the *ashamnu* one, so that together with recognizing our faults, we may also embrace the good that we have done this last year, knowing that we are good people, trying to do our best.

May this coming year be one filled with health and blessing for all of us and for the world as a whole. שנה טובה ומתוקה

Inward and Outward

Rabbi David Wolkenfeld (YCT ’08)

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Originally published Rosh Hashanah 2021/5782

Did you ever wonder what it must be like to live in one of the buildings next to the shul? I know it’s no fun when the security alarm goes off at 3 AM and wakes the neighborhood. But a few months ago, the shul received a lovely email from one of our neighbors. A woman, her name is Anita, who lives in one of the apartment buildings behind the shul took the time to send a letter to tell us how much she appreciated hearing our outdoor tefilot. She wrote:

> I'm a neighbor of your synagogue, I live next door and my window faces our shared back alleyway. I just wanted to say that as a neighbor, I really enjoy listening to your outdoor services. No matter what I'm doing, the moment I hear singing I open my window and just listen for a while. The morning services are especially pleasant to wake up to. I'm not Jewish myself, and I don't know what the songs are about, but I just wanted to tell you that it brightens up our community and my day.

I admit it was somewhat awkward to receive that email in May, right when we were bringing our outdoor tefilot back indoors. I worried that by returning to our sanctuary we were depriving her of a source of beauty and inspiration. What should I write? “Thank you so much, we’re so glad you enjoyed listening to our praying, but we are coming inside now.” As it turned out, once our prayers moved indoors, we were able to use the parking lot for children’s programs and I am sure our neighbor enjoyed listening to the songs of children echoing in the courtyard between our buildings. I do hope that Anita listened earlier this morning to the outdoor prayers we convened there for the first time in months. And, I hope she heard the shofar today.

“I don’t know what the songs are about” she wrote, “but I just wanted to tell you that it brightens up our community and my day.” When we listen to the shofar we are hearing what Anita hears from her window. We are hearing a melody and we don’t know what it is about. But the voice of the shofar travels up the Heavens and the voice of the shofar travels inwards, and the voice of the shofar - representing our community - must travel to our neighbors as well.

The Talmud (Rosh Hashanah 16a) records the origin for the three special blessings that comprise the heart of the Musaf prayers on Rosh Hashanah, the longest and most grand prayer of the year:

וְאִמְרוּ לְפָנַי בְּרֹאשׁ הַשָּׁנָה מַלְכִיּוֹת זִכְרוֹנוֹת וְשׁוֹפָרוֹת.
מַלְכִיּוֹת — כְּדֵי שֶׁתַּמְלִיכוּנִי עֲלֵיכֶם, זִכְרוֹנוֹת — כְּדֵי שֶׁיַּעֲלֶה זִכְרוֹנְיכֶם לְפָנַי לְטוֹבָה, וּבַמָּה — בְּשׁוֹפָר.

> Say before me, God says, on Rosh Hashanah the blessings of Malkhiot, Zikhronot, and Shofarot. Malkhiot, on the theme of kingship, so that you should coronate me as king over you. Zikhronot, on the theme of memory, so that memories of you should rise before me for good, and how should this be done? With a shofar.

According to this passage, the Shofar is a mechanism for elevating the other words that we say on this day. The cry without words somehow becomes a vehicle for transporting our words on high. The shofar, according to this passage, is a technology. How does it work? Words can become encumbered with insincerity or with cynicism or with second guesses. The shofar exemplifies the sounds that our neighbor Anita heard - she understood no words, but she knew that beautiful prayer was taking place outside her window.

Rambam, Maimonides, writing in *Mishneh Torah,* arguably the greatest single book to explain both the how and why of Judaism, describes the shofar in a different fashion. While the shofar is sounded on Rosh Hashanah, because the Torah says to sound the shofar on Rosh Hashanah, there is an additional message and that message is directed at each one of us:

> עוּרוּ יְשֵׁנִים מִשְּׁנַתְכֶם וְנִרְדָּמִים הָקִיצוּ מִתַּרְדֵּמַתְכֶם וְחַפְּשׂוּ בְּמַעֲשֵׂיכֶם וְחִזְרוּ בִּתְשׁוּבָה וְזִכְרוּ בּוֹרַאֲכֶם

> Ye that sleep, bestir yourselves from your sleep, and ye slumbering, emerge from your slumber, examine your conduct, turn in repentance, and remember your Creator!

For Rambam the shofar is a technology. How does it work? It awakens us in a way that words cannot. Words can become cliches. Words can be said by rote in a fashion that is completely separate from our hearts and souls. The sound of the shofar, so shocking and so primal, can rouse us out of complacency and crack open the callous layer that prevents us from seeing ourselves as we are and as we can be. This shofar too could exemplify what our neighbor heard - without the distraction of words, sounds can touch our souls and stir our consciences..

There is a final message of the shofar, and this one goes back to the Torah where, in Sefer Bamidbar, the Shofar was the means by which the community of Israel was summoned together and given direction. The Torah, in Chapter 10 of the Book of Numbers, presents a sort of biblical morse-code that enabled the community to organize itself by the sound of the horns.

And that summoning still works. Here we are, together again. Not in the same way as in some other years, but we are here. We have gathered in person when that has been safe and we have gathered online when we had to. But we remain a community that is bigger than the sum of its parts, more impactful than the sum of its parts, and able to inspire each individual in the community to greater heights of ethical excellence, spiritual virtuosity, and concern for one another.

What message do you need to convey through the shofar this year? What is the emotion that you cannot express in words? Is it gratitude? Is it grief? Is it fear? You do not have to find the right words in order to speak to God. You do not have to find words at all. The shofar elevates all of our words and the thoughts we cannot put into words.

What message do you need to hear this year? Is it encouragement? Is it reassurance?

Is it a reprimand or a call for living with more integrity, commitment, and consistency? Open your ears and open your hearts to the sound of the shofar. Hear the shofar that sounded at Sinai as it is echoed in the Shofar Gadol, the great shofar, heralding the end of days. Let the sound inspire and awaken.

As we hear the shofar in just a few moments, know that its sounds are taking all the words of our prayers, and the thoughts we are not able to articulate into words up to Heaven. Let the sound penetrate into the deepest corners of your soul and awaken your most delicate and sacred hopes. And feel the presence of the community who have been summoned by the sound of the shofar to renew our commitments to one another, not just as one person to another but a community, a kehilah, that is committed to bringing out the best in each one of us.

Shannah Tovah

On Rosh HaShanah, We Wake Up

Rabbi Jason Goldstein (YCT ’20)

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דִּרְשׁוּ ה' בְּהִמָּצְאוֹ קְרָאֻהוּ בְּהְיוֹתוֹ קָרוֹב

> Seek the LORD while He can be found,
> Call to Him while He is near (Isaiah 55:6).

The prophet entreats us to make special effort to advance our relationship with God when He is most close. The Gemara (Rosh Hashanah 18a) informs us that this is during the ten days between Rosh Hashanah through Yom Kippur, a time when we should orient our hearts to repentance. However, according to the Rambam (Hilchot Teshuvah 2:7), there is only a *mitzvah* to perform *teshuvah* on Yom Kippur itself. If so, what is the significance of Rosh Hashanah and the Ten Days of Repentance in the *teshuvah* process?

Furthermore, in the Rosh Hashanah evening prayers, while standing in front of the venerated open ark we recite Psalm 24.

מִי־יַעֲלֶה בְהַר־ה' וּמִי־יָקוּם בִּמְקוֹם קָדְשׁוֹ

> Who may ascend the mountain of the LORD? Who may stand in His holy place?

נְקִי כַפַּיִם וּבַר־לֵבָב אֲשֶׁר לֹא־נָשָׂא לַשָּׁוְא נַפְשִׁי וְלֹא נִשְׁבַּע לְמִרְמָה׃

> He that has clean hands, and a pure heart; who has not taken my name in vain, nor sworn deceitfully.

These oft recited verses present a distinctive meaning on Rosh Hashanah. As we stand before God on the Day of Judgment, are we so impudent to declare that we have clean hands and a pure heart? We, who have made so many mistakes over the past year. The Torah tells us that on Yom Kippur we will be purified, but that is ten days away!

