

**O.C. *siman* 671 : The Basic System of Chanukah Candles (and their location)****The development of: *Se'if* 1**

ONE SHOULD TAKE THE MITZVAH OF LIGHTING CHANUKAH CANDLES VERY SERIOUSLY

The Gemara (*Shabbos* 23b<sup>2</sup>):

**Rav Huna said:** *If someone is "ragil" [i.e. regular and persistent] concerning the Shabbos and Chanukah "candles",<sup>1</sup> he will have sons who are Torah scholars.*

**[Rashi explains:** *We derive this from the pasuk\* (*Mishlei* 6:23): "A Mitzvah is a 'candle' - and the Torah is light"; i.e. the light of the Torah will come through these Mitzvah "candles".]*

The Tur<sup>o</sup> seems to equate the language of being "ragil" with being "zahir" [i.e. careful and serious].

Accordingly, the *Shulchan Aruch* starts the *se'if* by ruling: **One must be very "zahir" [i.e. careful and serious] concerning the lighting of the Chanukah "candles".**

The *Mishnah Berurah* writes in the Halachos of Shabbos candles (O.C. 263 n2) that the candle-lighting is an opportune time to pray for Torah greatness in one's children. Perhaps the same should apply on Chanukah as well (since it's based on the same source).

HOW SERIOUSLY ONE SHOULD TAKE THE MITZVAH (*FINANCIALLY*)

The proper financial approach to Chanukah candles is not discussed by the Gemara explicitly. Therefore, we need to examine the sources which discuss other Mitzvahs:

The Mishnah in *Pesachim* (99b<sup>1</sup>) and the Gemara (below 112a<sup>2</sup>):

**The Mishnah says:** *Even the poorest Jew - the Tzedakah administrators shall not provide him with fewer than four cups of wine [for the night of Pesach]. [Furthermore,] even if his support is from the "tamchui" (the daily ready-made food tzedakah system<sup>2</sup>); [still, if the tzedakah administrators do not provide him with the four cups, then he should borrow the money or sell his clothing or hire himself out (Rashbam<sup>o</sup>)].*

**The Gemara asks:** *But that's obvious! [Why would we think he's exempt?]*

**The Gemara answers:** *The Mishnah needed to say this, in order to teach that it's true even according to R' Akiva. For when it comes to Shabbos meals, R' Akiva said: "Even if it means making your Shabbos like a weekday, don't be dependent upon others [i.e. for tzedakah]"; so the Mishnah is saying that*

<sup>1</sup> The word "*ner*" is traditionally translated "candle", but the earlier sources generally do not use the word to refer to solid candles. Rashi explains that in the days of the Gemara, earthenware "lamps" were used; his full description is brought in *se'if* 3 below.

<sup>2</sup> See *Pe'ah* 8:7, *Shabbos* 118a. The Halachos of this system are mainly dealt with in *Shulchan Aruch* volume *Yoreh Dei'ah siman* 256.

here [by the four cups], for the sake of publicizing the miracle [of the Exodus], R' Akiva also agrees [that even such extreme financial measures are called for].

**A Baraisa of the House of Eliyahu<sup>3</sup> taught:** Even though R' Akiva said "Even if it means making your Shabbos like a weekday, don't be dependent upon others", nevertheless, even such a person does have to prepare a little something [extra for Shabbos] in his home.

**Rav Pappa explained:** A correct fulfillment of that "a little something" would be "kasa d'harsena" [small fish fried in their own oils and with flour (Rashi to Shabbos 118b)].

With this material, we can approach two explanations of the Rambam, who says (Chanukah 4:12) that in the case of Chanukah candles as well, "even if one only has [food] to eat from *tzedakah* [sources], he 'asks [of others]' or sells his garment, and [thereby] purchases oil and candles."

The *Beis Yosef* explains this by working with the first half of our Gemara: Since Chanukah candles are also in the category of "publicizing the miracle" [Shabbos 23b - discussed below 678:1], it follows that one would have to do the things the Rashbam listed - for Chanukah candles as well.

