

HAVDALAH OVER THE TELEPHONE

by Rabbi Doniel Neustadt

Question: Can one fulfill his obligation to hear Havdalah by listening to the words recited over a telephone, a microphone or a loudspeaker?

Discussion: In order to be motzi another person with Havdalah (or any other blessing or mitzvah), the listener must hear the words directly from the mouth of the speaker. But is a voice heard over the telephone considered as if one is hearing the speaker's actual voice? In the early days of voice amplifying technology, when the science was not well understood, some halachic authorities were of the opinion that the amplified sound was the speaker's actual voice, only amplified.¹ Accordingly, one who hears Havdalah recited over the telephone is yotzei. But today, it is universally agreed that the listener is not hearing the speaker's actual voice but rather an electronically generated version of his voice. [Both the telephone and the microphone "transform" sound waves in the air, the spoken words, into an electrical current within the instrument, and ultimately back into sound waves. Those sound waves are then heard by the audience.] In that case, one cannot fulfill his obligation to hear Havdalah by listening over the telephone or microphone according to the vast majority of poskim, and even b'diavad, the Havdalah would have to be repeated.²

Still, a minority view among the poskim suggests that even if we assume that the voice heard over the telephone is not the actual voice of the speaker, perhaps one is nevertheless yotzei since the voice is still generated by the power of the speaker's voice and the Havdalah is heard at the exact same time that it is being recited.³ The poskim who suggest this approach stress that they remain undecided as to whether or not their argument should be relied upon, and therefore, it is only under extenuating circumstances—when no other possibility exists—that one may fulfill his obligation of hearing Havdalah over a microphone or telephone.⁴ In practice, therefore, it is clear that when there is another option, voice amplifiers should not be used for fulfilling a mitzvah or listening to a berachah.⁵ For example, a woman who is home alone and has no one to make Havdalah for her should rather recite Havdalah herself⁶ 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 preferable that she recite Havdalah over coffee,⁷ tea (with or without milk),⁸ or milk alone⁹ (and, according to some poskim,¹⁰ undiluted grapefruit, orange or apple juice as well) than listen to Havdalah recited over the

phone¹¹ If one finds himself in a situation where he cannot recite Havdalah and his only possibility of being yotzei is to hear it over the phone,, e.g., he is in a hospital and there is no one who can come until Tuesday evening¹² to make Havdalah for him, he may have to rely on the poskim who permit listening to Havdalah over the telephone.¹³ But if someone could come and recite Havdalah for him before Tuesday evening, the correct procedure is to wait until then for Havdalah to be recited.¹⁴ If he is weak, he may eat before hearing Havdalah. If he expects to hear Havdalah before chatzos on Sunday and he does not feel weak, he should refrain from eating until then.¹⁵ A related issue is whether or not it is permitted to answer Amen, etc. to a blessing or Kaddish heard over a microphone or telephone, or during a live telecast transmitted by satellite. Some poskim¹⁶ permit this and do not consider answering Amen, etc., to be l'vatalah ("for naught"), since they remain undecided about the halachic status of amplified sound waves, as explained above. Some poskim¹⁷ permit answering Amen based on the ancient precedent set in the great synagogue in Alexandria.¹⁸ There, most of the worshippers could not hear the actual blessings being recited due to the vast size of the building, but were nevertheless permitted to answer Amen when signaled to do so by the waving of a flag. In our case as well, the Amen is being answered in response to the recital of a blessing - even though halachically the blessing it is not being "heard." Rav S.Z. Auerbach, though, rejects this comparison and rules that it is prohibited to answer Amen upon hearing a blessing in this manner.¹⁹ He agrees, however, that one who is in the same room as the speaker—even though he hears the speaker's voice only 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 congregation that was davening.²⁰

Sources:

1. Minchas Elazar 2:72; Minchas Aharon 18 (quoted in Tzitz Eliezer 8:11).
2. Da'as Torah, O.C. 68g:2; Gilyonei ha-Shas, Berachos 25a; Eretz Tzvi 1:23; Kol Mevaser 2:25; Mishpatei Uziel 1:5; 1:21; Rav Y.E. Henkin (Gevuros Eliyahu, O.C. 98:8); Minchas Yitzchak 1:37, 3:38; She'arim Metzuyananim b'Halachah 129:25; 193:6; Minchas Shelomo 1:9; Ashrei ha-Ish, O.C. 2:13-15; Kinyan Torah 1:75; Yechaveh Da'as 3:54; Moadim u'Zemanim 6:105. See also Teshuvos P'eas Sadcha 1:126 who quotes a similar ruling from Rav C. Soloveitchik.
3. Rav 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. 3:33 and O.C. 4:84.]. See also Minchas Shelomo 1:9 quoting an oral conversation with the Chazon Ish.
4. Igros Moshe, O.C. 4:91-4 (and oral ruling quoted in Kol ha-Torah, vol. 54, pg. 18); Tzitz Eliezer 8:11. See also Shevet ha-Levi 5:84.
5. Rav Auerbach makes it 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 about comparing hearing aid to a microphone.

6. Women are obligated to recite Havdalah and may recite it themselves. Although there is a well-established custom that women do not drink the wine from the Havdalah kos, this custom is discounted when a woman must fulfill her obligation of Havdalah; Mishnah Berurah 296:35; Aruch ha-Shulchan 296:5.

7. Instant or brewed (Rav S.Z. Auerbach, Shemiras Shabbos K'hilchasah 60, note 18).

8. The tea or coffee should be cool enough that one may drink at least 1.6 fl. oz. of it within 3-4 minutes.

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

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

11. If a woman refuses to recite Havdalah on her own and there is no one available to recite it for her, her husband (or another man or woman) may repeat it for her, even if he has already fulfilled his obligation; see Mishnah Berurah 296:36; Aruch ha-Shulchan 296:5; Da'as Torah 296:8; Ben Ish Chai, Vayeitzei 22. The blessing over the candle, though, should be omitted, in the opinion of several poskim.

12. O.C. 299:5.

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

14. In this case, one should definitely not listen to Havdalah over the phone, since then it may not be repeated for him when the visitor comes.

15. Mishnah Berurah 296:19, 21. Rav Y.S. Elyashiv, too, rules that it is preferable to eat before Havdalah than to listen to it over the telephone (Ashrei ha-Ish, O.C. 2:13-1).

16. Igros Moshe, O.C. 4:91-4.

17. Yechaveh Da'as 3:54.

18. See Succah 51b and Tosafos, ibid.

19. See Ashrei ha-Ish, O.C. 1:10-14 for a concurring opinion.

20. See Minchas Shelomo 1:9 and Halichos Shelomo 1:22-15.

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