Rabbi Joseph B. Soloveitchik teaches that while Yom Kippur is the crowning day of *teshuvah*, Rosh Hashanah is the day of *hirhur teshuvah*. Rosh Hashanah is the day for contemplating *teshuvah*. Before one can act to correct a shortcoming, one must first awaken to its existence. On Rosh Hashanah we wake up.

The Rav presents the harrowing story of R. Chanina ben Teradyon’s fiery execution (Avodah Zara 18a). The executioner, in an act of last-minute kindness, increases the flames to hasten the sage’s death and lessen his suffering. The executioner then threw himself into the fire. At that moment a *bat kol* burst forth declaring that both the saintly rabbi and his executioner were destined for *olam habah*.

Teshuvah is a long and arduous process. It is certainly not possible that in just one moment, and with one act, the executioner fully regretted all the terror that he had devoted his life to perpetuating. Rabbi Soloveitchik teaches

that while the executioner did not engage in full *teshuvah*, he was nonetheless stirred from his moral slumber, he was aroused to *hirhur teshuvah*.

It is similarly impossible that in just one day we can fully engage in repentance. While on Yom Kippur we are given the *mitzvah* to engage in *teshuvah*, Rosh Hashanah affords us the opportunity to earnestly prepare ourselves for this obligation. To expand on the evocative words of the Rambam, Rosh Hashanah is a wakeup call, a time for us to arise from our slumber.

On Rosh Hashanah we are jolted out of our complacency, we contemplate the *teshuvah* that we have yet to do and begin our journal to Yom Kippur. Although we may not yet be נְקִי כַפַּיִם וּבַר־לֵבָב, have cleans hands and a pure heart, we are on our way. On Rosh Hashanah we forge the path that will lead us to the purity of Yom Kippur. (On Rosh Hashanah we awaken and take our first steps in front of the King.)

A Yom Kippur Lesson Dad Taught Me on His Deathbed

Rabbi Ysoscher Katz

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I was close to heaven two years ago, on the night before Yom Kippur. I slept on a rickety cot in a Brooklyn hospice, alone with my terminally ill dad and the experience was unexpectedly transcendental.

My dad has been battling cancer for a long time now. He fought valiantly for close to two years, but the week before he lost the war. The doctors declared the cancer terminal and inoperable. With the possibility of a cure gone, his doctor felt that there was no need to keep him in the hospital any longer and recommended hospice care instead. That is where people go to die, the doctor, matter of factly, explained. It was, of course, painful to hear, but we had no choice. The diagnosis seemed correct, and the doctor's suggestion, accordingly, appropriate.

The next day an ambulance transferred him from the hospital to the hospice facility, his new home for the foreseeable future. Dad took the move much easier than we did. For him the change was merely geographical. He moved from a building on the Upper East Side of Manhattan to a home in Midwood Brooklyn. For his family, on the other hand, the transition was rather painful. He was moving from the home of the ill, to the dwelling place for those who are preparing to die.

The change from hospital to hospice also meant a switch in caretaking responsibilities. In the hospital, his well being was primarily the responsibility of an elaborate nursing staff, now that responsibility would fall on his family. The task seemed daunting. My siblings and I looked at each other in shock, wondering how we are going to manage.

We could not afford to dwell on it for too long though, dad needed to be taken care of. We quickly devised a plan to rotate responsibilities. My seven siblings and my mom would take turns spending time at my dad's bedside, offering him comfort, solace, and care.

The night before Yom Kippur was my turn to be with him. I was dreading it all day. The idea of spending a night alone in a room with a person who is hovering at the door of death seemed scary and overwhelming. I did not want to do it.

When the time of my shift arrived, I dragged myself there, reluctantly entering the room. As I entered, I was confronted by a huge surprise. Turns out that my anxiety about being in close quarters with the soon-to-be-dead was completely unfounded. As soon as dad reached out to hold my hand I realized that my categorization was completely off. Dad was not almost dead, he was merely dying. While dying and soon to be dead seem to be the same, they are not.

We live in a bifurcated world where people are

either dead or alive. My experience that night belied that binary. It taught me that our life trajectory is made up of three stages, not two. The two extremes are indeed dead and alive but there is also a middle stage where we are suspended between the two poles, neither alive nor dead. We are merely dying. Dying is the middle, transitional, stage. At that transitional point, we are actually hyper-alive. We breath, think and perhaps eat, but we are no longer involved in the negative aspects of life. Our worries are gone, our jealousies dissolved.

I always looked at Dad with a mix of awe and pity. He had an extremely good life, but it was not easy. He cherished his wife, loved his seven children, and adored his more than thirty grandchildren. Life, nevertheless, was challenging. His parents were immigrants from Europe, via South America. He himself married young and went on to have a fairly large family which needed to be fed and taken care of. He, however, was not properly trained to do that. He had a solid Jewish education, but his secular education was poor. He entered the workforce with almost no professional training, dooming him to a life of toil and hard work, spending his entire professional life in the company of the blue collaret.

With such a challenging life coming to an end, I was expecting life's disappointments to accompany Dad's transitional stage as well. It did not. The atmosphere in his room at the hospice facility was Edenic and transcendental. At this point it was all over. Status, success, or achievement no longer had relevance, nor did the frustrations, challenges or disappointments of life matter anymore. The room was quiet, peaceful and unexpectedly serene.

As a matter of fact, it was not just the room, Dad himself also gave off a transcendental vibe. My father, who is South American, (he grew up in Uruguay), exuded the love of humanity of the Argentine Pope Francis and the super-naturalism of Francis' fellow country man, Gabriel Garcia Marquez.

As dad lay in his bed, his life suspended between heaven and earth, it dawned on me: people with his condition are in a separate group. They are not part of the tribe of livers, but, they are at the same time also not members of the community of the dead. They instead exist in their own unique space, suspended in the intermediary zone, between life and death.

As much as I dreaded my overnight stay at the hospice, the timing turned out to be impeccable, perhaps even bashert. The existential experience with my dad right before Yom Kippur offered me tremendous insight into the psychological state we strive for on this Day of Awe. Three hundred and sixty four days a year we see the world two dimensionally. On Yom Kippur we take a twenty four hour detour into a third dimension. For that one day we transcend those paradigms, we are neither alive nor dead, but instead are like those who are actively dying, transitioning from life to death. We are alive, but by forgoing sustenance and refraining from pursuing our basic human needs we propel ourselves into a transcendental space.

That is perhaps also why some people dress in all white on Yom Kippur. Contra to the macabre explanation, that we wear white to remind us that death is imminent, we don white to position us into that liminal third, transcendental, stage. For one day we stop living, but we do not die.

The Crown of Old Age

Rabbi Chai Posner (YCT ’10)

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Originally published Yom Kippur 2022/5783

It sure seems like we are never the right age. During the first few years as a young associate Rabbi, people used to always say “are you sure you are really old enough to be a rabbi?”

Then I noticed people stopped saying that. I don’t get confused with being a high school kid anymore. But then, I became a senior rabbi. And then I started getting “are you sure you are really old enough to be a senior rabbi!?” This was all fine and well, until I played basketball for the first time in about a year and a half, and based on the aches and pains in muscles I didn’t even know existed, I realized I’m not as young as I thought I was!

It seems to me that we spend our childhood waiting to get older, and our adulthood lamenting that we are not younger. This is also all fine and well. But what if I told you that the way that we think about aging actually affects how we age? And I can prove it.

Let me start with this past summer, and take you along to one of the highlights of our family’s trip to Israel: the light show at the Tower of David Museum in Jerusalem. It is breathtaking to see the history of Jerusalem projected with sound and music and lights on the stone walls. It is almost as if the past has come alive.

On a previous trip, we had seen the first show, which focused on the history of Jerusalem. This time the show was about King David. It went through the major events in his life: playing the harp, fighting Goliath, dancing the ark to Jerusalem, the incident with Bat Sheva, etc. You really get a sense of the greatness of this man; warrior, poet, musician, leader, visionary, king. The show ended on a high, with the following verse:

וַיִּמְלֹךְ דָּוִד עַל־כָּל־יִשְׂרָאֵל…

And David reigned over all Israel

וַיְהִי דָוִד עֹשֶׂה מִשְׁפָּט וּצְדָקָה לְכָל־עַמּוֹ׃

And David executed true justice among all his people.