The *Gra* explains it with the second half of the Gemara, because we see: (1) that one has to take such measures of "being dependent upon others" (if necessary) in order to have "*kasa d'harsena*" on Shabbos; (2) in *Pesachim* (105b), it says that the Mitzvah of saying *kiddush* (on Shabbos using "a cup" of wine or the like) takes precedence<sup>4</sup> over the Mitzvah of "honoring Shabbos" [with one's dining] - whose minimum is defined in *Shabbos* (118b) as being the same above-mentioned "*kasa d'harsena*", (3) in *Shabbos* (23b), it says that Chanukah candles take precedence over *kiddush* [as discussed below 678:1]; so from all this it follows that one *certainly* has to "be dependent upon others" for Chanukah candles (if necessary).

Accordingly, the *Shulchan Aruch* concludes the *se'if*: **And even a poor person supported by *tzedakah* "asks [of others]" or sells his garment, and [thereby] purchases oil to light.**

Some details need to be clarified:

(1) The *Shulchan Aruch* left out "hiring oneself out" (as did the Rambam). This is especially noteworthy, since above in the Halachos of Pesach (O.C. 472:13 [by the four cups]), they *did* mention it. The *Sha'ar HaTziyun* writes that some hold that Chanukah candles are in fact less stringent, and they do *not* call for hiring oneself out. However, in the *Mishnah Berurah* he rules like those who say that these two areas *must* be equivalent, since the Halachos of the one are being derived from the Halachos of the other.

(2) The language "ask of others" (also from the Rambam) is unclear. Normally, the Hebrew word "*sho'ayl*" refers to borrowing something with the understanding that *it itself* should be returned (not a substitute or money),

<sup>3</sup> In *Kesubos* 106a, the Gemara tells the story of two sets of Baraisas which Eliyahu [the prophet] taught Rav Anan (the *Amora*). This seems to refer to our Midrashic work "*Tanna d'bei Eliyahu*" [which is precisely the wording of our Gemara]. In the first set (chapter 26), we find a statement very similar to the quotation in our Gemara, but ending with: "nevertheless, [such] a person should get [himself] a little meat and a little wine."

<sup>4</sup> This Halacha is mainly dealt with above in the Halachos of Shabbos (O.C. 271:3).

which can't fit here [because the oil or candles are to be burned]. In the Halachos of the four cups, the term "*loveh*" is used (which refers to borrowing money, or anything where it's the monetary *equivalent* that's to be returned). To address this, the *Mishnah Berurah* explains that the intent of "ask of others" is to include door-to-door charity collecting.<sup>5</sup>

(3) From our Halacha it would sound as though the poor are on their own when it comes to a Mitzvah. The *Bi'ur Halacha* explains that actually, the *tzedakah* administrators have to supply the poor with Chanukah candles (like by the four cups) [in *addition* to their regular needs]; it's just that the authorities here are *focusing* on what the poor person will have to do *if* this extra help was not given.

(4) The *Mishnah Berurah* writes that all this is only true of the basic obligation of one candle per night [see the next *se'if*].

### The development of: **Se'if 2**

#### HOW MANY CANDLES TO LIGHT EACH NIGHT

The Gemara (*Shabbos* 21b<sup>2</sup>):

**The Rabbis taught in a Baraisa:** The basic Mitzvah of Chanukah "candles"<sup>6</sup> is to light every night just one "candle" - and this suffices for any man and his entire household. On the other hand, when it comes to people who are "Mehadrin" [i.e. "Mitzvahs pursuers" (Rashi) or "Mitzvah enhancers" (Rabbeinu Chananel and others)], a separate candle is lit for each person in the household. Finally, there are the "Mehadrin of the Mehadrin" [i.e. those who are "the most" Mehadrin]: Beis Shammai say that for the first day these people light **eight** candles and from then on they constantly **decrease** the number from night to night, and Beis Hillel say that for the first day they light **one** candle and from then on they constantly **increase** the number from night to night.

**Ulla said:** Two Amora'im "in the west" [i.e. in the Land of Israel], R' Yose bar Avin and R' Yose bar Zevida, disagree about how to explain the above disagreement: **One said** that the reasoning of Beis Shammai is to keep the number of candles equal to the number of days that are "coming in" [i.e. that are "on the way"], and that the reasoning of Beis Hillel is to keep the number of candles equal to the number of days that are "going out" [i.e. those that have **already** arrived]<sup>7</sup>; **And the other one said** that the reasoning of Beis Shammai is to follow the pattern of the bull-offerings of Sukkos [which decrease in number each day of Sukkos], and that the reasoning of Beis Hillel is to go by the rule that "we 'raise things up' in holiness and we do not 'lower' them" [see "Principles"].

