

YESHIVAT HAR ETZION
ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

TALMUDIC METHODOLOGY

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Shiur #3: A 'Mum' in a Shofar

The past two shiurim have inspected the respective disqualifications of nisdak and nikav (a split in the shofar, and a hole). In the first instance, many, if not most, Rishonim chose to explain the invalidation as based on the absence of a basic shofar structure. In other words, a split shofar is no longer considered an anatomically sound shofar and cannot be used to generate the kol shofar. We did suggest that according to Rabenu Yonatan (who disqualified even a minor split) the pesul is based on a mum - a deformity, rather than the complete absence of the shofar structure itself. In the instance of a hole, most Rishonim saw the problem as stemming from the actual repair. By repairing a certain type of hole, the native, pure shofar is becoming adulterated with an additional substance. The Torah commanded that we blow with one shofar and not with a hybrid or a product of patches and repairs. Most positions considered a non-repaired shofar as perfectly valid since no additional substances were patched onto the shofar. Yet, some positions (the Rosh in his Teshuvot and the Kolbo) claimed that a shofar with a hole should not be used under any circumstances, suggesting that beyond the issues of foreign patches, a hole poses a more fundamental problem - namely, a shofar with a mum. This shiur will address a broader issue - can the concept of mum be applied to shofar?

In general, the notion of mum applies under two conditions: the item in question is alive (animals for a korban, Kohanim to serve in Mikdash) and the item is involved in a process of Mikdash ceremony. Applying mum to shofar would require the inspection of each of these two conditions.

Clearly, the 'Mikdash' or 'korban' factor within shofar is the easier of the two to verify. The gemara in Rosh Hashana (26a) deliberates the position of Chakhamim that a horn from a cow cannot be used as a shofar. According to

one opinion, this is based on the principle of ein kateigor na'aseh saneigor – an element which catalyzed a sin (the egel ha-zahav) cannot then be employed in the process of absolution of sin (shofar blowing on Rosh Hashana). The gemara objects that gold clothing are worn by the Kohen every day in his Mikdash ceremonies. To this the gemara responds that the principle of ein kateigor applies only to Mikdash/atonement services inside the kodesh Ha-kodoshim (which is why the Kohen Gadol entered the Kodesh Ha-kodoshim on Yom Kippur in fabric and not gold). Yet, the principle still applies to shofar: 'being that the purpose of shofar is to be remembered by God by blowing, we are considered as standing in the Kodesh Ha-kodoshim.' This gemara firmly establishes shofar blowing as an element of the Mikdash service, and even as part of the Avoda in the kodesh Ha-kodoshim.

Two additional sources likewise indicate the Avoda component of shofar. The gemara in Rosh Hashana (28a) disqualifies blowing with a shofar of hekdesch because (according to one opinion) blowing violates the prohibition of me'ila, which in turn defines the mitzva as a mitzva ha-ba'a ba-aveira. Several gemarot invalidate any mitzva which was performed through the violation of an aveira. Yet, many Rishonim claim that the principle of mitzva ha-ba'a ba-aveira applies only to elements of korban (in which a higher standard is required). Typical mitzvot would not be invalidated because of mitzva ha-ba'a ba-aveira (see especially Tosafot Rashba Pesachim 35a). According to these opinions, the application of mitzva ha-ba'a ba-aveira to shofar must yield the following conclusion: it, too, is halakhically considered part of the Mikdash/korban experience and is subject to the same (higher) standards of mitzva ha-ba'a ba-aveira.

The Ramban provides an additional expression of this rule when he claims that only a shofar from a kosher animal may be used on Rosh Hashana. The Ramban bases this ruling on the gemara in Shabbat (28) which claims that only kosher materials may be used in the construction of the Mikdash. As the shofar is part of the Mikdash ceremony, it, too, may only be taken from kosher animals. These three sources firmly establish the shofar as not just a mitzva, but a component of avodat ha-mikdash.