(II Shmuel 8:15)

The show stopped short of describing David at the end of his life. I don’t know if it was deliberate or not, but I do know that the Navi, the book of the prophets, does not leave out the end of David’s life. We are told:

וְהַמֶּלֶךְ דָּוִד זָקֵן בָּא בַּיָּמִים…

King David was now old, advanced in years…

וַיְכַסֻּהוּ בַּבְּגָדִים וְלֹא יִחַם לוֹ.

and though they covered him (David) with bedclothes, he never felt warm.

This powerful, successful, giant of a man - warrior, poet, king - living now in the twilight of his life, cannot even rest comfortably. Every year we read this portion of the prophets as the Haftorah on the Shabbat that we read Parshat Chayei Sara, where Avraham is also described as:

וְאַבְרָהָם זָקֵן בָּא בַּיָּמִים

> And Avraham was now old, advanced in years…

However, in stark contrast to King David, of Avraham we are told:

…וַה׳בֵּרַךְ אֶת־אַבְרָהָם בַּכֹּל.

> And God blessed Avraham with everything!

Two great men. One lives out his years in fullness and blessing, the other suffers from ailing health. And these dichotomies are not exclusive to only David versus Avraham. Our lived experience tells us that some have the fortune of good health in later years and some do not.

To paraphrase Maurice Chevalier, it sure isn't easy getting old, but it does beat the alternative! We could offer many causes for the differences in the aging process between David and Avraham. It could be medicine, science, genetics, lifestyle. We could offer a religious diagnosis, David had some "skeletons in his closet." Perhaps, he was being punished.

But there seems to me to be a fairly simple explanation that is right there in the text. A careful reading of the two texts reveals that King David is almost completely passive at this point in his life. Compare that to Avraham, who is very much active.

It is easy to see the difference. In fact, here is just one example. Look at the very next verse for Avraham, after we are told that Avraham was old, advanced in years.

The next verse: "Avraham said to his servant 'go find a wife for Yitzchak'" (Genesis 24:2). He had the forethought to recognize that Yitzchak needs to be set up to succeed.

Avraham actively engages in making sure that Yitzchak is positioned to carry on his legacy.

Compare that to David. The next verses after telling us that David was old also describe the process of a successor. However, it isn't David who leads the process. Not at all. The text describes how even though David had previously promised the kingship to Shlomo, a different son, Adoniyahu, was engaged in positioning himself to take the throne, right from under David's nose.

It wasn't King David, but rather Natan, the prophet, who had the wisdom to make sure that David clarified who his real successor was to be. Natan came to a passive David and told him what was going on. Only with Natan's prodding, did David call in Bat Sheva and clarify his intentions.

It emerges that the difference between King David's aging process and Avraham's aging process wasn't necessarily about anything they had done in the past, but about their present state of mind. To put it succinctly: King David acts old, Avraham acts young. And perhaps that is the reason that David gets old, but Avraham, even in his old age, stays young.

This theory is corroborated by the research of Dr. Becca Levy, a Professor of Epidemiology and Psychology at Yale University. Dr. Levy is

the author of one of the most impactful books I read this past year. The book is entitled: *Breaking the Age Code.* The subtitle sums up the book: How your beliefs about aging determine how long and how well you live.

Dr. Levy begins by asking us to list the first five words or phrases that come to mind when we think of an old person. I encourage you to pause and consider it. What did you come up with?

Dr. Levy writes, "if you are like most people, chances are your list includes at least a few negatives." As an example, she brings these answers from Ron, a seventy-nine-year-old man who lives outside of Boston: "Senile, slow, sick, grumpy and stubborn."

Dr. Levy then contrasts that answer with this response from an eighty-two-year-old woman named, Piyu, from China, who wrote: "wise, loves Peking Opera, reads to grandchildren, walks a lot, and kind."

Dr. Levy writes:

> These two clashing visions reflect the vast range of age beliefs that predominate in different cultures… Ultimately, these beliefs can also determine how older people think about themselves as well as how well they hear and remember, and **how long they live**.

If that sounds like an outrageous claim, Dr. Levy provides the scientific study to prove it.

Her study found that "participants with positive views of aging were living, on average, seven and a half years longer than those with negative views." Are you skeptical? Since her study was published, similar studies have been conducted in at least ten countries, with similar findings.

Through her work, Dr. Levy debunks many myths that we've all probably bought into, at one time or another. Myths such as:

- Older people are bad drivers
- Older workers aren't effective in the workplace
- Older people are technologically challenged
- Cognition inevitably declines in old age, etc. etc.

Dr. Levy proves that these are simply myths. Here's another way of looking at it:

- Declining cognition? Several types of cognition improve later in life
- Bad drivers? Older people are more likely to wear seat belts and follow speed limits, and less likely to text while driving or drive while intoxicated.
- Unproductive workers? Work teams that include older people have been found to be more effective.
- Technologically challenged? Some older people have led advances in technology.

The book brings the research to back all of this up. Today, we are so careful not to discriminate against all kinds of different groups, and yet, when it comes to older people, somehow it has become acceptable. But it's not. Not when that type of thinking, literally, steals years from people's lives.

Over the course of Yom Kippur we will repeatedly say the phrase:

> *Al tashlicheinu l'et zikna, kichlot kocheinu al taazveinu.*
>
> Do not cast us away to old age, when our strength is gone, do not desert us.

What exactly are we asking of God? Don't make us old? What's the alternative? And would God cast us away, just because we are old?

I once heard it explained that we are asking God not to let us *act* old. No matter our age, we are asking God to keep us young. *Kichlot kocheinu al taazveinu* – don't allow our strength to be taken away.

A young person can have an "old" mindset. And an older person can have a "young" mindset. This isn't really a prayer about age, it's a prayer about keeping ourselves invigorated, excited, and enthusiastic about life, and about service of God.

Even later in life we can have new experiences and adventures. Like the story with Morris and Esther. Morris and his wife Esther went to the state fair every year, and every year Morris would say, "Esther, I'd like to ride in that helicopter." Esther always replied, "I know Morris, but that helicopter ride is fifty dollars — and fifty dollars is fifty dollars."

One year, Esther and Morris went to the fair, and Morris said, "Esther, I'm 85 years old. If I don't ride that helicopter, I might never get another chance." Esther replied, "Morris that helicopter is fifty dollars — and fifty dollars is fifty dollars."

The pilot overheard the couple and said, "Folks I'll make you a deal. I'll take the both of you for a ride. If you can stay quiet for the entire ride and not say a word, I won't charge you! But if you make a sound, it's fifty dollars."

Morris and Esther agreed and up they went. The pilot did all kinds of fancy maneuvers, but not a word was heard. He did his daredevil tricks over and over again, but still not a word. When they landed, the pilot turned to Morris and said, "By golly, I did everything I could to get you to yell out, but you didn't. I'm impressed!"

Morris replied, "Well, to tell you the truth, I almost said something when Esther fell out …. but you know — fifty dollars is fifty dollars."

Old age can be some of the best years of a person's life. Abraham Joshua Heschel taught:

> Old age [should] not be regarded as the age of stagnation, but as the age of opportunities for inner growth… They are indeed formative years, rich in possibilities to unlearn the follies of a lifetime, to see through inbred self-deceptions, to deepen understanding and compassion, to widen the horizon of honesty, to refine the sense of fairness.[1]

Heschel, in his great wisdom, understood that old age wasn't something to fear or mock, but rather old age is a crown to wear on one's head. And he wasn't the first Abraham to say so.

Commenting on the verse I shared earlier, "And Avraham was now old, advanced in years," the midrash writes that Avraham asked God for old age:

> He said before God: "Master of all the worlds, a person and their child enter a place, and no one knows whom to honor. When you crown the one with old age, a person knows whom to honor." The Holy Blessed One said: "By your life, you have requested a good thing, and it will begin with you." From the beginning of the book [of Genesis] until here, "old age" was never written, but as soon as Avraham our Father stood up, he was given old age, as it says, "Avraham had become old" (Genesis Rabbah 65).

Avraham requested old age. He asked to be crowned with old age. And God concurred. "You have requested a good thing! You will wear the crown."