<sup>5</sup> It does seem that borrowing money must *also* be called for, based on the logic just mentioned (to compare Chanukah candles to the four cups).

<sup>6</sup> The word "*ner*" is traditionally translated "candle", but the earlier sources generally do not use the word to refer to solid candles. Rashi explains that in the days of the Gemara, earthenware "lamps" were used; his full description is brought in *se'if* 3 below.

<sup>7</sup> "So that everyone should know and remember how many days 'have passed' with the miracle continuing, and when they recall this fact - that the miracle lasted so long - this publicizes the miracle and enhances the praise of Hashem" (*Bi'ur Halacha*).

[**Note:** From here on, the method of the "*Mehadrin* of the *Mehadrin*" will be called "*MaxMehadrin*", and the concept of following the number of days "coming in" or "going out" will be referred to as following "which day it is".]

The Rambam lists all three levels, calling *MaxMehadrin* "the choicest way". The Tur<sup>o</sup> and *Shulchan Aruch* leave out all but *MaxMehadrin* [as quoted soon]; but the *Mishnah Berurah* writes what the "basic" Halacha is, explaining that *MaxMehadrin* is actually just the appropriate system for anyone who can *afford* it [and so it follows that *Mehadrin* should be done by those "in the middle", who are able to do no more than *that*].

However, there's a basic disagreement about *MaxMehadrin*:

Tosafos (*Shabbos* ibid.):

*[One might assume that MaxMehadrin is built on Mehadrin; i.e. that on the first night one candle for each person is lit, and twice as many on the next night, etc. However:]*

*"The Ri" holds that when Beis Shammai and Beis Hillel teach "the best method" [i.e. MaxMehadrin], this is only built on the level called "a candle for a man and his household"; for that way it's a greater enhancement of the Mitzvah, since it's recognizable - when one constantly increases or decreases - that it's according to the number of days "that are coming in" or "that are going out". Conversely, if one lights a candle for each person, then even if he would increase from then on - it would not be recognizable [that it's being done according to "which day it is"], for onlookers would merely think that there are that many people in the house.*

In the Rambam, when he explains *MaxMehadrin*, he follows the approach "one might assume" (his example concludes with lightings of sixty, seventy, and eighty candles in one house), and the *Darkei Moshe* writes that this is "the [*Ashkenazi*] *minhag*". However, afterwards the Rambam declares that "the *minhag* that's accepted throughout our Spanish cities" is different, and he proceeds to outline the same position as Tosafos.<sup>8</sup> The *Beis Yosef*, as well, points out that this is the *minhag* of "the [*Sefardi*] world".

The *Darkei Moshe* then brings from R. Avraham<sup>o</sup> (of Prague) that "nowadays" even the *Ashkenazi minhag* can be reconciled with Tosafos's approach, for two reasons: (1) "Nowadays we light indoors" [as discussed below in *se'if* 5], so we don't have to be concerned about people "misunderstanding" the number of candles, since everyone *inside* the house knows how many people are in it. (2) Once we're lighting indoors, we don't need to have all the candles "right by the entrance" [see below *se'if* 7]; rather, each person's candles can be in a separate and distinct place, which makes "which day it is" recognizable even for an "outsider".<sup>9</sup>

Since the Halacha always follows *Beis Hillel*<sup>10</sup>), the *Shulchan Aruch* rules: **How many "candles" does one light? On the first night one lights one ["candle"], [and] from then on one constantly increases [the amount by] one**

<sup>8</sup> The *Be'er HaGolah*<sup>o</sup> explains that what the Rambam wrote in the previous lines was "how he himself understands the Gemara."

<sup>9</sup> The *Darkei Moshe* understands (as we will soon see in the *Rema*) that in *Mehadrin*, each person lights "their own" candles. That's the basis of his point here. A straightforward reading of the Rambam, however, would indicate that the *head* of the household lights more candles by *himself* - it's just that the *number* corresponds to the number of people. Still, it's not so clear that there is any fundamental disagreement between them, because it's possible to understand that the Gemara intends for *both* ways to be valid (just that one way might perhaps be *better* - at least some of the time), and it seems that the *Darkei Moshe* and/or the Rambam may actually understand the Gemara that way.