In general, the connection between shofar and Mikdash has been greatly elaborated upon and is probably best evidenced by the Ra'avad in Sukka (in his comments to the Ri"ף page 21a). He claims that the mitzva to blow shofar is explicitly required only in the Mikdash (he conducts a hekesh –

literary adjustment - to the pasuk in Emor). Hence, Chazal were more strict regarding shofar blowing on Shabbat outside of Mikdash than they were about taking lulav on Shabbat outside of Mikdash. In addition (as the Rav zt"l commented), the fact that the shofar - when blown in the Mikdash – was accompanied by chatzotzrot (see Rosh Hashana 26b) indicates that the blowing is part of the Mikdash ceremony. Shofar blowing which is unrelated to the Mikdash (such as the shofar blown on Yom Kippur of a yovel year) would not be accompanied by chatzotzrot. Aligning shofar with the Avoda in the Mikdash is thus a relatively easy 'task.'

The second condition for applying mum might be more tricky. We seldom (if ever) discover the application of mum to a non-living item. One possible solution would be to adjust our concept: though the concept of mum in the classic sense might not apply to shofar, a more general but related issue might pertain. Several gemarot invalidate 'disgusting items' for use in korbanot based on the pasuk in Malakhi, "Hakrivehu na le-pechatekha ha-yirtzekha" (would you offer the likes of this to your governor as tribute - would he accept it – certainly, then, you should bring korbanot to Hashem from higher grade materials). This principle differs from mum in that it invalidates substances based on their physical repugnance (foul smelling items, water which might have been infected, etc.) and not on any physical deformity. This notion is clearly applied to inanimate objects (water, wine, etc.) and would have clear applicability to a shofar. However, we might question the pertinence of this notion to a shofar which isn't unappealing per se but rather physically impaired (split down the middle or possessing a hole). Can we extend the 'Hakrivehu' principle to items which possess no physical repulsion?

If we do not resort to the Hakrivehu option (and the fact that neither the gemara in Rosh Hashana nor the Rishonim cite the pasuk, as so many gemarot do, further indicates that this is NOT the principle at play), we are left with questioning the relevance of classic 'mum' to an inanimate shofar. Interestingly enough, we do find a parallel to shofar in which the category of mum is clearly applied. The gemara in Sukka (31b-32a) discusses strangely shaped lulavim and invalidates a lulav whose leaves extend only along one side of the spine because it is a mum. This is a very powerful indication that mum applies even to inanimate items. If mum may be applied to lulav, which was cut from a living source, maybe it can be applied to shofar, as well!!

In truth, there might be room to distinguish between lulav and shofar. A lulav is not just harvested from a living tree; it must also remain alive in order to be used for the mitzva. The first mishna of the third perek of Sukka invalidates a dry lulav. The Yerushalmi explains that a dry lulav is a dead lulav, and dead items may not be used to praise Hashem (lo ha-meitim y'halelu kah). Though a lulav is inanimate, it is still considered alive (by dint of its internal fluids which create coloration and continue to conduct photosynthesis) and hence subject to mum considerations. The same would not necessarily be true about a shofar, which, though harvested from an animal, no longer possesses any signs or functions of life.

Alternatively, one interesting feature of shofar might invite the application of mum. The gemara in Rosh Hashana (27b) disallows the reversal of a shofar (widening the narrow end and narrowing the wider end) since this no longer represents the natural shape of the shofar. The Torah commanded "ve-ha'avarta," demanding that we sustain derekh ha'avarato - the shofar's original form. This gemara conveys an interesting notion, that the shofar must be blown in its natural manner to capture its state of being when it was still attached to the animal. Interestingly enough, we detect a similar pattern in the case of lulav, which must be taken upright to capture 'derekh gedeilatan' - the manner of its natural growth. Shofar and lulav thus share an interesting common feature - the need to execute the mitzva in the manner in which the item grew when it was still alive. Would this obligation make the application of mum more feasible to shofar? Even though it is no longer alive, the shofar should be maintained as closely as possible to its original state and any deformity might compromise that condition.