

SHOFAR ON SHABBOS

AND THE BURNING OF THE TZITZIS IN JERUSALEM

Ari Z. Zivotofsky and Ari Greenspan

This year it is unlikely that any of us will fulfill the mitzvah of shofar the way the Torah commands it. The mitzvah in the Torah is to blow the shofar on the first day of Rosh HaShanah, and this year the first day of Rosh HaShanah falls on Shabbos. This timing may not seem so rare, having occurred in five of the last ten years, but it will not happen again for another eleven years, until 2020. Though the Torah apparently obligates us to blow the shofar when the first day of Rosh HaShanah falls on Shabbos, Chazal decreed that in general, when Rosh HaShanah is on Shabbos the shofar is not blown. Hence there is no *d'Oraysa* fulfillment of the mitzvah, which is only on the first day. Why would Chazal prevent us from blowing the shofar on Shabbos when it seems that the Torah requires it? This mitzvah should be no different from bris milah. Milah is a positive commandment, as is shofar, and just as a bris is done on Shabbos when it is the eighth day after birth, the shofar should be sounded when Rosh HaShanah falls on Shabbos. This topic opens a door to some of the most unique thoughts and actions of the last hundred years.

When the first day of Rosh HaShanah is on Shabbos, the custom of all Jews these days is to *not* blow the shofar. The reason for not blowing is not as clear as we usually assume. This practice has not always been the tradition in all times and places. As recently as 100 years ago, there was a serious, maybe even successful attempt to blow shofar on Shabbos Rosh HaShanah in Jerusalem.

Talmudic History Two enigmatic mishnayos (*Rosh HaShanah* 4:1–2) discuss the issue. The Mishnah says: “When Rosh HaShanah fell on Shabbos, they would blow in the Mikdash but not in the *medinah* [outside the Mikdash]. When the Temple was destroyed, Rav Yochanan ben Zakai established that they should blow anywhere that has a *beis din*. Rabbi Elazar said that Rav Yochanan ben Zakai made his decree only in Yavneh; the other Sages responded that it applied equally to Yavneh and to any other place with a *beis din*. Furthermore, Jerusalem had one up on Yavneh in that any city that could see Jerusalem, could hear it, was near it, and from which people could come to it on Yom Tov also blew, while in Yavneh they blew only in the *beis din*.”

This mishnah evokes rabbinic debate on almost every word. Even the definition of “Mikdash” and “*medinah*” in the first half is debated. Rambam understands that “Mikdash” includes all of Jerusalem, while *medinah* means everywhere outside the capital, while Rashi interprets Mikdash literally as the Temple complex, while *medinah* includes even the rest of Jerusalem.

It is not just the micro but even more so the macro picture of this mishnah that is truly perplexing. The latter part of the mishnah states that Jerusalem had some advantages over Yavneh, including that nearby locations also blew shofar on Shabbos. What time period is that statement referring to? The early part of the Mishnah seems clear that when there was a Mikdash, only there was the shofar blown, not in nearby towns. It is therefore possible that this advantage applied during the time of the Mikdash and was simply not stated explicitly in the first part. Alternatively, there are two pre-Churban periods — one when the Sanhedrin met in

artist's rendering of the Sanhedrin

the Mikdash, and one when it was exiled to the market just outside the Temple — and the Jerusalem advantage obtained during that period. Others suggest that it was post-Churban that Jerusalem was given a leg up on all other places with a *beis din*. As we shall see, this last position played a role in a fierce controversy in the early twentieth century.

Shofar in the Mikdash It should be noted that the shofar blowing in the Temple differed in other ways from the blowing outside it. In the Mikdash, trumpeters flanked the shofar blower. The *chatzotzrot* [trumpets] were blown in tandem with the shofar, which was sounded a bit longer than they were. The shofar used in the Mikdash was also different — it was straight and had gold plating near the mouthpiece. The Gemara [*Rosh HaShanah* 27a] learns these differences from the verse [*Tehillim* 98:6] that “before the Lord,” i.e., in the Mikdash, the shofar blowing was unique.

Often the status of Jerusalem in this regard is presented as a debate among the Rishonim. Ramban’s famous *drashah* for Rosh HaShanah offers an interesting perspective. Ramban understands that whether the shofar was blown throughout pre-Churban Jerusalem is really *amachlokes* between the Talmud Bavli (shofar not blown) and the Talmud Yerushalmi (shofar blown).