<sup>10</sup> See Eiruvin 6b and 13b.

"candle" each night, to the point that on the last night there will be eight; And even if the members of the household are many, they do not light more. However, the *Rema* follows this by writing: **But some hold that each member of the household should light, and that is the established [Ashkenazi] minhag; And they should take care that each [person] light his candles in a distinct place<sup>11</sup>, so that it will be recognizable how many candles are being lit [by each person].**

The *Bi'ur Halacha* brings from the *Eliyahu Rabbah*<sup>o</sup> that Tosafos's concern only applies *after* the first night. But then he brings that the *Magen Avraham*<sup>o</sup> holds that people must light in separate places even on the first night (because of "*lo plug*" ["no distinction is made" - see "Principles"]), and in the *Sha'ar HaTziyun* [n16] he seems to rule that way (except for under difficult circumstances).

The Rif<sup>o</sup> brings the Gemara's statement (of Rabbah bar bar Chanah in the name of R' Yochanan) [*Shabbos* ibid.]: "Two elders were in Sidon; one did [the lighting] like *Beis Shammai*, and one did [the lighting] like *Beis Hillel*; [the first] one explained himself [as being] 'parallel' to [i.e. following the pattern of] the bull-offerings of Sukkos, and [the other] one explained himself [by the principle] that 'we raise things up in holiness and we do not lower them'." The Rif's whole basic approach is to copy over only those Gemaras which are relevant to the practical Halacha - so why did he bring this?

The *Gra* explains that the Rif understood that Tosafos's concern, that the *MaxMehadrin* be recognizable, fits only the reasoning "according to the number of days that are going out". (Tosafos in fact only mentioned that approach.) Given that approach, it's noteworthy that R' Yochanan said the reason is "to go up in holiness"! So we can interpret that R' Yochanan (and the Rif who brings his words) comes to *rule* that there is *no* concern of recognizability (like the *Ashkenazi minhag*).<sup>12</sup>

The *Bi'ur Halacha* says that theoretically one could have explained the Rif as follows: Although we definitely follow *Beis Hillel*, it nevertheless could be that this is only true about the *obligations* of the Halacha; whereas when it comes to something which is a mere "*enhancement*", maybe it's possible to follow *Beis Shammai*. If so, the *Bi'ur Halacha* continues, then perhaps the Rif is proving from R' Yochanan's statement that in fact one *can* follow *Beis Shammai* concerning "enhancements"; because it would appear that the "two elders" were in R' Yochanan's time (i.e. *after* the general ruling to follow *Beis Hillel* was already established), and so we see that since *MaxMehadrin* is merely an "enhancement" of the Mitzvah, one could follow *Beis Shammai*. (However, the

<sup>11</sup> As to how far apart is considered "distinct", see the *Mishnah Berurah* about opposite ends of our "*menorahs*" (next *se'if*).

<sup>12</sup> The *Beis HaLevi*<sup>o</sup> (in his notes on Chanukah) challenges the *Gra*'s approach: If so, how will *Tosafos* interpret R' Yochanan's statement as having any practical effect? After all, surely *Tosafos* agrees with the accepted principle that the Halacha is always like R' Yochanan (except against the "later" *Amora'im*)! He answers that *Tosafos*'s approach is as follows: Really, *both* explanations of *MaxMehadrin* agree that the main "enhancement" is to parallel "which day it is", which means that this will have to be recognizable. The only question was, why do *Beis Hillel* and *Beis Shammai* disagree about *which direction to count in*? So, one position is that each one holds "their direction" is the *essentially* better choice (so then *that's* how we describe each one's "reasoning"), and the other position is that *essentially* the two directions are *equally* good choices - so we need an *external* factor to decide between them (and then *that's* how we describe each one's "reasoning").

To me, it seems that the *Gra* and *Bi'ur Halacha* understand that *Tosafos* could hold that R' Yochanan's statement has no *practical* effect at all. After all, they only seem to be *looking* for such an effect in order to explain the *Rif*.

