

## "Halacha Sources" Highlights - "Hearing" the Megillah

**Question:** We know that on Purim one has to "hear" the Megillah, or read it oneself. What does "hearing" the Megillah entail? For example, if someone can't hear, how does this affect his Mitzvah?

**Answer:** Actually, it's so essential to truly *hear* the Megillah that even the one *reading* the Megillah needs to be able to *hear himself*. There are modern-day complications as well, such as hearing the Megillah by means of powered amplification. As usual, we will divide our presentation into three steps:

- (1) the *sugya* of "hearing" the Megillah,
- (2) the *Halachic analysis* of the *sugya*,
- (3) final *Halachic conclusions*.

### Part 1: The *Sugya* of "Hearing" the Megillah

The Mishnah says (*Megillah* 19b): "Everyone is qualified to read the Megillah, except for someone who is deaf, or senseless, or a minor."

Two points about the Mishnah: (1) "Everyone is qualified" could refer to people being qualified "to begin with", *or* that they are at least *yotzei* "after the fact". (The assumption of the Gemara we are about to quote is that the Mishnah refers to being *yotzei* "after the fact".) (2) A person who is "senseless" cannot really have anything to do with any Mitzvah. It would seem natural, therefore, to assume that the "deaf" person mentioned in the Mishnah refers to someone who can neither hear nor speak (see *Terumos* 1:2), who is always considered "senseless" as well (see *Gittin* 71a), and *that* is the reason for his being disqualified. However, the Gemara actually assumes the opposite: We are referring to a sensible person, who can speak, but cannot hear [even when spoken to in a loud voice (*Mishnah Berurah*)], and *that* is the reason for his being disqualified (*Beis Yosef*).

With this in mind, the Gemara (*ibid.*) begins:

**Question:** *Who is the Tanna [of our Mishnah], who holds that even "after the fact" [a person is] not [yotzei without hearing]?*

**Rav Masnah said:** *It is R' Yose, for we learned in a Mishnah (Berachos 15a): One who recites the Sh'ma and did not "cause it to be heard by his ears" was [nevertheless] yotzei; [however,] R' Yose says: He was not yotzei.*

The *Yerushalmi* (*Megillah* 21a) brings Rav Chisda, who takes a different approach: "[The term] 'someone who is deaf' [should be treated as if it] is not here; it was taught because of the practiced language [i.e. of always being grouped together with the senseless and minors]." However, the *Bavli* does not bring this.

## Part 2: The *Halachic Analysis* of the *Sugya*

The *Ran* [*Rabbeinu* Nissim ben Reuven, Spain, ~1320 - ~1380, *Megillah* *ibid.*] seems to hold that the Halacha follows Rav Masnah's explanation, since he explains the Mishnah that way (without qualification). The *Beis Yosef* points out that the Rif [*Rabbeinu* Yitzchak "Alfasi" ("of Fez" - and later Spain), 1013 - 1103, *Megillah* *ibid.*] and the Rosh [*Rabbeinu* Asher ben Yechiel, Germany and Spain, ~1250 - 1327, *Megillah* 2:7] seem to rule likewise; after all, they simply quote the Mishnah's words. The *Beis Yosef* adds that this is also the implication of the Rambam (according to his version of the Rambam's text, as opposed to the *Orchos Chaim's* version [cited soon]).

However, the *Beis Yosef* strongly questions this, for the Gemara in *Berachos* (15b) says explicitly that the Halacha does *not* follow R' Yose's requirement of "making it heard by the ears"! He suggests that the above authorities hold that the Megillah reading is an exceptional case. This can be seen from the fact that the anonymous Mishnah (as edited by R' Yehudah HaNassi) rules *against* R' Yose with respect to the *Sh'ma* (in *Berachos*) but *like* R' Yose in *Megillah*. Apparently, when it comes to the Megillah reading, all Tannaim would agree that one has to "make it heard by his ears", for the purpose of publicizing the miracle. Nevertheless, the *Beis Yosef* writes that this is difficult to accept, because from the Gemara itself (see both places) we see that the Megillah and reciting the *Sh'ma* are identical.