The two Talmuds also disagree about the basis for not blowing the shofar when Rosh HaShanah is on Shabbos:

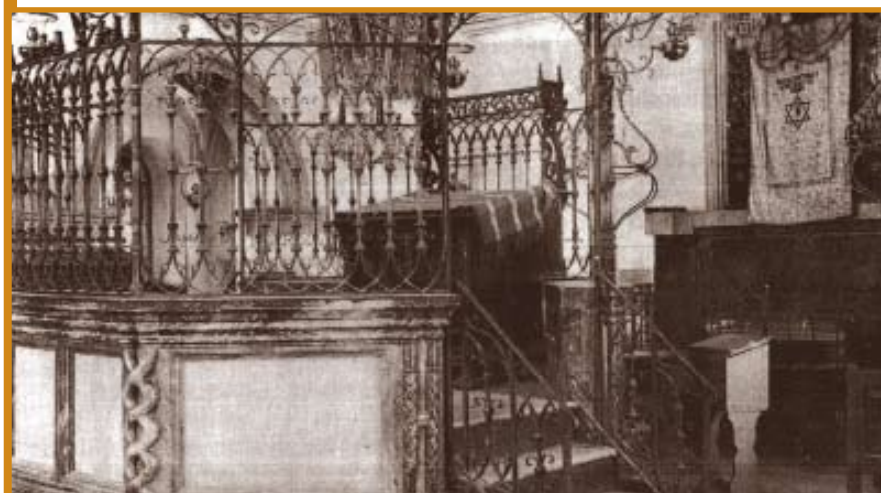
The Bavli concludes its discussion (*Rosh HaShanah* 29b) of the reason for not blowing with the famous enactment of Rabbah that the prohibition is rabbinic and intended to prevent one from mistakenly carrying the shofar four *amos* in a public thoroughfare, thereby desecrating Shabbos. Thus, from the Torah’s perspective the shofar may, nay must, be blown on Shabbos. When the rabbis banned blowing on Shabbos, they didn’t impose the ban in the Mikdash, because “*Ein shvus baMikdash*,” no rabbinic prohibitions related to Shabbos apply in the Temple.

(Interestingly, the Bavli applies Rabbah’s decree to *lulav* as well [and hence we will not take a *lulav* this year on the first day of Succos], while the Yerushalmi reports that Rav Abbahu instructed the Jews of Alexandria to fulfill this mitzvah on Shabbos.)

The Yerushalmi (and the *Midrash halachah* in *Toras Kohanim*), on the other hand, seems to know nothing about Rabbah’s enactment and concludes its discussion with what seems like the rejected initial suggestion in the Bavli. Two biblical verses teach the mitzvah of shofar:



Churvah Synagogue Yerushalayim



picture inside the bet Keneset Tiferet Yisrael

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the second verse is referring to when Rosh HaShanah falls on a weekday, and the first verse refers to Rosh HaShanah on Shabbos. This interpretation would seem to indicate that not blowing is a matter of biblical law, and the permission to blow in the Mikdash is also biblical, because Vayikra 23:24 implies that where sacrifices are brought, the shofar may be blown on Shabbos.

A fine distinction needs to be pointed out: It is not obvious whether the Yerushalmi is saying that Shabbos shofar blowing is prohibited by the Torah but permitted in the Mikdash, or whether it is stating that the Torah suspended the mitzvah of shofar when Rosh HaShanah is on Shabbos but that the mitzvah persists in the Mikdash. The Tosfos HaRid understood it the first way, that there is a biblical prohibition to blow on Shabbos. In that case, he asks, how could Rav Yochanan ben Zakai decree that the shofar be blown in places other than the Mikdash? He responds that Chazal have the authority to uproot a biblical rule even via an action (*kum v’aseh*), not only via inaction (*shev v’al taaseh*). That turns the Bavli-Yerushalmi debate regarding shofar into a debate regarding whether Chazal via *shev v’al taaseh* abrogated shofar this year (Bavli) or whether Rav Yochanan ben Zakai via *kum v’aseh* established it in certain locales in a year like this.

