The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תקפ״ט סעיף א׳ו׳

Overview

Siman 589 Seif 1:

One who is not obligated in the mitzvah may not discharge the obligation of others.

- Shulchan Aruch refers to one who is not actually obligated but one who already fulfilled the mitzvah may discharge the obligation of others. (M.B. 1)

Siman 589 Seif 2:

A deaf-mute, someone insane and a minor are exempt from the mitzvah. Someone deaf who speaks but cannot hear cannot discharge the obligation of others since his inability to hear exempts him from the mitzvah. However, one who hears but cannot speak may discharge the obligation of others.

- Even a child who is 13 but has not physically matured may not discharge the obligation of others. (M.B. 2)
- One who hears may discharge the obligation of others even l'chatchila. Someone who hears with the assistance of a horn-shaped device is obligated in the mitzvah. (M.B. 4)

Siman 589 Seif 3:

Women are exempt since it is a positive time-bound mitzvah.

Siman 589 Seif 4:

An אנדרוגינוס can discharge the obligation of another אנדרוגינוס but a טומטום cannot discharge the obligation of another טומטום.

- Although a טומטום and אנדרוגינוס must blow the shofar they do not recite the beracha when they do so. (M.B. 6)

Siman 589 Seif 5:

Someone who is half-slave half-free may not even discharge his own obligation and a free-man must blow shofar on his behalf.

Siman 589 Seif 6:

Even though women are exempt from the mitzvah they may blow the shofar. Similarly, one who has fulfilled his obligation may blow the shofar for them but they do not recite the beracha nor do we recite the beracha on their behalf. The custom is that women do recite the beracha on positive time-bound mitzvos, therefore, they may recite the beracha for themselves but another should not recite the beracha for them if he already fulfilled his obligation. We do not blow just for them but if one is blowing the shofar for a man who must fulfill the mitzvah he can recite the beracha on his behalf even though the one blowing the blasts already fulfilled his obligation as explained in siman 585 seif 2 in Rema's first comment.

- Although they are exempt blowing the shofar does not involve desecration of Yom Tov. Similarly, a child may blow the shofar to learn how to do the mitzvah. (M.B. 8)
- It is preferred for one to blow shofar for them after davening and one of the women should recite the beracha or the one blowing should have in mind during davening that he does not wish to discharge his obligation and then he could recite the beracha himself. (M.B. 11)

Halacha Highlight

A child demonstrating that he is physically mature

Shulchan Aruch Siman 589 Seif 2

וקטן פטורים

And a child is exempt

Shulchan Aruch (סע׳ ב׳) writes that a child is exempt from the obligation of hearing the shofar. Since a child is not obligated in the mitzvah of shofar he may not blow the shofar for those who obligated to hear the shofar. Even if a child reached the age of thirteen which is the age of adulthood for a male, nevertheless, if we do not know that he also produced the necessary physical signs of maturity he may not blow the shofar for others (מ״ב סק״ב). Sha'ar HaTziyun (סק״ב) explains that the chazakah d'Rava which is the presumption that a boy who is thirteen years old is also physically mature does not apply. The reason it does not apply is that although it is true in the majority of cases and thus regarding Rabbinic matters we rely upon this presumption, since there is a noticeable minority of males for whom this is not the case we are stringent regarding Biblical matters (מ״ב סי׳ נ״ה ס״ק ל״א). Alternatively, Rava's presumption only generates a doubt and thus regarding Rabbinic matters we are lenient but regarding Biblical matters we are stringent following the general guidelines for matters of doubt (שם סק״מ).

Rav Tzvi Pesach Frank (מקראי קדש ימים נוראים סי׳ כ״ד) raises the question whether on the second day of Rosh HaShanah we may rely on chazakah d'Rava and assume that a 13 year old is physically mature as well. Is the second day treated the same as any Rabbinical matter or perhaps since the two days of Rosh HaShanah are considered one long day – יומא אריכתא – we may not rely on the presumption. He cites Mishnah Berurah (סי׳ תקצ״ה סק״א) who rules that even on the second day of Rosh HaShanah if one must choose between the two one should prioritize going to a place with the shofar rather than a place with a shaliach tzibbur. The fact that he prioritizes the mitzvah of shofar even on the second day indicates that we treat the second day the same as the first and thus even on the second day we would require proof that a child has physically matured.