It is time to return this crown to the heads of our elders. And this applies to all of us. All of us, no matter our age, "dread" getting older. We view it as a problem. As a burden. As an unfortunate consequence. But really, we ought to wear it proudly, as a crown.

If you yourself are someone older, I know that I cannot understand what you feel like. But I also know that Rabbi Soloveitchik of blessed memory (78 at the time) once remarked that:

> The challenge facing one who has reached age eighty is whether he can muster the courage to believe that he remains a worthwhile human being who still can contribute.[2]

So know this, from a young rabbi, I value you. We value you. Don't give up on us! We need you. If you are a younger person, then we're talking about your parents or your grandparents. Your aunts and uncles. Your neighbors. And we're talking about our society. And by the way, one day you won't be so young anymore.

We owe it to all of us, to change the way that we think about aging. I would go so far as to say that it is a religious obligation to change this conversation. We can all do "teshuva." We can repent this Yom Kippur for failing to respect old age as we should have. We've all fallen short, and we can all be better. We can't control everything about our aging process, but we can control more than we think we can.

Five times over Yom Kippur, once at each service, we will ask God "*Al Tashlicheinu L'eit Zikna*…" We will ask God – no matter our age – please do not to let us fall into a place of being stuck.

Let's resolve to help God help us, as we remember that we too can play an active role in the aging process. May God bless all of us with length of days, filled with health, joy, excitement, passion, and energy… for life, for service of God, for ourselves and for others.

Footnotes

1 "To Grow in Wisdom in Wisdom", Abraham Joshua Heschel

2 https://www.koltorah.org/halachah/the-rav-as-an-aging-giant-1983-1985-by-rabbi-chaim-jachter

Praying like Children

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A few weeks ago, the power went out in our house in the middle of the night. Our boys sleep with sound machines and night lights, so the minute the power cut, the sound machines and lights turned off. This immediately woke them up. Mass chaos ensued!

In the midst of this hectic 2:00 AM wakeup, my eldest son Noam came into our bed. He was very scared. After trying to console him, there was a moment of silence. And then he spoke up, not addressing me, but Hashem. Noam said, with the most kavana (intention) that I have ever heard from anyone ever, "Please Hashem, turn the power back on!"

Of course - and I'm not making this up - the power came back on within 10 seconds of Noam finishing his tefilah. There was something so pure and so innocent about Noam's tefilah. But also in Noam's reaction. I was surprised that the power went back on right away but Noam was not! He believed fully in his heart that Hashem was going to listen no matter what. He lives in a world where things often go his way, and Hashem is no different. Of course Hashem was going to listen to him when he asked to turn the power back on!

I've told a few people this story, and some have shared with me that this is actually misleading for Noam. Shouldn't I be teaching him that Hashem doesn't always work this way? Why should he grow up in a world where he thinks everything happens just because he asks for it? The world we live in is more complicated. The things we ask for do not always happen. We may pray, but we may not get what we want. And our tefilot are certainly not always answered so quickly. We have complex relationships with Hashem. We have a deeper knowledge of G-d than a child might, and everything is more nuanced.

And if you think about it, many of our tefilot on Yom Kippur recognize this fact. We approach Hashem on this day as mature adults. Kol Nidre, which is essentially about annulling the vows that we have made, is very much an "adult's prayer." After all, children don't often make promises and even when they do, we cannot expect them to keep them until they are older. Unetane Tokef, when we ask who will live and who will die, is similar. It is all about our uncertainty and fear over things that might happen in the world that children should never know of. The whole idea of saying selichot and having a viduy (confession) is similarly more "adult" in nature - as even though children can say they are sorry for their mistakes it is really only an adult who can feel true remorse.

And finally, we also say "Hineni" - the tefilah before musaf. In this tefilah the chazan explicitly asks Hashem to accept his prayers as that of a "zaken" - an old person who has

gathered wisdom throughout many years on this Earth. And halachically, when we think about who should be a chazan on Yom Kippur, one of the criteria is actually that the person be older. In this way, our tefilot are meant to embrace nuance and give voice to the complexities of the world around us.

But still, despite all of this, I cannot stop thinking about Noam's tefilah. There is something so beautiful about its simplicity and straightforwardness. In some ways - many ways - I want my tefilah on Yom Kippur to be that of a child! I want to approach Hashem in this pure, innocent way, with full expectation that things will work out. All of this raises a question for me - can I, and should I, approach my tefilot in this way?

In truth, if we look at our tefilot on Yom Kippur, the answer could be yes. There are many moments when we emphasize that we are G-d's children - implying that this is how we should approach Hashem on Yom Kippur. We say kerachem av al banim - that Hashem should have mercy on us like children. We say *ki anu banecha* - we are your children. And, of course, we say Avinu Malkeinu - G-d is our father.

If you look at the original source for Avinu Malkeinu, which is a Gemara in Ta'anit 25b, we see that R' Akiva used these words to pray for rain. Immediately after he said **אבינו מלכינו למען רחם עלינו**, the rain began to fall. And of course this reminds me of Noam! Immediately after approaching G-d as a child, asking for something to happen, it happens!

So we see that there is something very powerful and effective with assuming the disposition of a child. Of someone who asks for things and fills their hearts with dreams as they daven, with full expectation of their fulfillment by G-d. This is something that we can try and do when we daven - even if cynicism or skepticism or past experience dictate otherwise. We do not have to give up our innocence when we pray. We can choose to offer the prayer of a child.

And of course, when we daven Yizkor on Yom Kippur, we can think about what it was like to pray as children with our loved ones who are no longer with us. We can talk to them with the disposition of a child, praying with them even though they aren't with us anymore. In Yizkor, we are allowed to envision ourselves and commemorate our loved ones' memories by being their children again- or never forgetting that we will always be our parents' children, no matter how old we get.

How should we approach Hashem on Yom Kippur? The Gemara from Bava Metzia 59a says that since the beit hamikdash has been destroyed, the gates of prayers are locked, but the gates of tears are open. What are the tears being described here? Many may read this and think about the tears of a grown person - crying because we do not know if Hashem will answer our prayers. But perhaps they are the tears of a child - who cries out at Hashem in a moment of desperation, almost in a tantrum. In fact, Tosfos interprets it along these lines, commenting that crying is of someone who says "בטוח אני" - I am certain, Hashem, that you will listen.

Throughout our davening, we may take cues from unetane tokef, the viduy, and embrace a complex and nuanced version of prayer. In some ways, this might be what we are used to. But this Yom Kippur, I want to shout at the heavens, with full kavana, with full innocence, with every expectation that Hashem will listen, saying Avinu Malkeinu! This Yom Kippur, I am praying the prayer of a child.

Atonement and Freedom: Yizkor's Transformative Effects

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For whom, or for what, is Yom Kippur intended?

The annual holiday erupts unexpectedly from parashat Acharei Mot in Vayikra. At first, it seems that we are hearing only a generalized admonition. Aharon, the high priest, should not approach the kodesh kodashim, the holy of holies, whenever he wishes. Instead, he should perform an elaborate ritual prior to entering, and in this way he may safely enter the shrine. Only after the entire ritual is described is one more qualification placed upon it – that it will be done only once a year, on the tenth day of the seventh month, what we call Tishrei. The high priest atoned, or perhaps cleansed – the Hebrew verb is kipper – both the sanctuary and the people.

From the outset, then, Yom Kippur does double duty: atoning for our shrine, the Beit HaMikdash, and atoning for us. And yet, even though we know Yom Kippur as one of the high points of the Jewish calendar, one who reads the Bible with this view in mind would be surprised at the absence of this holiday from any of Nevi'im or Ketuvim, the Prophets or the Writings. Priests, kings, prophets, festivals, and observances parade through our history, and the people of Israel and their leaders and kings certainly commit enough sin. Yet the books are silent on the ability of Yom Kippur to atone for these sins. Jeremiah and prophets like him berate the people of Israel to no avail. Indeed, when we want a narrative of the power of teshuvah in action – as opposed to a promise that teshuvah is effective - we are forced to read about Jonah, a Jewish prophet who traveled to the non-Jewish city of Nineveh, and informed the people there of God's displeasure. There is no Biblical narrative of Yom Kippur atonement.