Still, in the *Shulchan Aruch* (O.C. 689:2) he includes "someone who's deaf" [i.e. even if he speaks] in the list of those who cannot read the Megillah for others. The *Bi'ur Halacha* explains that this follows the above explanation in the *Beis Yosef*, that the requirement to "make it heard by the ears" is needed for the purpose of publicizing the miracle properly: this complaint can only be made to the listeners, who have the option [at least theoretically] if choosing someone *else* to read the Megillah for them, but as for the deaf person himself, certainly he is obligated in the Mitzvah. He adds in the *Sha'ar HaTziyun* that to fulfill this aspect of publicizing the miracle "out loud", anyone who is *reading* the Megillah must also be sure to "make it heard by his ears" (if he can hear).

The *Mishnah Berurah* also mentions the approach of the Taz [R. Dovid (HaLevi) Siegel, Poland, ~1585 - 1667], that when there is a Mitzvah to read something, it must be read by a *person who is capable* of "making it heard by his ears". (This is his way of explaining why all Tannaim agree to the Mishnah in *Megillah*.) In the *Sha'ar HaTziyun*, he points out that according to the Taz, there is *no* requirement for a reader to actually "make it heard by his ears".

Despite all the above, the *Mishnah Berurah* leans in favor of the approach of authorities - early and later - who hold that even if someone who cannot hear *reads the Megillah for others*, they are *yotzei* after the fact (although such a person should not be appointed "to begin with" to read for an entire group of people). Perhaps this results from taking into account the position of Rav Chisda (in the above-mentioned *Yerushalmi*), that the Mishnah did not really mean to teach a requirement of "hearing" at all. (The *Beis Yosef* in fact quotes the *Orchos Chayim* as having a version of the Rambam which omits "someone who cannot hear", and he also quotes the Tashbatz [*Rabbeinu* Shimon ben Tzemach Duran, Spain and (Northern) Africa, 1361 - 1444] *as* citing the *Yerushalmi* and saying that Megillah reading does not require "hearing", at least "after the fact".)

### Part 3: Final Halachic Conclusions

The final Halacha (as per the above-mentioned *Mishnah Berurah*) is that someone who cannot hear is included in the Mitzvah of the Megillah reading, and even if he *reads the Megillah for others*, they are *yotzei* after the fact (although such a person should not be appointed "to begin with" to read for an entire group of people), because the Mitzvah is "reading", not "hearing". (It is interesting to note that according to this reasoning, then according to the position that the Mitzvah of *women* is actually to **hear** the Megillah (not our subject), a *woman who cannot hear* should be **entirely removed** from the Mitzvah.) However, in practice, one certainly should try to "hear", from someone who can "hear" (in accordance with the *Shulchan Aruch* et al).

But what exactly is considered "to hear"? Do amplifiers and earphones "count"? The following is condensed from the *Minchas Shlomo* [Rav Shlomo Zalman Auerbach, Israel, 1910 - 1995, responsum 1:9:1] (not a direct translation of his words).

"Everything below is only referring to 'basic' amplifying devices (where the voice of the person speaking only causes slight changes in the strength of a current coming from a separate source), not where it generates a new current (or other 'newer types').

"Transmitting a sound from a microphone to an earphone works as follows: A standard microphone is a tin box, whose cover is a thin, flexible piece of tin, called the 'membrane', which can easily be affected by sound waves. This 'membrane' is attached to grains of coal that are inside this tin box. A current from a battery (or another source) runs through the 'membrane' and the coal. Coal is a good conductor (i.e. the current runs through it easily), so that when the grains are crowded and pressed together the current is strong, and if they just touch each other lightly - then it is weak. The earphone (and the main part of speakers) is fundamentally iron surrounded by a coil, which becomes a magnet when a current runs through the coil. The magnet pulls on a 'membrane' (of thin, flexible tin), and the strength of the attraction is stronger whenever the current in the coil is stronger. When someone speaks or plays music near the microphone, he vibrates the air - forming corresponding sound waves which vibrate the microphone's 'membrane', which accordingly affects the crowdedness of the coal - and (as a result) the current's strength. (The current may then need to be strengthened by amplifiers while being passed to the earphone or speaker.) The changing strength of the pulling of the earphone's (or speaker's) magnet on its 'membrane' will therefore follow the same pattern - causing it to vibrate in the same pattern - as the vibrating of the microphone's 'membrane', and that vibrates the nearby air causing identical sound waves to those made by the music or the person speaking. (The difference with 'speakers' is that they can handle much stronger currents, because a large plastic or cardboard surface is attached to the 'membrane' being pulled by the coil magnet, and this mechanism is therefore able to vibrate the surrounding air much more strongly, due to the current being highly amplified.)

