

AMPLIFIED SOUND WAVES

by Rabbi Doniel Neustadt

The following is a discussion of Halachic topics related to the Parsha of the week. For final rulings, consult your Rav.

The voice is Yaakov's voice (27:22)

QUESTION: Can one fulfill a mitzvah in which is incumbent upon him, e.g., listening to havdalah or to the reading of Megilas Esther, by listening to the words recited over a microphone or a telephone?

ANSWER There are two basic issues, one scientific, the other halachic, that need to be clarified in order to answer this question. The scientific point to be determined is the status of the sound waves emitted when speaking into a microphone, concerning which there are two theories:

1. The sound which is heard is an extension of the speaker's voice; it is merely being amplified and carried a greater distance;
2. The sound is completely detached from the speaker, since the microphone "creates" new sound waves which are then transmitted to the listening audience.

The halachic issue that must be clarified is whether the mitzvah in question can only be fulfilled with the authentic, original voice of the speaker, or can one discharge his obligation by means of an electrical impulse heard simultaneously with the original sound.

Some earlier authorities (1) were of the opinion that the sound heard over the microphone, etc., is the original speaker's voice. It is permitted, therefore, in their opinion (2) to listen to the megillah over a microphone or to havdalah over the telephone.

Other authorities (3) maintained that both the scientific and halachic questions are difficult to resolve and cannot be clearly decided. Thus in their opinion it remains questionable if mitzvos can be performed by means of a microphone or telephone. It follows, therefore, that only under extenuating circumstances--when no other possibility exists--is it permitted to fulfill a mitzvah by means of a microphone or telephone (4).

But the majority of the authorities (5) who have studied this issue, including Harav S.Z. Auerbach (6) who has researched it extensively with the aid of a team of technical experts (7), have ruled

conclusively that the sound waves emitted by a microphone or telephone are definitely not the speaker's original, authentic voice. In addition, they rule unequivocally that one's obligation cannot be discharged unless the original speaker's voice is heard, even if an electrical impulse is heard simultaneously with the original sound. Accordingly, one cannot--under any circumstances (8)-- fulfill a mitzvah by listening to sound waves from a microphone or a telephone (9).

In practice, therefore, it is clear that when another possibility exists, mechanical voice amplifiers should not be used to fulfill a mitzvah. For example, a woman who is home alone and has no one to make havdalah for her, should rather recite havdalah herself (10) than listen to it being recited by someone else over the telephone. Even if she cannot or will not drink wine, grape juice or beer, it is better for her to recite havdalah over coffee (11), tea [with or without milk] (12) or milk alone (13) [and-- according to some poskim (14)--grapefruit, orange or apple juice] than to listen to havdalah recited over the phone (15).

If, however, one finds himself in a situation where otherwise he cannot recite havdalah or hear the megillah at all, e.g. in a hospital, one would have to rely on the poskim who permit listening to blessings etc., over the telephone (16).

A related issue is whether or not it is permitted to answer amen to a blessing or kaddish heard over a microphone, telephone or during a live telecast transmitted by satellite. Some poskim (17) permit this since they remain undecided about the halachic status of amplified sound waves, as explained above. In addition, some poskim (18) permit it based on the ancient precedent set in the great synagogue in Alexandria (19), where most people did not hear the blessings being recited because of its vast size, but were nevertheless permitted to answer amen when signaled to do so by a flag waving.

Harav Auerbach, though, rejects this comparison and rules clearly that it is prohibited to answer amen upon hearing a blessing in this manner. He agrees, however, that one who is in the vicinity of the speaker, even though he only hears the speaker's voice over a microphone, etc., is permitted to answer amen, as was the case in Alexandria where everyone was inside the shul and part of the tzibbur that was davening.

FOOTNOTES

1 Minchas Elazer 2:72; Minchas Aharon 18 (quoted in Tzitz Eliezer 8:11); Chazon Ish is quoted in Minchas Shelomo 9 as having agreed orally with this view as well.

2 Their argument is partially based on the fact that sound waves --even without being transmitted by a microphone--are carried through the air before they are heard by the listener. The fact that the

microphone amplifies those sounds and furthers their distance should not be considered halachically problematic.

3 Harav T. P. Frank (Mikraei Kodesh, Purim 11 and in Minchas Yitzchak 2:113); Igros Moshe O.C. 2:108; O.C. 4:126. [See, however, Igros Moshe E.H. 1:33 and O.C. 4:84.] Harav Y.Y. Henkin (Eidus l'Yisrael, pg. 122) also does not render a clear decision on this issue.

4 Tzitz Eliezer 8:11. See also Shevet ha-Levi 5:84.

5 Da'as Torah O.C. 689:2; Gilyonei ha-Shas, Berachos 25a; Eretz Tzvi 1:23; Kol Mevaser 2:25; Mishpatei Uziel 1:5; Minchas Yitzchak 1:37;3:38; Sheorim Metzuyanim B'halachah 193:6; Kinyan Torah 1:75; Yechaveh Da'as 3:54; Moadim u'Zmanim 6:105. See also Teshuvos P'eas Sadcha 126 who quotes such a ruling from Reb Chaim Soloveitchik.

6 Minchas Shelomo 9.

7 Harav Auerbach and Yechaveh Da'as add that those who have dissented were not familiar with the relevant technology.

8 See Hebrew Notes concerning using a microphone when the speaker's voice would be heard even without it.

9 Harav Auerbach makes clear that the same ruling applies to hearing-impaired individuals who cannot hear without a hearing aid. Igros Moshe O.C. 4:85 is hesitant if a hearing aid works exactly like a microphone.

10 Women are obligated in havdalah and may recite the havdalah themselves. Although there is a well-established custom that women do not drink the wine from the havdalah cup, this custom is disregarded when a woman needs to fulfill her obligation of havdalah--Mishnah Berurah 296:35; Aruch ha-Shulchan 296:5.

11 Instant or brewed--Harav S.Z. Auerbach (Shemiras Shabbos K'hilchasah 60 note 18)

12 The tea or coffee should be cooled enough to drink at least 1.6 fl. oz. within three minutes.

13 Aruch ha-Shulchan 272:14; Igros Moshe O.C. 2:75

14 Tzitz Eliezer 8:16; Shemiras Shabbos K'hilchasah 60:5.

15 In this situation it is permitted also for her husband [or anyone else] who already recited or heard havdalah to repeat the havdalah specifically for the woman--see Mishnah Berurah 296:36. The blessing over the candle, though, should be omitted.

16 Igros Moshe O.C. 4:91-4; Tzitz Eliezer 8:11.

17 Igros Moshe, ibid.

18 Yechaveh Da'as 3:54.

19 See Sukah 51b and Tosfos, ibid.

Weekly-Halacha, Copyright © 1997 by Rabbi Neustadt, Dr. Jeffrey Gross and Project Genesis, Inc. Rabbi Neustadt is the principal of Yavne Teachers' College in Cleveland, Ohio. He is also the Magid Shiur of a daily Mishna Berurah class at Congregation Shomre Shabbos.

The Weekly-Halacha Series is distributed L'zchus Haya'eled Doniel Meir ben Hinda. Weekly sponsorships are available--please send email to the moderator, Dr. Jeffrey Gross jgross@torah.org.

The series is distributed by the Harbotzas Torah Division of Congregation Shomre Shabbos, 1801 South Taylor Road, Cleveland Heights, Ohio 44118--HaRav Yisroel Grumer, Marah D'Asra