*Bi'ur Halacha* concludes, all this is only theoretical; i.e. since no authority ever suggested such a thing<sup>13</sup> - consequently this approach cannot be considered relevant to the practical Halacha in any way whatsoever.)

Rav Shlomo Kluger<sup>o</sup> (in *HaElef Lecha Shlomo* O.C. 380 & his notes to the *Shulchan Aruch* here) points out:

If someone lit two candles on the first night, he still fulfilled the Mitzvah. After all, the *Rema* says in the Halachos of Shabbos candles [263:1] that one may add to a number that was chosen to be parallel to something - and it's only *subtracting* that he shouldn't do; so here too, what he added doesn't hurt. [Note: This seems to imply that even if he lit three on night two, he still fulfilled *MaxMehadrin*.]

#### IF ONE CAN AFFORD *MAXMEHADRIN* ONLY WITH WAX CANDLES

The *Mishnah Berurah* writes that *MaxMehadrin* with wax is better than the basic one-per-night with olive oil. However, in the *Sha'ar HaTziyun* he says that "the Binyan Olam" holds that lighting one olive oil "candle" on the first night (which *for the moment* is the "best enhancement" by *all* counts) takes precedence over buying many wax candles to enable *MaxMehadrin* for the other nights. [The implication is that this position understands that "olive oil today" always outweighs "*MaxMehadrin* tomorrow", but it's not clear.] However, see below (673:1) for more about "which oils and wicks one lights with".

#### OTHER PRIORITY BALANCES (e.g. limited oil)

We learn below (672:2) that one has to make sure that the Chanukah candles have "the correct amount" of oil (in order to last the right amount of time). The *Mishnah Berurah* here writes that it's better to do the basic one-per-night with that "correct amount" than to do *Mehadrin* or *MaxMehadrin* with less. Also, to provide the basic one-per-night for someone else outweighs fulfilling *MaxMehadrin* yourself. (However, fulfilling *MaxMehadrin* yourself outweighs enabling a "household member" to "light separately" [i.e. *Mehadrin*]<sup>14</sup>.)

The *Mishnah Berurah* also writes that if someone only has enough for nine "candles", then he should "light extra" on the second night only. In addition, he writes that the same is true if he has ten "candles". (The *Chayei Adam*<sup>o</sup> explains: because to light two on the third night wouldn't fit with *anyone's* position.) [It seems to me that these rulings are referring to wax candles (which can't be divided up any way other than how they already are), because when it comes to oil, the *Mishnah Berurah* says that once the person prepares *one* "candle" with the "correct amount" he then divides up the rest of his oil (i.e. as much as necessary) to reach *MaxMehadrin*.]

The *Beis HaLevi*<sup>o</sup> writes (in his notes on Chanukah): According to the above reason "we raise things up in holiness and we do not lower them," logic would dictate that besides the "enhancement" of lighting according to *exactly* "which day it is", there should also be a lower level of "at least not *lowering*" the number.

<sup>13</sup> However, in the Mossad HaRav Kook edition of the Ritva<sup>o</sup>, he actually explains R' Yochanan exactly like the *Bi'ur Halacha*.

<sup>14</sup> Actually, according to the approach of the *Rema* (and the Rambam), the Gemara's version of *MaxMehadrin* is not really possible in such a case (so this ruling is a bit surprising).

That could be a reason to disagree with the above ruling about someone with ten "candles", because now we'll say that on the third night he should light two "candles" - so he won't be "lowering" from the two he lit the night before.<sup>15</sup>

The *Avi Ezri*<sup>o</sup> [to the Rambam, Halachos of Chanukah 4:1] has yet a third position. He disagrees with the ruling about ten "candles", saying that one should always "do the enhancement however much he can." [This would seem to mean that even if someone had a total of twelve "candles", which enables him to light three on the third day but no more than two on the fourth [since he needs to leave his last four "candles" for the remaining four days], then he *should* light two on the fourth day (although the *Beis HaLevi* would presumably agree that *here* there's no point in lighting the second one, since lighting two is *still* "lowering").]

