

ראש השנה כח

If a תקיעה started in a בור, and was continued outside the בור, the תקיעה is כשר (both for the תוקע and the listeners).

The whole תקיעה must be heard (even if a person heard a part and that part was long enough for a כשר תקיעה, nonetheless, since he did not hear the whole תקיעה, he is not יוצא). תקיעת שופר must be done during the day. If part of a תקיעה was blown before עלות and part after, then it is not a כשר תקיעה.

If a תקיעה at the end of תר"ת or תש"ת or תשר"ת was blown doubly long, it does not count for two תקיעות but only as one.

A person is יוצא with a שופר of הקדש, or if he was מודר הנאה from his friend and his friend blew שופר, as מצוות לאו ליהנות ניתנו. The ר"ן brings down an interesting המאור who writes that this is so only if the מצוה was a דאורייתא. However, for a מצוה דרבנן, for example a person was מודר הנאה מחבירו, and his friend blew חצוצרות (גזירה מדרבנן), he must leave the shul, as we do not say מצוות לאו ליהנות ניתנו by an איסור. The ר"ן questions that, אם כן, how can the person stay past the first nine תקיעות, as the following תקיעות are not מדאורייתא but מדרבנן? למעשה, even though the תקיעות are מדרבנן, they are a חלק of a דאורייתא.

What is the difference between a מצוה דאורייתא for which we say מצוות לאו ליהנות ניתנו and a מצוה דרבנן that we do not? How are we to understand this means מצוות לאו ליהנות ניתנו? בעל המאור

that the מצוות are given as an עול (רש"י). אפשר to say that a מצוה is qualitatively stronger (באיכות) than a מצוה דרבנן (for example when it comes to a ספק דאורייתא, we say לחומרא, while a ספק דרבנן is לקולא). Therefore, the strength of the ציווי that is negates any הנאה from the מצוה. A מצוה דרבנן, however, is not as strong and is not מבטל the הנאה. The תר דוד elaborates and writes that while a מצוה דאורייתא has one step (from הקב"ה to us directly), a דרבנן has two steps, from הקב"ה to us via the מצוה of לא תסור (עיין שבת כג.).

A שופר may be used as although it is seemingly a case of מצוה הבאה בעבירה, since a קול has no ממשות and cannot be stolen, there cannot be גזל, and we are יוצא with such a שופר. However, a שופר של ע"ז that belonged to a ישראל may not be used, and one is not יוצא with it, as since ע"ז belonging to a ישראל can never be מבוטל, it is as if the שופר does not exist. שופר של ע"ז that belongs to a גוי should not be used, but if it is, a person is יוצא with it, even if it was not yet מבטל as since--explains the משנה ברורה--it *could* be מבוטל, the שופר is not considered as if it does not exist.

A person who was מודר הנאה from a מעיין can only be טובל in the winter, not the summer (as there is no physical הנאה in the winter, while there is in the summer). Why do we not say מצוות ניתנו לאו ליהנות ניתנו and even טבילה in the summer would be permitted? The נדרים טו: (from ר"ן) quotes the אבני מלואים referring to a case where a man who said to his wife: "הנאתי" (תשמישך עלי) who writes that this is only when the מצוה itself is not inherently pleasurable, such as hearing the sound of the

שופר. However, מצוות such as טבילה and תשמיש are inherently pleasurable, and in these cases, we do not say לאו ליהנות ניתנו.

Another answer could be that regarding תשמיש and טבילה the הנאה extends even after the המצוה, therefore, we do not say מצוות לאו ליהנות ניתנו.

If a person is forced to eat מצה he is יוצא. Why is there not a problem of מצות צריכות כונה?

Do מצות need כונה (מצות צריכות כונה)? While the שולחן ערוך (רבנו and תוספות) mentions those who hold מצות אינן צריכות כונה (יונה) and those that hold מצות צריכות כונה (רא"ש), he is מכריע that מצות צריכות כונה. The משנה ברורה explains that there are two types of כונה. One type is the כונת הלב for what you are saying/doing. On that type of כונה there is no מחלוקת; a person is יוצא בדיעבד if they did not have כונה (with the exception of the first פסוק of שמע and קריאת אבות of עשרה for which one is not even יוצא בדיעבד if he did not have כונה). The second type of כונה is the כונה that one has before performing a מצוה. This כונה requires a person to be cognizant that he is performing the מצוה because הקב"ה commanded us. The מחלוקת is regarding this second type of כונה. The משנה ברורה brings down the מגן אברהם who writes בשם רדב"ז that מצות צריכות כונה applies to מצות דאורייתא and not מצות דרבנן. The גר"א disagrees with this and says מצות דרבנן applies to מצות צריכות כונה as well.

The משנה ברורה also brings down a well known חיי אדם who writes that the only time the מצוה must be repeated due to lack of כונה is when it is possible to say from the מעשה itself that it was not being done as a מצוה. For example, a person blowing

שופר for the purpose of learning how to do so, or a person learning the פרשה of שמע קריאת. However, a person who read שמע קריאת with no כונה, or picked up a שופר and blew it (without כונה, but also not for learning purposes), or picked up a לולב and shook it, is יוצא his חיוב (בדיעבד). We can understand from this חיי אדם that being as how a person has a נשמה טהורה that desires to do the רצון הבורא (although he has a יצר הרע as well, that is more of an external part of us), by virtue of his having performed the מצוה--even if there was no כונה, provided that there was no recognizable lack of כונה--he is considered to have done it the right way. Similar to the רמב"ם who asks how can we force a person to give a גט until he acquiesces (כופין אותו עד (שיאמר רוצה אני)? Because deep down, every ישראל wants to do the right thing. We can say the same thing regarding מצוה, that since it is פסח, deep down he wants to the מצוה. The שלחן ערוך writes that if he thought it was חול, then in fact he is not יוצא as there is no רצון even on a subconscious level in such a case.

A כהן is forbidden to add on to the three פסוקים said during ברכת כהנים.