The halachah follows the Bavli in that we do not blow on Shabbos because

of a rabbinic enactment. Surprisingly, we seem to have a remnant of the Yerushalmi in our davening. This Rosh HaShanah, in the Shmoneh Esrei, in Kiddush, and in the brachah of the *haftarah* on the first day, we will replace the biblical phrase “*yom truah*,” a day of blowing, with “*zichron truah*,” a remembrance of blowing, apparently in line with the Yerushalmi’s position that blowing shofar on Shabbos is forbidden by the Torah, not just rabbinically. Indeed, possibly for this reason, Rav Hai Gaon did not modify these texts as we do when Rosh HaShanah falls on Shabbos. The Rosh (*Rosh HaShanah*, end of chapter 4) quotes Rabbeinu Shmuel bar Chofni as changing as we do. Interestingly, *Meseches Sofrim* (19:8), cited in the Beis Yosef, says to make the change because we do not blow on Shabbos, owing to the rabbinic enactment. This source clearly accords with the Bavli yet sees no contradiction in reciting the verses as per the Yerushalmi. Nonetheless, most *poskim* (see *Kaf HaChaim* 582:7) rule that if on Shabbos one recited *yom truah*, he has fulfilled his obligation.

Following the Destruction, in 70 CE, Judaism changed radically. We no longer had the Mikdash and *korbanos*, and the leader and savior of the remnant of Israel, Rav Yochanan ben Zakai, had to determine various halachos, such as whether shofar blowing on Shabbos Rosh HaShanah would be forgotten until the Mikdash was rebuilt, or whether it would continue under certain circumstances as a remembrance of the Temple practice, similar to other remembrances he instituted?

The Rif Blowing the Shofar

The Mishnah relates that Rabbi Yochanan Ben Zakai indeed instituted some manner in which the shofar should be blown on Shabbos Rosh HaShanah. Therefore, given the proper circumstances, the shofar could theoretically be blown on Shabbos even today with no Mikdash. But what are those circumstances? What constitutes a proper *beis din* in this regard? Rabbi Yochanan ben Zakai was trying to remind us of the Temple. So how much like the Temple must the situation be? Must the court contain seventy-two members, like the Sanhedrin in the Mikdash? What about a court of twenty-three, like the smaller Sanhedrin, or a regular court of three? Must the members of this court have “real” *smichah* traceable back to Moshe Rabbeinu, or is our *smichah* sufficient?

Many opinions exist among the Rishonim. Rav Alfasi, the Rif, rules that an

FROM RAV YOCHANAN BEN ZAKAI TO BULGARIA

Jews have been in Bulgaria for well over a thousand years. The *mechaber* of the *Shulchan Aruch*, Rav Yosef Karo, married the daughter of the chief rabbi of Bulgaria before moving to Tzfas in the sixteenth century. Under communism, the once thriving Bulgarian Jewish community shrank, and many of the smaller shuls closed. However, in Sophia, the capital of Bulgaria, a large, beautiful shul built in 1909 still stands.

In 2008, when Ari Greenspan traveled to Bulgaria to perform some brissim, he started looking around the shul. Despite being told that there was nothing in the basement, he asked the old shammes to unlock it and entered a dark, damp stone room with no electricity. Bags of garbage and junk sat alongside big, wooden boxes. By candlelight, he opened box after box to discover a treasure-trove of Judaica that had been collected from shuls all over the country, deposited in the humid basement, and forgotten. Among the finds were hundreds of Ark curtains (some dating back to the early 1800s), some 120 silver Torah finials, pointers, crowns, Torah covers, and — shofars.

These shofars were unique in two respects. One, they were decorated with crude carvings. Two, each one had a fine string wrapped around it in a manner that was clearly part of its design.

Bulgaria was part of the Ottoman Empire, and the country’s Jews are all Sephardim. Their *minhag* is that of Eretz Yisrael. Could this string be a remnant of the Eretz Yisrael tradition of blowing the shofar on Shabbos if it was tied to a pole? We will probably never know, but sitting in that basement, Greenspan could not help but

feel connected to the distant past. Who held these crudely formed shofars, where were they

blown, and for how many Rosh HaShanahs? Might these very shofars be a link back to the original enactment of Rav Yochanan ben Zakai?



stamp of bet Keneset Tiferet Yisrael

ordinary *beis din* suffices. Not surprisingly, the Rosh reports that the Rif himself convened his *beis din* in Fez, Morocco, and actually blew the shofar on Shabbos Rosh HaShanah so as to fulfill the positive commandment of the day. Yet his students did not follow in his footsteps. The Ritva writes that he is unaware of any community that blows shofar on Shabbos. Rabbeinu Manoach, on the other hand, quotes Rav Baal Ha’eizer, who says that in Damascus they did blow in the *beis din*.