#### WHICH MEMBERS OF THE HOUSEHOLD ARE "INCLUDED" WITH THE LIGHTING OF THE HEAD

The *Mishnah Berurah* writes that according to the *Ashkenazi minhag*, the only member who does not light separately is one's own wife (because "*ishto k'gufo*" ["one's wife is like his own person" - see "Principles"]).<sup>16</sup> In contrast, according to the *Sefardi minhag* (or if an *Ashkenazi* is only *able* to light the basic one-per-night), even adult children and household help are included - as long as they are permanently "eating at his table" [i.e. they are provided for by him]. (However, this subject is actually discussed more fully in *siman 677*, which deals with the issues of "guests".)

### *The development of: Se'if 3*

#### A "CANDLE" WITH TWO "MOUTHS"

The Gemara (*Shabbos 23b*<sup>1</sup>):

*[In the olden days, they used earthenware "candle" vessels. These were covered, and a person would make a hole through the cover at one end - in order to insert the wick through it - and that hole is called the "mouth". Higher up from the top of the cover there would be an opening with space through which a person would pour the oil - and it would go in bit by bit through that hole. (Rashi)]*

***Rav Yitzchak bar Redifah said in the name of Rav Huna: A [similar] "candle" which has two "mouths" [i.e. it has holes at both ends (Rashi)] counts for two people [i.e. for the "Mehadrin" who have a candle for each person]<sup>17</sup> (Rashi).***

Regarding what case the practical application of "counting for two people" is to be found in, the Tosafos disagrees with Rashi, saying instead that the Gemara is referring to a courtyard which has two houses that open into it. (The idea

<sup>15</sup> However, in an earlier footnote we brought that the *Beis HaLevi* himself explains that the approach of Tosafos is that the *main* idea of *MaxMehadrin* is to go according to "which day it is" (just that "we raise holiness" tells us how to *choose* in which direction to count); and according to *that* approach, perhaps there would be no Mitzvah to add one "candle" for the *sole* purpose of avoiding "lowering".

<sup>16</sup> The *Mishnah Berurah* to 675:3 (n9) implies that *any* woman can be "included" with the men of the house (just that she *can* choose to light [with a *bracha*]); but in the *Sha'ar HaTziyun* (ibid. n10), he implies that there, too, the reference is actually to married couples. [See our discussion there, somewhat at length.]

<sup>17</sup> This was explained in the previous *se'if*.

is that then both households' candles are lit at the same location - the entrance to the courtyard - like Tosafos's own position on this point in *se'if 5* below).

On the other hand, the Tur<sup>o</sup> says that the application of this Halacha is for fulfilling "*MaxMehadrin*" [the "enhancement" of adding another candle each night (discussed in the previous *se'if*)] - i.e. from the second night on. Note that this does not fit into the Gemara's words, "for two people" (which the Tur leaves out).

The *Shulchan Aruch* rules simply: A "**candle**" which has two "**mouths**" counts for two.

The *Gra* explains that the Tur is not really disagreeing with Rashi's or Tosafos's explanations of the Gemara *itself*. [As mentioned, the Tur's application doesn't even fit into the Gemara's *words*.] It's just that nowadays everyone fulfills *MaxMehadrin*, so in practice there's no such thing as "a candle for each person" (since the Tur follows the position that fulfilling *MaxMehadrin* means *not* fulfilling *Mehadrin* [as we saw in the previous *se'if*]). On the other hand, "nowadays we light indoors" [as discussed below in *se'if 5*], so Tosafos's application is not really practical for us either. [Accordingly, the Tur found a *novel* application for the *principle* of our Halacha, i.e. fulfilling *MaxMehadrin*.] Nevertheless (concludes the *Gra*), the *Shulchan Aruch* does *not* need to limit himself to the Tur's application, because the *Shulchan Aruch* does not adopt the point of view that nowadays "everyone" lights indoors<sup>18</sup>, and that's why the *Shulchan Aruch* states our Halacha simply, without any explanation

The *Mishnah Berurah* discusses the question: According to the *Ashkenazi minhag* that *MaxMehadrin* also includes *Mehadrin*, will our Halacha apply [i.e. similar to Rashi]? After all, the *Rema* ruled (in the previous *se'if*) that each person has to light his candles in a distinct place! Consequently, he says, the *Magen Avraham*<sup>o</sup> holds that one may *not* use two "mouths" of the same "candle" for two people, *even on the first night*<sup>19</sup> (just that he rules in the *Sha'ar HaTziyun* that in difficult circumstances one can rely on the *Eliyahu Rabbah*<sup>o</sup> who disagrees with the *Magen Avraham* about the first night). However, the *Mishnah Berurah* brings from the *Chayei Adam*<sup>o</sup> that two people can light on opposite ends of our eight-branched "*menorahs*", because it's obvious that if there were only one person he would light all his candles next to each other [and therefore it's recognizable that these were two distinct lightings, by two people] (and the *Mishnah Berurah* writes that the *minhag* is to follow that).

