The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Tues, Jul 2 2024 ■ כ"ו סיון תשפ"ד
סימן של"ח סעיף א'

Overview

Siman 338 Seif 1:

It is prohibited to make noise with a musical instrument but knocking on a door or something similar is permitted since it is not musical. Similarly, if one does not perform an action it is permitted. Therefore, it is permitted to call friends by whistling like a bird. It is prohibited to knock on a door with a ring fastened to the door even though he does not intend to produce musical sounds since it is an instrument designed for that purpose. Therefore, it is prohibited for the attendant to knock on the door to call people to the *bais haknesses* with a utensil designed for that purpose; rather he should knock on the door with his hand.

- It is prohibited not only when using a musical instrument but even clapping in a musical manner is prohibited as mentioned in *siman* 339:9. If one wishes to clap for a child he should do so in an unusual manner. It is prohibited to add water to a perforated utensil so that drops should drip out onto a metal plate to produce sound but if it is done so that someone ill can sleep it is permitted. If one spritzes with force to wake someone sleeping it is permitted since it is not musical. (M.B. 1)
- Even though his intent is to produce sound so that someone will answer the door it is permitted and even if he uses a utensil since it is not musical. (M.B. 2)
- It is permitted even though it is musical since the prohibition is limited to the use of a utensil. (M.B. 3)
- Since it is designed to produce noise we are concerned that his intent is to produce music. (M.B. 4)
- It is also prohibited to pull a string in a bell so that someone will open the door since it is a utensil designed to produce sound. See below whether it is permitted to open a door if it will hit a bell. (M.B. 5)
- Taz prohibited placing a bell on the *paroches* or the *atzei chaim* but Shach disagrees since it is permitted for the sake of a *mitzvah* and the person opening the *aron kodesh* does not intend to produce sound. Sha'ar Ephraim maintains that *l'chatchila* one should be stringent but *b'dieved* one need not protest against those who are lenient. Opening a door when one knows it will hit a bell is subject to the same dispute and thus it is proper for one to remove the bell from the door before Shabbos or to plug it so that it does not produce any sound on Shabbos but when necessary one may rely upon the lenient opinion since he does not intend to produce sound. (M.B. 6)
- It is permitted for the *gabbai* to hit the table to quiet people for *chaaras hashatz* even with a utensil since it is not designed for this purpose. (M.B. 7)

Halacha Highlight

Toys that make noise

Rema Siman 338 Seif 1

הואיל והכלי מיוחד לכך אסור

Since the utensil is designed for this it is prohibtied

Shulchan Aruch rules that it is prohibited to use a musical instrument to produce sound but it is permitted to knock on a door if it is not done in a musical fashion. The rationale behind this restriction is Chazal's concern that if one is playing a musical instrument and it breaks he may repair the instrument, which is Biblically prohibited. Therefore, Chazal prohibited not only playing a musical instrument but any activity that one does with the intent to produce a musical sound (מ"ב סק"א). The reason knocking on a door is permitted even though the intent is to produce sound is that he does not intend for the sound to be musical (מ"ב סק"ב). Rema adds that it is also permitted to produce sound if it is not done with an action and the example he gives for this type of sound production is whistling. Rema also prohibits knocking on a door with a ring that is affixed to the door even though the sound it produces is not musical. The reason he gives is that since the ring is designed to produce sound we are concerned that he will intend to produce a musical sound and thus it is included in Chazal's injunction (מ"ב סק"ג).

Rav Moshe Feinstein (שו"ת אג"מ או"ח ח"ה סי' כ"ב אות ז') wrote that a child's toy that makes noise as soon as someone touches it is *muktzah* since it is designed to produce sound. However, if one must press a button to produce the sound it is categorized as a *kli she'melachto l'issur* and may be moved if one needs it or its place. Rav Nissim Karelitz (חוט שני ח"ג סי' ס"ח סק"א) adopts a slightly more lenient position and writes that if one must press a button to produce sound the toy is not *muktzah* altogether and may be moved the same as any other permitted object. Rav Shlomo Zalman Auerbach (שמירת שבת כהלכתה פט"ז הע' י') adopts an even more lenient position and permits handing to a child a toy that produces sound even when it is touched. The reason is that since it is evident that it is a child's toy there is no concern that it appears as though he is engaged in a weekday activity (מנחת שלמה ח"ב סי' ל"ה אות ה').