It appears that this blowing was not an isolated event. In the Cairo Genizah a letter from 4922 (1162) was found. Seemingly written by the head of the Babylonian Jewish community to the community in Eretz Yisrael, the letter warns that one who blows the shofar on Shabbos even in a “*beis vaad*” is desecrating Shabbos. If blowing on Shabbos hadn’t been relatively common within Eretz Yisrael’s sphere of influence, which included Damascus, why would the Babylonian leader have criticized it? And this letter is from the same period as the report of Rav Baal Ha’eizer. Therefore, blowing on Shabbos must have been



remains of bet Keneset Tiferet Yisrael

photo: Dr. Ari Greenspan

widespread.

It seems strange that today there is no remnant of this enactment of Rabbi Yochanan ben Zakai to blow shofar in a *beis din* on Shabbos. Before seeing if anyone stills does it, however, there is the question of someone who blew in violation of the rabbinic decree — has he fulfilled a mitzvah?

The Gemara (*Yevamos* 90b) explains the mechanism by which Chazal can abrogate a positive biblical mitzvah via *shev v’al taaseh*, inaction. Rabbi Akiva Eiger assumes that if one violated this rabbinic decree and blew on Shabbos, he was wrong but fulfilled a biblical mitzvah. Chazal may instruct you to passively not perform

a positive mitzvah, but the mitzvah still exists, and one who breaches their decree has fulfilled this precept.

In contrast, Rav Elchanan Wasserman quotes Rabbeinu Yonah that Chazal do not merely instruct one to ignore the mitzvah, but they actually uproot it, such that it effectively no longer exists. Thus, one who performs the action has violated the rabbinic decree without fulfilling any mitzvah. And thus, even according to those who usually recite Shehecheyanu before shofar blowing only on the first day of Rosh HaShanah, such a person should say it on the second day as well, since both his blowing and his brachah on the first day, Shabbos, didn't count.

Talmid of the Chasam Sofer in Jerusalem

In 1870, an astounding personality moved to Jerusalem from Hungary. Rabbi Akiva Yosef Schlesinger (1837–1922) was his name. He was reared on the lap and the philosophy of the Chasam Sofer, even though the latter died when the former only two years old. In fact, the Chasam Sofer writes: "I was the mohel, *porei*, and *sandak* for the child Akiva Yosef." Rabbi Schlesinger learned in various yeshivos, including that of Maharam Schick, and returned to Pressburg at age fifteen to become a close disciple of the Ksav Sofer, son of the Chasam Sofer. Rabbi Schlesinger's first sefer was *Lev Halvri (The Heart of the Jew)*, explaining the Chasam Sofer's last will and testament exhorting his children to live a good life devoted to Hashem. In this work, Rabbi Schlesinger adopted and expanded the Chasam Sofer's extreme rejection of the Haskalah, the Enlightenment. In fact, it was Rabbi Schlesinger who popularized the famous statement "*Chadash asur min haTorah*."

In its original context (Mishnah *Orlah* 3:9), the statement refers to the prohibition of eating new grain before the Omer offering was brought. However, Rabbi Schlesinger added the meaning that *anything* new is prohibited by the Torah. Thus, he forbade secular learning. Even if

the government mandated a little bit, the Rav ruled that it should never be taught by an Enlightenment Jew, lest he contaminate the child's minds. Furthermore, said Rabbi Schlesinger, sermons should be delivered only in Yiddish or Hebrew; no musical instruments were to be played in shul; and there had to be a *bimah* in the middle of the synagogue. He spent his life fighting the Reform movement tooth and nail. This arch conservative Jew wouldn't deviate an inch from what previous generations had done.

Upon reaching Eretz Yisrael, Rabbi Schlesinger was penniless and found a job as the Rav in charge of the *mikveh* in the Tiferes Yisrael shul in the Old City of Jerusalem. This shul, second in size only to the great Churvah, was built by Nissan Beck, the first Hebrew printer in the city. It was also the last refuge for the defenders of Jerusalem in 1948, who proclaimed from this shul that the city was lost to the Jordanians.

