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

Overview

Siman 589 Seif 7:

If one took a vow not to benefit from his friend that friend may blow the shofar for the mitzvah on his behalf. This is true only when the friend was blowing the shofar anyway but if he asks to blow the shofar on his behalf it is prohibited. If he vowed not to benefit from his friend's shofar blasts, it is prohibited in all circumstances.

- It is permitted since mitzvos do not provide benefit but when he prohibited his blasts it is prohibited even though the blasts do not provide him with benefit. (M.B. 12)
- He is considered to benefit from the fact that his friend performed his agency but b'dieved his obligation was fulfilled. (M.B. 14)

Siman 589 Seif 8:

One who is preoccupied blowing the shofar to learn the skill does not discharge his obligation and one who hears someone blowing the shofar in this circumstance does not satisfy his obligation. Similarly, one who blows the shofar to play a song and does not intend the mitzvah does not satisfy his obligation. If the listener intended to discharge his obligation but the one blowing did not intend to discharge the listener's obligation or vice versa, the obligation is not fulfilled unless the one blowing and the one listening have intent to discharge the obligation.

- If one came to the bais haknesses to fulfill his obligation his obligation is fulfilled even though he did not have specific intent when he was listening. (M.B. 16)

Siman 589 Seif 9:

If one blew a shofar blast and intended to discharge the obligation of all who will listen and a listener had in mind to discharge his obligation, even though the one blowing did not have this one in mind specifically and does not know who he is, his obligation was fulfilled since the one blowing the blast had in mind all who will listen. Therefore, if one was traveling on the road or sitting in his home and heard a shaliach tzibbur blow the shofar and intended to fulfill his obligation, he has satisfied his obligation since the shaliach tzibbur had intent to discharge the community of their obligation.

- According to Elya Rabba if someone stood still to listen to the blasts he satisfied his obligation since it is assumed that he had proper intent but if he was merely in his home we do not make the same presumption. (M.B. 18)
- A blind person is obligated in the mitzvah and should not be dismissed because he became blind even if there is another person who is just as qualified. (M.B. 18)

Halacha Highlight

Hearing shofar blasts from someone prohibited for benefit

Shulchan Aruch Siman 589 Seif 7

המדר הנאה מחבירו

One who takes a vow not to benefit from a friend

Shulchan Aruch (סעי׳ ז׳) writes that if Reuven took a vow that he would not derive benefit from Shimon, it is permitted for Shimon to blow shofar for Reuven. The reason is that mitzvos are not designed to provide one with benefit – מצוות לאו ליהנות נתנו—therefore, listening to someone blow shofar is not included in the prohibition of benefit that he accepted upon himself (מ״ב ס״ק י״ב). Rema adds that if Reuven vowed more specifically, prohibiting himself from listening to Shimon's blasts, Reuven may not listen to Shimon's shofar blasts. The reason why Reuven may not listen to Shimon's shofar blasts in this case is that he prohibited himself from Shimon's blasts even though they do not provide him with benefit. Thus the principle of מצוות לאו ליהנות נתנו does not apply (מ״ב שם).

Shulchan Aruch adds a qualification to his ruling. When Reuven takes a general vow that he will not benefit from Shimon, he may listen to his shofar blasts only when Shimon blows shofar on his own initiative and Reuven is present to hear the blasts. It is prohibited for Reuven to instruct Shimon to blow shofar blasts for his benefit. The rationale behind this ruling is that once Reuven instructs Shimon to blow shofar for him Shimon is acting as Reuven's agent and Reuven derives benefit from the fact that Shimon is acting as his agent. Mishnah Berurah (ס״ק י״ד) adds that b'dieved if Shimon blew shofar due to Reuven's instructions, the mitzvah was fulfilled. Sha'ar HaTziyun (ס״ק י״א) expresses some hesitation concerning this ruling since there is a position amongst the Poskim that one does not get credited for the performance of a mitzvah even b'dieved if it was done in the process of committing a transgression (מצוה הבאה בעבירה). The rationale for Mishnah Berurah's lenient ruling is that had Reuven not instructed Shimon to blow shofar for him Reuven could have fulfilled his obligation by listening to Shimon blow the shofar even when he blows due to his instructions it is not an instance of מצוה הבאה בעבירה since the transgression could have been avoided.