Even more than this, at two critical points in our history when we would expect to read about Yom Kippur, the Bible is silent – and shockingly, we hear from the rabbis that the entire nation may even have skipped a Yom Kippur.

The first of these two points is in the reign of King Solomon, who inaugurated the first Temple. This was the culmination of years of work. When that event is described in the books of Kings and in Chronicles, we hear that this inauguration was a time of rejoicing for the Jewish people, and that it merited seven days of feasting and celebration in the month of Tishrei, which was then called Eitanim, immediately prior to the seven days of Sukkot. Although this timing means that the celebrations must have overlapped with Yom Kippur, there is no mention of the tenth of the month. Ironically, King Solomon in his inaugural speech mentions the power of Teshuva, saying "*ki yechetu lach, key ein adam asher lo yecheta*" – when they sin against you,

for there is no one who does not sin, "*v'salachta l'ammecha asher chate'u lach u'lkhol pisheihem asher pashe'u vach*" – translating to: forgive your nation which sinned to you and all their transgressions which transgressed against you. This is very Yom-Kippur like language, but Yom Kippur is unmentioned. In reviewing the narrative of these days, in fact, Rabbi Yochanan states flatly that the nation must have omitted the Yom Kippur observance in that year, a claim that I think all of us would be very hesitant to make.

And again, when the Jews returned from exile in Babylon there is an obvious opportunity for us to hear about the commemoration of the day. Ezra and Nehemiah and the rest of the returnees began the reconstruction of the Temple. The book of Nehemiah tells us that commencing on the first day of Tishrei – Rosh Hashanah – Ezra read the Torah in Jerusalem before the assembled people, who wept when they realized how far from Judaism they had strayed. This was not quite the effect their leaders were aiming for. They told the Jewish people to rejoice because Rosh Hashanah was a holy day. Then, we are told, Ezra instructed them in the laws of Sukkot, and they observed that holiday as it had not been observed in centuries. Yet between Rosh Hashanah and Sukkot stands Yom Kippur, and that holiday is not even mentioned. We do not have to assume that it did not take place, and the rabbis don't make such a claim, but its absence is glaring, especially given the tone of repentance and regret that the Bible highlights.

In the millennia since the construction of the Second Temple, that idea of repentance has become ever more associated with the opening days of Tishrei. The phrase was unknown in Biblical times, but we call this time the Asseret Yemei Teshuva, the Ten Days of Teshuva. We cannot deny that this holiday is associated with repentance – the Bible, after all, describes Yom Kippur and says that "*v'initem et nafshoteichem*" – you should afflict your soul, meaning the fasting and the other restrictions of Yom Kippur, and that we should refrain from labor. We are encouraged to see ourselves as hanging in the balance of judgment, with every action possibly tipping the scales one way or the other.

Yet as we think about our paradigm of this time of year, I'd like to suggest that we can help ourselves by relying a little more heavily on the example of the First Temple. I do not suggest that we revoke Yom Kippur. But our tradition does give an example for our behavior during this time that is different from the repentance we see with Ezra and Nehemiah, and it is especially relevant in this year after Shemittah.

As we know, every fifty years am Yisrael observed the Yovel, or jubilee year, following the seventh of the Shemitta years. Famously, those who had been slaves were now free to return to their homes – "Proclaim liberty throughout the land" as our favorite bell tells us. But this liberty did not occur on the Rosh Hashanah of the jubilee year. Instead, the jubilee shofar was sounded on Yom Kippur, and that is what announced the freedom of the former slaves. But since Rosh Hashanah marked the new year, the formerly enslaved had an odd, suspended status during the ten days culminating in Yom Kippur. What did they do during that time? They were no longer slaves, we read. Instead, they enjoyed ten days of celebration, with *itroteihem b'rasheihem*, their crowns on their heads, before returning fully free to their

homes, when the shofar sounded on Yom Kippur.

We are used to the crown of this time of year belonging to God, and we can treat Yom Kippur as a time to reflect on our failings and to seek atonement for them. That is part and parcel not just of the rabbinic conception of the holiday but of how the Bible describes it. But we can also realize that this is a time of joyous anticipation. We can imagine the formerly enslaved breathless with anticipation, needing only the sound of the shofar on Yom Kippur to know they were free. And every Jew had an obligation to blow shofar on Yovel – we were all of us participants and enablers of liberty. I hope we can adopt that anticipation as we face the joy and opportunity of a new year.

And if it's possible, I hope that some of that joy, even if it is tinged with tears, can impact our recitation of Yizkor. Those who had been enslaved waited with crowns on their heads, *itroteihem b'rasheihem,* for the Yovel horn on Yom Kippur. This imagery is the exact same that Maimonides and others use when they describe the experience of the *olam ha-ba,* the time to come. Death and loss are inevitable, and this year will not be free of them, just like last year was not. Some of our wounds are recent and difficult to grapple with. But as we prepare ourselves for Yizkor, I hope that it is some consolation that our sages imagine those who have gone before us in the same way they imagine those who are just moments away from freedom. Just as every Jew at the time of the Yovel had the opportunity and the obligation to sound the shofar, we have the opportunity to remember those we have lost at their best, and in doing so we have an opportunity to allow them to continue to influence our lives for the best.

May the memory of all our loved ones be for a blessing.

What Happens if One Blows the Shofar when Rosh Hashanah Falls on Shabbat?

Rabbi Zachary Truboff (YCT '10)

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The holiday of Rosh Hashanah is so bound up with hearing the sound of the shofar that in those years when Rosh Hashanah falls on Shabbat, it feels as though something essential is missing. The practice of refraining from sounding the shofar is due to the concern that in their desire to fulfill the mitzvah, those who do not know how to do it properly would carry it in the public domain on Shabbat in order to bring the shofar to an expert who could blow for them or instruct them how to do it properly. As a result, the rabbis ruled that it should not be blown.

However, it has historically been the case that exceptions were made to this, perhaps because the mitzvah of shofar was viewed as too essential to the holiday. The Mishnah (Rosh Hashanah 4:1-2) states that in the times of the Temple, the shofar was sounded on Shabbat on the grounds of the Temple, in Jerusalem, and in any city within view of Jerusalem. Later, after the Temple's destruction, Rabbi Yochanan ben Zakai instituted it such that when Rosh Hashanah fell on Shabbat, the shofar would still be sounded where there was a *beit din*.

According to the Rif (Rabbi Isaac Alfasi, 1013-1103) this enactment applied to every *beit din*, and therefore, he sounded the shofar even in his own when Rosh Hashanah fell on Shabbat. However, most early authorities ruled like the Rambam that the practice was limited only to the *beit din hagadol* in the Land of Israel when its rabbis had formal *semichah*. After it no longer existed, the practice came to an end.

Even so, what would happen if one were to transgress the rabbinic prohibition and blow the shofar when Rosh Hashanah falls on Shabbat? Was it possible that they could still fulfill the *mitzvah*? Though these questions may only sound theoretical, they took on practical significance at the beginning of the twentieth century when Rabbi Akiva Yosef Schlesinger attempted to reestablish the practice of blowing shofar on Shabbat in Jerusalem. While it does not appear he was successful, different *poskim* sought to address the issue in response to his efforts.

Decades later, Rabbi Zvi Pesach Frank, the Chief Rabbi of Jerusalem, carefully examined whether one could fulfill the mitzvah by blowing on Shabbat in his responsa Har Zvi (Orech Chaim 2:88). He focuses specifically on the mitzvah of sukkah as a parallel because the rabbis introduced many rabbinic restrictions that would invalidate a sukkah. While he acknowledged the possibility that the rabbis could potentially uproot a mitzvah, he argues that this may not apply to shofar and

appears to leave open the possibility that one could still fulfill the mitzvah of shofar even as one transgresses a rabbinic prohibition and blows it on Shabbat.