The *Mishnah Berurah* explains that the reason the Gemara needs to say this at all is because in the case of their "candles", the wicks were together on the inside, so we need to know "which part of the *menorah*" to look at when deciding how many "candles" we have here. This is going to be the focus of the next *se'if* as well.

### The development of: **Se'if 4**

<sup>18</sup> Rather, the *Shulchan Aruch* below in *se'if 5* lists the places for lighting according to the various circumstances, just like in the Gemara.

<sup>19</sup> As mentioned in *se'if 2*, Tosafos's concern [that it be recognizable "which day it is"] only applies *after* the first night. Still, the *Magen Avraham* applies the requirement of "separate places for separate people" even on the first night, because of "*lo plug*" ["no distinction is made" - see "Principles"].

## A DISH FILLED WITH OIL

The Gemara (*Shabbos* 23b<sup>1</sup>):

**Rava said:** *If someone filled a dish with oil and placed wicks in it all around, [then the Halacha is as follows:] If he covered it with some other vessel, then this counts for a number of people; but if he did not cover the dish with a vessel - then what he has made is like a significant fire [for the flames join together<sup>20</sup>, and that does not look like (the light of) a "candle" (Rashi)] - and it does not even count for one person.*

The Tur<sup>o</sup> brings a position<sup>21</sup> (the *Beis Yosef* cites authorities who say that it's the *Ba'al HaIttur*<sup>o</sup>) that if the wicks are a finger-width<sup>22</sup> apart so it *won't* become like a significant fire - then it's possible to be *yotzei* even without covering the dish with a vessel. However, the Tur himself says that there can't be such a limit, because if there were a limit, it would have to depend on the thickness of the wick as well. The *Beis Yosef* says that one could answer this by saying that the measure "a finger-width" is for an average wick (and one indeed could have to adjust this, depending on the thickness of the wick).

However, the *Shulchan Aruch* omits the distinction (like the Tur), and rules: **If someone filled a dish with oil and placed wicks in it all around: If he covered it with [some other] vessel - each wick counts as one "candle"<sup>23</sup>; [but if] he did not cover it with a vessel - it does not even count as one "candle", because it is like a significant fire.** [The *Rema's* additions to this *se'if* follow the next two subjects.]

The *Mishnah Berurah* points out that the "covering with a vessel" has to be done *before* lighting. (If it wasn't, the wicks must be put out, and then covered and re-lit.)

In addition, he implies that finger-width distances *do* matter<sup>24</sup>, but only as follows: If there's a cover, distance is not needed (as the Gemara implies); if there's no partition between the wicks at all - then distance doesn't *help* (like the above ruling in accordance with the Tur); and if there's a partition (but not a cover) - *then* such a distance is called for. (On this point, he implies that the natural clear distinction of using separate wax candles is *itself* like a "partition" - i.e. even if they're just "stuck on" to their places.)

<sup>20</sup> This is the *Mishnah Berurah's* language. Rashi's wording is "the fire joins at the middle."

<sup>21</sup> Our edition of the Tur says that it's the Rosh<sup>o</sup>, but we don't seem to find this in the Rosh's works.

<sup>22</sup> This is a fixed linear measurement, generally meaning one quarter of a *tefach*<sup>\*</sup> (i.e. one twenty-fourth of an *amah*<sup>\*</sup>), which comes to between two centimeters and one inch (based on the positions of R. Chaim Na'eh, R. Moshe Feinstein<sup>o</sup>, and the Chazon Ish<sup>o</sup>).

<sup>23</sup> The word "*ner*" is traditionally translated "candle", but the earlier sources generally do not use the word to refer to solid candles. Rashi explains that in the days of the Gemara, earthenware "lamps" were used; his full description is brought in *se'if* 3 above.