Rabbi Schlesinger envisioned Eretz Yisrael as a modern, religious state with agricultural settlements where Torah study went hand in hand with working the land. In an ironic twist of history, the *Encyclopedia Judaica* calls him an early Zionist. He envisioned yeshivos in which the learning would proceed as described in the Mishnah: First one would spend years mastering Tanach, then Mishnah, and only later Gemara. He foresaw religious travel between Eretz Yisrael and the Diaspora, including "Jewish ships" with Jewish flags and religious hotels in the Holy Land.

Longing for the Mikdash, Rabbi Schlesinger rented an apartment adjacent to the Kosel and started the first permanent minyan there. He wrote: "I moved near the Western Wall, where no Jew has lived since the Destruction, where for four years I have had the privilege of living in the *beis*

medrash I built there."

This visionary was unhappy and concerned with the way the money collected around the Jewish world was distributed among the kollelim in Jerusalem, and his attempts to change it earned him enemies. Thus, when Sir Moses Montefiore requested a meeting to help him publish his book, the Rav was afraid to show himself in public, lest he be attacked.



stamp for Rav Teumin-circa 1920

Burning of Techeles in Jerusalem

Rabbi Schlesinger was the first person in Jerusalem to request and receive *techeles* from the great Rav Gershon Henoch Leiner, Rebbe of Radzin and grandson of the famous Ishbitzer Rebbe. When he wore it in public, he was accosted!

Rabbi Heschel Meshel Gelbstein, a contemporary of his, was a Kotzker chassid and maintained the traditional Kotzker enmity toward Ishbitzer Chassidus. Upon hearing that Rav Schlesinger was wearing *techeles*, Rabbi Heschel Meshel did two things. One, he went to Rav Schlesinger's minyan (in what is today the Muslim Quarter), ripped his tallis off him, proclaimed the *techeles* an idolatrous fetish, and burnt it publicly on the roof of the Churvah. Two, he wrote a treatise called *Ptil Techeles*, a spoof on the Radziner's book of the same name, which extolled the *techeles* as the real thing. In his diatribe, Rav Heschel Meshel declared Rav Schlesinger an idolater and, as such, unfit to oversee the *mikveh* of the Tiferes Yisrael shul.

Rav Gelbstein placed notices in many shuls, stating, "Halachic decision to copy and distribute in all the shuls and *batei medrash* in all of Israel regarding ... people from abroad who replace the tzitzis with a strand that looks like *techeles* from a non-kosher fish from a river in Italy. And they rely upon their rabbi. And even here in Jerusalem, may it be speedily rebuilt in our days, there is a person who has worn a large tallis with the aforementioned blue thread in public."

In letters to Rav Shmuel Salant, chief rabbi of Jerusalem, and other *gedolim*, Rav Gelbstein tried to have Rav Schlesinger dismissed from his position. At one point, he and his students had to flee Jerusalem, and in 1878 they established the first Jewish agricultural settlement, Petach Tikvah.

Shofar in Jerusalem As in many issues, Rav Schlesinger was a *kanai*, a zealot, with regard to the mitzvah of shofar blowing as well. In 5632 (1871), the year

after he arrived in Jerusalem, Rosh HaShanah fell on Shabbos, and he was anxious to blow shofar now that he was in the Holy City. He presented his reasoning to Rav Meir Auerbach of Kalish, the Imrei Binah, who rejected it. In 1881, Rosh HaShanah was again on Shabbos, and Rav Schlesinger issued a pamphlet explaining why the shofar should be blown in Jerusalem that year.

Although Rosh HaShanah fell on Shabbos several years later, the major controversy erupted only in 5665 and 5666 (1904 and 1905), when Rosh HaShanah fell on Shabbos two years in a row. Rav Schlesinger implored the rabbinic leadership of Jerusalem to blow shofar those years. Scholarly letters were published on both sides of the issue in the Hungarian Torah journal *Tel Talpiyot*.

Drawing largely on his arguments of thirty years earlier, Rav Schlesinger presented a series of reasons to permit shofar: When Rambam says all of Jerusalem has the status of Mikdash, he means not only when there is a Mikdash but for all time. Jerusalem is special, and Rabbah's decree never applied there. Furthermore, since we hold like the Rif in observing two days of Rosh HaShanah in Eretz Yisrael — which hadn't been done until his time — we should hold like him in blowing on the first day even on Shabbos. Otherwise, we are following the Rif and neglecting the biblical mitzvah of tefillin on the second day yet rejecting him and bypassing the biblical shofar on the first day. In addition, he asserted, regarding the fear that one would carry the shofar in a public domain, many authorities hold that today there is no biblical *reshus harabbim*, and certainly not in the Jerusalem of his time, when the gates of the Old City were closed nightly. He raised many other points, and a great debate ensued.