The idea that the rabbis could uproot the biblical mitzvah of shofar seems strange. If God has commanded the shofar to be blown even on Shabbat, by what right do the rabbis have to prevent it from happening? This question is only sharpened when one realizes that the holiday of Rosh Hashanah is dedicated to enthroning God as king, and therefore, it seems particularly curious it would be a day when we flaunt God's authority. Nevertheless, as the rabbis explain, their power to forbid the shofar on Shabbat is rooted in the very authority God has given them. As Rabbi Akivah explains (Rosh Hashanah 25a), even if the beit din unintentionally or intentionally establishes the wrong date for Rosh Hashanah, God accepts it and cedes divine authority to human beings. One could even argue that the shofar itself testifies to this point. If prophets still existed, there would perhaps be no need for shofar as God could tell us precisely what God wants directly. However, without them, we are left only with the sound of the shofar as God's call to us, a shofar that human beings must blow.

Responsa, Har Zvi, Orech Chaim 2:88
Nissan, 5617 (1957)

Regarding Rosh Hashanah that falls on Shabbat in which it is forbidden to blow the shofar (Shulchan Arukh 588:5), the *achronim* investigated what the ruling would be if one transgressed and blew the shofar on Shabbat. Would it be considered as if one fulfilled the *mitzvah,* or do we say that since the rabbis uprooted the *mitzvah* of *shofar* and forbid it on Shabbat, if one were to blow it, one has not done anything at all. This is like the position we find in Tosafot (Sukkah 3a) with regards to a *sukkah* that is rabbinically invalid [and if one was to dwell in it] they have not fulfilled the *mitzvah* of *sukkah* at all. The practical ramification of this question [of blowing shofar on shabbat] exists for those *poskim* that rule one does not recite the blessing of *shehechiyanu* on the second day of Rosh Hashanah before blowing shofar since one has already made the blessing on the first day. If so, do we also say that when Rosh Hashanah falls on Shabbat [and one was to blow shofar] that they have not fulfilled the *mitzvah* at all and, therefore, according to all opinions, they should recite the blessing of *shehechiyanu* on the second day because the blessing of *shehechiyanu* they recited on the first day, which was Shabbat, was made in vain?

I saw in the comments of Cheshek Shlomo (Megillah 5b) that he raised the question of a child who became an adult on Purim, which fell on Shabbat or a case where one forgot or was coerced and unable to read it on Friday. Do they need to read *megillah* on Shabbat? One could say that after [the rabbis] uprooted the obligation to read [*megillah*] on Shabbat, there is no further obligation on Shabbat to read the *megillah*, and so too, the same would apply to the blowing of shofar. However, in the Drush v'Chidush of Rabbi Akivah Eiger (number 8) he is not in agreement with this and instead simply writes that an adult who blows shofar on Shabbat fulfills the mitzvah since its proper time is also on Shabbat. [Nevertheless] One has transgressed a rabbinic prohibition of Shabbat. At first glance, Rabbi Akivah Eiger's words appear to contradict the question

שו"ת הר צבי אורח חיים ב סימן פח
ניסן תשיז

בענין ר"ה שחל בשבת שאסור לתקוע בשופר (שו"ע סימן תקפח סעיף ה) - חקרו האחרונים כיצד הדין אם עבר ותקע בשבת אי חשיב שקיים מצות תקיעת שופר, או נאמר דמכיון דרבנן עקרו מצות שופר ואסרוהו ביום השבת, גם אי תקע לא עשה ולא כלום, וכמו שמצינו בתוס' סוכה (דף ג ע"א) גבי סוכה שהיא פסולה מדרבנן שוב הוי כמאן דלא קיים מצות סוכה כלל, ויהיה נ"מ לשיטת הפוסקים דביום שני של ר"ה אין מברכין שהחיינו על תקיעת שופר מפני שכבר בירך ביום ראשון, א"כ גם כשחל בשבת אם נאמר דלא עשה מצוה כלל יתחייב אליבא דכו"ע בברכת שהחיינו ביום השני, דברכת שהחיינו שבירך ביום השבת היתה ברכה לבטלה.

והלום ראיתי בהגהת חשק שלמה (מגילה דף ה ע"ב) שנסתפק בקטן שהגדיל בפורים שחל בשבת, או בשכחו ונאנסו ולא קראו את המגילה בע"ש - אי צריך לקרות את המגילה בשבת, די"ל דבתר דעקרו לחיוב הקריאה בשבת שוב אינו מוטל על יום השבת שום חיובי קריאה, וכן י"ל לענין תקיעת שופר. אבל בדרוש וחידוש להגרעק"א (מערכה ח) אין דעתו כן, אלא כתב בפשיטות דגם גדול שתוקע בשבת קיים מצות שופר דזמנו גם בשבת אלא דעבר על שבות דשבת. ולכאורה דברי רע"א סותרים ספיקו של בעל חשק שלמה שהרי לרע"א פשיטא ליה דאף דעקרו מצות קריאת המגילה בשבת, מ"מ אם עבר ותקע

of the Cheshek Shlomo, for it was obvious to Rabbi Akivah Eiger that even if the rabbis uprooted the mitzvah of *megillah* on Shabbat, nevertheless, if one was to transgress and blow the shofar on Shabbat, they would fulfill the mitzvah… But if one looks closely, one sees that the words of Rabbi Akivah Eiger are not a contradiction, for according to the conclusion of the Gemara at the beginning of Massechet Megillah, the enactment not to read *megillah* on Shabbat and to move it up earlier was established by the *anshei kenneset hagedolah* [rabbis of the second Temple], and they said that for a clear need, one can uproot the reading of *megillah* and do it earlier as specified in specific cases by them. Since from the beginning [of the enactment to read *megillah*], the *anshei kenneset hagedolah* permitted to move it up in a case of need, we see it as if the *anshei kenneset hagedolah* themselves uprooted the *mitzavh* of *megillah* from Shabbat day, and therefore there remains no *mitzvah* of *megillah* on Shabbat at all. This is not the case for shofar, whose obligation is from the Torah. Rabbi Akivah Eiger says that even though the rabbis prohibited the blowing of the shofar on Shabbat, the mitzvah of the Torah was not uprooted from its place and therefore one who transgresses and blows shofar [on Shabbat] fulfills the mitzvah from the Torah.

However, Rabbi Akivah Eiger's words are difficult in light of Tosafot (Sukkah 3a) which writes regarding the laws of the *sukkah* that one who dwells with their head and the majority of their body in the *sukkah* but the table [they are eating on] is in the home, even though this is only invalid rabbinically it is the case that one who does this do not even fulfill the biblical obligation of the *mitzvah* of *sukkah*. This appears to contradict the words of Rabbi Akivah Eiger regarding blowing shofar [on Shabbat] where one fulfills their biblical obligation even though the rabbis forbid blowing it on Shabbat. However…. the Ran writes it is not that one doesn't fulfill the *mizvah* of *sukkah* for it was the rabbis who forbid it, rather it should be understood that one doesn't fulfill the *mitzvah* in the appropriate fashion as was the desire of the rabbis. This is similar to the Mishnah (Pesachim 10:5), that all those who fail to

קיים המצוה, ודלא כבעל חשק שלמה שמצדד דפקעה לגמרי המצוה של שבת. אבל כד נעיין אין סתירה מדברי רע"א, דהרי למסקנת הגמרא ריש מגילה כל ההקדמות והתקנה שלא לקרות בשבת - אנשי כנה"ג בעצמן תקנו

והם אמרו שלשם איזה צורך שהוא יכולים לעוקרם ולהקדים זמן הקריאה כפי ראות עיני חכמים, ומכיון שאנשי כנה"ג מעיקרא נתנו רשות להקדים לעת הצורך רואים אנו אותה הקדמה כאילו אנשי כנה"ג בעצמן הקדימוה ועקרו מצות קריאה מיום השבת, ולכן לא נשארה בשבת שום מצוה כלל, משא"כ בשופר שחיובו מן התורה, אומר רע"א דאע"ג דחכמים אסרו תקיעת שופר בשבת, מ"מ המצוה של התורה לא נעקרה ממקומה, ולכן אם עבר ותקע קיים אמרינן ויצא ידי מצוה של תורה.