"Now, the Halacha with respect to the Mitzvah of Shofar is that hearing an echo is invalid (see O.C. 587:1, based on *Rosh HaShanah* 27b). This could refer to an echo *sounding different* from the original. [Note: Rav Moshe Feinstein (*Igros Moshe* 2:108) definitely seems to understand this way.] If so, then if the sound from an earphone or speaker would be slightly changed, that would be a problem with the 'hearing', but otherwise there would be no problem. Alternatively, the problem with an echo could be that it comes only after a delay. (That seems to be the approach of the *Chazon Ish*, who told me it's possible to say that any voice caused by speech and heard *immediately* is considered 'speech heard from the one speaking'.)

"However, in our case, there is actually a more basic problem: when the hearing of the speech needs a 'separate step', then sometimes the resulting sound is not considered to be his speech at all:

"(1) For one thing, the sound is no longer being caused *directly* by his vocal chords. (Just like using his finger to play a recording of the Megillah is not 'reading it', so the same goes for using his voice to trigger a machine to make all those sounds.) About this point I am not certain, because in our own case we have sound waves at the beginning and then again at the end; but on the other hand, why should we say that this fact alone makes the manipulation any more significant than plain 'membrane' vibrations? (The *Halachos Ketanos* says similarly about mirrors, and that is accepted by many authorities. [He also says what we are about to say in point #2, with reference to echoes.] Although I do not necessarily agree to apply the idea in those cases, we at least see that the principle exists.)

"(2) In our own case, the problem is worse, because there is a complete 'interruption' between the person speaking and the listener. This is comparable to the position of some authorities (see O.C. 55:20) that one cannot answer '*amein*' to a *bracha* said far away if there is 'uncleanness' (such that is inappropriate for a *bracha*) in between the two people; we see from this that such a thing 'breaks the connection' and it's not considered hearing the *bracha* from the one saying it. Although many authorities do not rule this way, this is only because in *that* case there is no 'interruption' in the *physical hearing itself*, whereas here ***there is a stage*** (i.e. the transmission of the electric current) ***when there is no sound at all to hear***. (It could even be that any medium for carrying the sound is an 'interruption' except for airborne sound waves themselves. Here, however, this is more obvious, since during the 'interruption' it is not sound at all, as mentioned. In fact, if there were a light bulb at the end instead of a magnet and 'membrane', a flickering light could have been the result of the speaking.) To conclude this point: It is certainly clear that an 'interruption' does not need to last a significant amount of time; even a split second of 'interruption' breaks the connection.

"Therefore, regarding all such devices, it is not considered hearing from the reader. (Unfortunately, this means hearing aids cannot be used to hear the Megillah, etc., and at the very least one certainly cannot say a *bracha* over such a hearing, because one is hearing a vibrating 'membrane' and not the required source.) As for answering '*amein*' to a *bracha* heard by means of such devices (i.e. in cases where it is not necessary for the one speaking to 'cause the listener to be *yotzei*'), this can be compared to 'the flags of Alexandria' (in *Succah* 51b, we learn that seeing these waved when the '*chazzan*' finished a *bracha* was enough for the congregation to answer '*amein*'), but only if the listener is in the synagogue (or close by) - because ***then*** he is 'connected' to the congregation and it is sufficient that earphones or speakers 'inform him' that some particular *bracha* was just finished. Finally, all

the above would have nothing to do with using a microphone-and-speaker type of mechanism to turn on a light on Shabbos; in that regard we certainly consider the results to have been 'done by' the person speaking."

***We can ask:*** According to the all the above, what should be the Halacha about someone who uses a hearing aid being the one to read the Megillah for the congregation? [It should be noted that all this is not intended to be relied upon in practice; a qualified authority should be consulted.]

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