Among Rav Schlesinger's innovative arguments in 1904 was his appeal to a bedridden Rav Salant on behalf of Russian Jewry, which was then suffering terrible pogroms. Rav Schlesinger contended that Mordechai and Esther had overridden Pesach with a fast day, and that had defeated Haman's evil decree. It is well known, he argued, that the shofar has the power of saving the Jews. And here they were talking about a rabbinic violation by one person, so how dare they abandon their brethren in Russia and not save them?

Rav Schlesinger's plan was to gather in either the Churvah or the shul of Rav Yochanan ben Zakai and blow shofar before both the Ashkenazi and Sephardi *batei din*, so the blowing would be in the presence of



Rav Shmuel Salant chief rabbi Yerushalayim

Tosafos explains that because of the significance of the shofar, Rav Yochanan ben Zakai instituted that there be places where it is blown even on Shabbos, something he did not do for lulav

a large *beis din* of twenty-three. He reported that both Rav Salant and the Aderes, Rabbi Eliyahu David Rabinowitz-Teomim, supported him. Others claim that Rav Salant said he wouldn't advocate blowing but he wouldn't object if others did so. But things fell apart when there was a public objection, and the plan never materialized. Nonetheless the rumor was that he arose early, shut his shutters, and blew the shofar.

Rav Yechiel Michel Tucatzinsky related that when the Aderes (1845–1905) — the former Rosh Yeshivah of the Mir, head of the Ashkenazi community in Jerusalem, and Rav Avraham Yitzchak Kook's father-in-law — realized that Rosh HaShanah fell on Shabbos in both 1904 and 1905, he worried that he might never fulfill the biblical mitzvah of shofar again. He then said that if Rabbi Schlesinger blew shofar in 5665, he stand behind the wall to hear. A similar sentiment is attributed to Rav Salant by his students.

Rav Schlesinger left us an important message about the significance of shofar blowing. He reported that Rav Salant had explained to him why the Gra turned back after heading out on his long-anticipated trip to Eretz Yisrael. The Gra realized that Rosh HaShanah would be on Shabbos that year, and based on his understanding of the Gemara (*Beitzah* 5), he would not have an opportunity to fulfill the mitzvah of shofar at all in Eretz Yisrael if the rabbinic leadership forbade him to blow on Shabbos, while back in Vilna, blowing on the second day was sufficient. Therefore, he turned back.

The history of shofar blowing on Shabbos recently became even more interesting and intriguing with the publication in 1985 of a newly discovered, startling *piyut* for Rosh HaShanah. Found in the Cairo Genizah, this liturgical poem is enigmatic but seems to indicate that at the time it was recited, Jews did blow shofar on Shabbos in the presence of a *beis din*. However, instead of being held, the shofar was tied to a pillar in the synagogue, and the blower merely put his mouth to it and blew. The date and province of the *piyut* are uncertain, but it seems to be describing a custom in the Land of Israel up until the twelfth century.



The shofar plays a special role in the Rosh HaShanah davening. More than a "mere" *mitzvas aseih*, it is a reminder of the Akeidah. The Gemara compares it to the service of the Kohein Gadol in the Kodesh HaKodashim on Yom Kippur. The Talmud quotes Rav Yitzchak as warning that if the shofar is not blown, it bodes ill for the Jewish people. Tosafos explains that because of the significance of the shofar, Rav Yochanan ben Zakai instituted that there be places where it is blown even on Shabbos, something he did not do for *lulav*. Let us hope and pray and do everything we can such that soon we shall once again hear the shofar sounding from the Temple in Jerusalem. ■

Dr. Ari Greenspan is a Dentist in Yerushalayim as well as a mohel, sofer and shochet. Rabbi Dr. Ari Zivotofsky is a professor of brain sciences in Bar Ilan University and a shochet and mohel. The two have been chevratot for 25 years and have been going on halachic adventures around the globe to discover and record Jewish traditions.

Dr. Ari Greenspan
ari@greenspandental.com
www.greenspandental.com



shofar from Bulgaria with string wrapped around it