אבל קשה על דברי רעק"א מתוס' סוכה (דף ג ע"א) שכתבו לענין דין סוכה במי שהוא יושב ראשו ורובו בסוכה ושולחנו בתוך הבית, דאע"ג שאין זה אלא פסול דרבנן מ"מ גם מדאורייתא לא יצא ולא קיים מצות סוכה. ולכאורה זה סותר לדברי רע"א שבתקיעת שופר יוצא וקיים המצוה אעפ"י שרבנן אסרוהו לתקוע בשבת. הן אמנם דעל המשנה מי שהיה ראשו ורובו בסוכה וכו' - כתב הר"ן שם לאו דוקא (לא קיים מצות סוכה) דהא מדרבנן הוא דמיתסר, אלא הכי קאמר לא קיימת מצות סוכה כראוי וכרצון חכמים וכדתנן בפרק ערבי פסחים כל מי שלא אמר שלשה דברים אלו בפסח לא יצא ידי חובתו כלל, כלומר שלא קיים מצותן כראוי, עכ"ל הר"ן. וזה סיוע לדברי רע"א

recite these three things on Pesach [during the seder] do not fulfill their obligation. This means they have not fulfilled the *mitzvah* in the appropriate fashion [but not that they haven't fulfilled the *mitzvah* at all]. This affirms Rabbi Akivah Eiger's words that a rabbinic prohibition does not uproot a biblical *mitzvah*. But one must still wonder about the words of Rabbi Akivah Eiger, who states his position so emphatically that one transgresses a rabbinic prohibition, but the [biblical] mitzvah is still fulfilled, while Tosafot does not agree with this.

It appears that one could question the approach of Tosafot that a rabbinic invalidation is effective such that the biblical *mitzvah* is completely uprooted from the *Gemara* in Sukkah (23a): "A *sukkah* constructed on top of an animal, Rabbi Meir says is valid and Rabbi Yehudah says is invalid. What is the reason of Rabbi Yehudah? The Torah says 'the holiday of *sukkot* you shall make for seven days.'A *sukkah* that is appropriate for all seven days is deemed a *sukkah*. A *sukkah* that is not appropriate for all seven days is not deemed a *sukkah*." The Gemara then raises a difficulty, "and Rabbi Meir who holds the *sukkah* [on top of an animal] is valid because on a biblical level the *sukkah* is appropriate [for seven days]. It is just the rabbis who have prohibited it [because the animal is muktzeh on Shabbat]." When we analyze the disagreement between Rabbi Yehudah and Rabbi Meir, it appears that Rabbi Meir is almost explicitly stating that a rabbinic invalidation does not uproot the biblical *mitzvah*, for it is clear that Rabbi Meir validates [a sukkah] with a rabbinic invalidation and one still fulfills the mitzvah with it. Even according to Rabbi Yehudah, it is not proven that he holds that the mitzvah is not fulfilled on a biblical level if one dwells in it [a rabbinically invalid sukkah]. One could say that Rabbi Yehudah would invalidate the *sukkah* on a rabbinical level and rabbinically prohibit one from dwelling in it. However, if one transgressed and dwelled in it, they would still fulfill the *mitzvah* of *sukkah* on a biblical level…

דלא אתי גזירה דרבנן ומפקיע מצות התורה. אבל עדיין יש להפליא על דברי רע"א דאומר כ"כ בפשיטות דעבר על שבות ומ"מ המצוה קיים במקום שהתוס' לא ס"ל כן.

ולכאורה יש לתמוה על שיטת התוס' דפסול דרבנן מהני לדאורייתא דהמצוה נפקעת ממנו לגמרי, מההיא דסוכה (דף כג ע"א) העושה סוכתו ע"ג בהמה ר"מ מכשיר ור' יהודה פוסל, מ"ט דר' יהודה, אמר קרא חג הסוכות תעשה לך שבעת ימים, הראוי לשבעה שמה סוכה שאינה ראויה לשבעה לא שמה סוכה - ופריך הגמרא ור"מ, הא נמי מדאורייתא מיחזי חזיא ורבנן הוא דגזרי בה. וכד נעיין בפלוגתא דר"מ ור"י לכאורה נראה דלר"מ כמעט מפורש דפסול דרבנן לא מפקיע מצוה דאורייתא, שהרי מפורש דר"מ מכשיר פסול דרבנן וקיים את המצוה, ואפילו לר' יהודה עדיין לא מוכח דס"ל דגם מדאורייתא לא קיים אם ישב בה, דשפיר י"ל דר' יהודה פוסל מדרבנן דאסור מדרבנן לשבת אבל בדיעבד אם עבר וישב קיים מצות סוכה דאורייתא, דמדר"מ נשמע לר' יהודה דמדאורייתא קיים המצוה, ולא פליג על ר"מ אלא לענין דיעבד אם יצא גם מדרבנן אבל לענין דאורייתא לא פליג, וא"כ יקשה על התוס' דס"ל דגם מדאורייתא לא יצא…

To resolve the position of Tosafot, one could say that according to them, the disagreement between Rabbi Meir and Rabbi Yehudah corresponds to the disagreement between Tosafot and the Ran. Rabbi Meir holds, like the Ran, that a rabbinic invalidation does not uproot the biblical *mitzvah* and since after the fact [if one does it] one still fulfills the *mitzvah,* therefore the *sukkah* is technically appropriate for all seven days. Rabbi Yehudah holds like Tosafot that a rabbinic invalidation uproots the *mitzvah* entirely, and it is no longer a *sukkah* at all, for it is considered to be invalid on a biblical level…. Rather, according to the logic that when the rabbis uprooted a *mitzvah* they did so even on a biblical level, as a matter of halacha, the *rishonim* are in disagreement. Ritz Giat [R. Yitzchak Ibn Giat, 1038-1089] rules like Rabbi Yehudah, as is the rule in every case where Rabbi Meir and Rabbi Yehudah disagree, and Tosafot holds like [regarding the *sukkah*]. With this, the words of Rabbi Akivah Eiger are resolved, for he holds like Shulchan Aruch in this case [not blowing shofar on Shabbat] that it is like Rabbi Meir in that regarding a rabbinic invalidation of the biblical *mitzvah* is not entirely uprooted. Because of this, it is clear to Rabbi Akivah Eiger that one who blows the shofar when Rosh Hashanah falls on Shabbat, even though they transgress a rabbinic prohibition, the biblical *mitzvah* has not been uprooted, and therefore one fulfills it.

וכדי ליישב שיטת התוס' י"ל דלדידהו פלוגתא דר"מ ור' יהודה תליא בפלוגתת התוס' והר"ן, דר"מ ס"ל כסברת הר"ן דפסול מדרבנן לא מפקיע המצוה מדאורייתא, וכיון דבדיעבד קיים אמרינן ויצא הרי מצות סוכה שפיר ראויה לשבעה היא, ור' יהודה ס"ל כתוס' סוכה דפסול דרבנן מפקיע גם עיקר המצוה ולא שמה סוכה, ונמצא שמן התורה פסולה... אלא מכח סברא דכל דעקרו רבנן המצוה נפקעה גם מדאורייתא. ולהלכה נחלקו הראשונים: הרי"ץ גיאות פסק כר' יהודה כמו בכל מקום ר"מ ור"י הלכה כר"י, והתוס' בסוכה יסברו כרי"ץ גיאות. ובזה מיושב נמי דברי רע"א הנז' דהוא נקט להלכה כהשו"ע דכאן הלכה כר"מ דבשביל פסול דרבנן לא נעקר לגמרי המצוה דאורייתא, ומה"ט פשיטא ליה לרע"א דהתוקע בר"ה שחל בשבת יצא ידי תקיעת שופר אעפ"י שעבר על שבות דרבנן, דהם לא עקרו מצות התורה לגמרי ולכן קיים אמרינן.

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 s*hofar? 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 חרש שוטה וקטן) and never suggests that every single obligated person would have to themself 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 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 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 *Shomea 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 themself *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)* becuase 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 וְקֹל שֹׁפָר חָזָק מְאֹד וַיֶּחֱרַד כָּל־הָעָם אֲשֶׁר בַּמַּחֲנֶה, "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.

The 13 Divine Attributes – To Walk in God's Ways

Rabbi Dov Linzer

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Perhaps one of the most repeated prayers recited during the Yamim Noraim period is the שלש עשרה מדות, the Thirteen Divine Attributes that God proclaimed to Moshe in response to his request: "Show me your ways, that I may know You." (Ex. 33:13). Rabbi Yochanan teaches (Rosh Hashanah 17b) that in proclaiming these Attributes to Moses, God showed a way to pray, saying "Whenever Israel sins, let them perform this order of prayer (recite these Attributes), and I will forgive them." It is for this reason that we recite these attributes again and again in our selichot and during the Yom Kippur davening.

It is reasonable to ask, however, how this is truly meant to work? Is it the mere recitation which brings forgiveness? What are we accomplishing when we read out these attributes? What are we supposed to be reaching for?

The answer, I believe, can be found in the Sifrei (Devarim 11:12). The Sifrei states that the mitzvah to "Walk in God's ways" is fulfilled by emulating God's attributes in our own lives, in how we behave towards ourselves and to others:

> "To go in all God's Ways" (Deut. 11:22) – these are the ways of God: "*Hashem, Hashem,* compassionate and gracious God, slow to anger, abounding in love and faithfulness…" (Ex. 34:6)… God is called compassionate, so should you be compassionate. The Holy One is called full of grace, so should you be full of grace.

Rabbi Avraham Saba, the 15th Century Spanish Kabbalist, connects our recitation of the 13 Divine Attributes to this teaching of walking in God's ways. In Tzror HaMor (Shemot 34:6), his commentary on Torah, he writes:

> הרי אנו רואים פעמים בעוונותינו שאנו מתעטפים בטלית ואומרים י"ג מידות - ואין אנו נענין. אבל הרצון שכל זמן שישראל עושין כסדר הזה שאני עושה: לרחם ולחנן דלים, ולהאריך אפים, ולעשות חסד אלו עם אלו, ולעבור על מידותיהן, אז הן מובטחים שאינן חוזרות ריקם.
>
> Behold we see that there are times, in our iniquity, that we wrap ourselves in a tallit and recite the 13 Attributes – and God does not answer our prayers. The meaning, rather, is that God declares: "Every time when Israel does the same as I do: to have compassion and care for the poor, to be slow to anger, to do acts of lovingkindness for one another, and to not demand our due from those who have offended them, then they are assured that they will not return empty-handed."

This, then, is why we recite the 13 Divine Attributes. It is so that by imploring God to act towards us according to God's attributes of compassion, kindness, and forgiveness, we might consider how we, ourselves, can act in more God-like ways in our own lives. We ask ourselves: how can I be more compassionate and more forgiving – to others and to myself? How can I be slower to anger? How can I be there for those who need me the most?

In this spirit, we present the 13 Attributes below with a parallel English text identifying relatable character traits for each Attribute, ones that we can strive to emulate and incorporate in our own lives. As we recite the 13 Attributes in shul over these Yamim Noraim, let's take a minute to reflect on these traits and consider what these traits mean to us and how we might more fully walk in God's ways for this coming year.

The 13 Divine Attributes – To Walk in God's Ways

ה'	Infinite / Always Present / Transcendent (meaning, above pettiness)
ה'	Compassionate after sin / Unfailing / Always there for people, regardless
א-ל	Mighty / Strong (emotionally) / Giving strength to others/ Courageous /
רחום	Compassionate / Empathy with the weak and unfortunate / Mother-love / Unconditional love
וחנון	Gracious / Helping and saving others (ונח מצא חן) / Listening and helping others (ושמעתי כי חנון אני) / Sharing goodness with others (כי חנני א-לוהים וכי יש לי כל)
ארך אפים	Slow to anger / Patient / Overlooking people's faults / Not reacting immediately to hurt and insult
ורב חסד	Abounding in kindness / beneficent / Always looking for opportunities to help
ואמת	Faithful / Reliable / Constant / Durable / Keeping promises / Living up to obligations / Acting with integrity
נוצר חסד לאלפים	Storing the kindness / Remembering the good in people even when the bad is expressing itself / Having infinite faith in human potential
נושא עוון	Forgiving sin / Overlooking slights and insults
ופשע	Forgiving rebellious acts
וחטאה	Forgiving even serious transgressions and hurt
ונקה	Cleansing / Wiping the slate clean / Starting fresh with others (and with ourselves)

Ahavnu Viduy

Composed by Rabbi Avi Weiss

Founding President, YCT

Introduction by Rabbi Dov Linzer

On Yom Kippur we strive to confess before God all our wrongdoings, taking true stock of what we have done wrong and where we have failed. The repeated recitation of the אשמנו prayer, with its alef-bet acrostic, gives us the opportunity to reflect on our own personal sins and shortcomings, from A to Z, and to perhaps even articulate them alongside the standard text.

But we have done more this last year than failed and fallen short. We have also succeeded; we have done good every day in ways big and small; we may have even done some extraordinary things. That needs to be recognized as well.

We are forgiven on Yom Kippur for a reason. It is to allow us to start fresh. To free us from the sins that weigh us down, keeping us looking backwards, robbing our belief in ourselves, and preventing us from achieving our true potential. That process begins with seeing the good in ourselves, giving voice to that, owning it and believing in it.

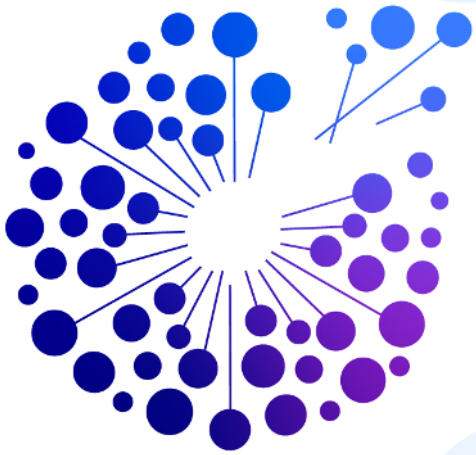
For this we need a different type of viduy. A positive viduy. An articulation of what we have done right, a viduy of what we are proud of. This is the viduy of ma'aser, the viduy recited when a person fulfils the mitzvah of giving tithes and declares: "I have done all that you have commanded me!" (Deut. 26:14). As Rav Kook so powerfully writes (Ein Ayah on Mishnah Ma'aser Sheini 5:10):

> נתנה לנו הדרך להתעוררות שצריך האדם שישמח גם כן לפעמים בביטוי שפתיים על מעשה הטוב אשר עשה וכפי המדה הראויה לחזק לבבו בעבודה,
>
> The Torah has given us a path of awakening: a person needs to also rejoice themselves sometimes by articulating the good deeds that they have done, in the appropriate measure, in order to strengthen their heart in [Divine] service.

Rav Avi Weiss, founder of YCT, has been teaching all of us this lesson for many years. Over 10 years ago, he composed the following *ahavnu* viduy to be said alongside the *ashamnu* one. We encourage each of you to recite this viduy on Yom Kippur as well and to use it as an opportunity to reflect on and to articulate to ourselves all that we are proud of over this last year. On the day that God has promised to forgive us for our sins, we pray that we can learn to forgive ourselves, to own the good within us, and to devote this coming year to bringing that good out into the world.

Ahavnu Viduy

אָהַבְנוּ,	We have loved,
בֵּרַכְנוּ,	We have blessed,
גָּדַלְנוּ,	We have grown,
דִּבַּרְנוּ יְפִי	We have spoken positively.
הֶעֱלִינוּ,	We have raised up others,
וְחַסְנוּ,	We have protected,
זֵרַזְנוּ,	We have acted enthusiastically,
חָמַלְנוּ,	We have shown empathy,
טִפַּחְנוּ אֱמֶת	We have cultivated truth.
יָעַצְנוּ טוֹב,	We have given good advice,
כִּבַּדְנוּ,	We have shown respect,
לָמַדְנוּ,	We have learned,
מָחַלְנוּ,	We have forgiven,
נִחַמְנוּ,	We have comforted,
סָלַלְנוּ,	We have been creative,
עוֹרַרְנוּ,	We have stirred,
פָּעַלְנוּ,	We have been spiritual activists,
צָדַקְנוּ,	We have been just,
קִוִּינוּ לָאָרֶץ	We have longed for the Land [of Israel].
רִחַמְנוּ,	We have been compassionate,
שָׁקַדְנוּ,	We have given full effort,
תָּמַכְנוּ,	We have supported,
תָּרַמְנוּ,	We have contributed,
תִּקַּנּוּ	We have repaired.



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