<sup>24</sup> Actually, the *Mishnah Berurah* "waits to write this" until the *Rema* discusses circular arrangements, implying that only *then* is there ever a need for distance. Furthermore, we should mention that the summary brought here is what the *Mishnah Berurah* quotes in the name of the *Chayei Adam*<sup>o</sup> and the *Eliyahu Rabbah*<sup>o</sup> (apparently siding with them), in opposition to the *Pri Megadim*<sup>o</sup> (and the implied position of the *Shulchan Aruch* himself) on a couple of points.

## ONE SHOULD LIGHT IN A STRAIGHT LINE

The *Darkei Moshe* brings: (1) In the name of the *Smak*<sup>o</sup> - that the candles may not be arranged in a circle, because then they are like a significant fire, but rather they must be in a line; (2) From the *Maharil*<sup>o</sup> (similarly) - that the candles must be in a straight line and not "one in and one out" [i.e. in a staggered formation]<sup>25</sup>; (3) From the *Terumas HaDeshen*<sup>o</sup> (in contrast) - that candelabras [of branches in a circle<sup>26</sup>] are *muttar* to use, because the branches are separated from each other<sup>27</sup> and therefore are not a "significant fire".

Accordingly, the *Rema* adds: **And therefore one should be careful to set up the candles in a straight line, and not in a circle - for that's like a significant fire. [On the other hand,] it's *muttar* to light with the candelabras called "lampa", since all the candles are very separate from each other.** [The rest of the *Rema's* addition to the *se'if* follows the next subject.]

The *Bi'ur Halacha* brings that the candelabras may be *muttar*, but it's still no "enhancement" of the Mitzvah. [Note: It's made clear in the *Mishnah Berurah* that the "corrective measure" of a covering (or finger-width distances with "partitions") is applicable here (see the previous subject).]

## ATTACHING WAX CANDLES TO ONE ANOTHER (CONCERNING SHABBOS OR YOM TOV AS WELL)

The *Darkei Moshe* brings from the *Mahari Veil*<sup>o</sup> that four or five wax candles stuck together are "like to a significant fire", and similarly from the *Ohr Zarua*<sup>o</sup> that when people light candles for Shabbos or *Yom Tov* and "stick in" the candles so close together that they heat each other and make the wax drip - and they also bend over and fall - they don't fulfill the Mitzvah<sup>28</sup>.

Accordingly, the *Rema* concludes the *se'if*: **[In addition,] people should be careful when they prepare candles - even of wax - not to attach them together and [then] light them, for that's like a significant fire; [And] even with the candles of Shabbos and Yom Tov people should be careful not to do that.**

The *Mishnah Berurah* rules that even just *two* candles may not be stuck together this way. However, in the *Bi'ur Halacha*, he points out that this creates a difficulty: For above in the Halachos of Shabbos candles [O.C. 263:1], we

<sup>25</sup> The *Mishnah Berurah's* wording is that this is "not right either" - because if one would light in such a formation - then he eventually could come to the point of lighting in a circle.

<sup>26</sup> This is the *Mishnah Berurah's* description, taken from the *Terumas HaDeshen* (105) himself. The *Darkei Moshe* uses (as he does in the *Rema*) the German word "lampa".

<sup>27</sup> I.e. by the branches' "partitions"; and also by more than two finger-widths - so the *Ba'al Hattur's* position will further back this up (these clarifications are also taken from the *Terumas HaDeshen* himself, *ibid.*).

<sup>28</sup> I.e. because such candles are "like a significant fire", and not like candles which have space to burn properly (explanation of the *Ohr Zarua* {2:326 - Halachos of Chanukah} himself).

learn<sup>29</sup> that by Shabbos<sup>30</sup> it's a **good minhag** to twist together two wax candles<sup>31</sup> (into a braid like a chain)! He answers that the *Rema* here only means to say not to do it *in a way* that causes the negative effects which the *Ohr Zarua* mentioned.

### The development of: **Se'if 5**

#### PLACES FOR THE CANDLES OTHER THAN THE ENTRANCE

[based on which many authorities say that "**nowadays we light indoors**"]

The Gemara (*Shabbos* 21b<sup>3</sup>):

*The Rabbis taught in a Baraisa: [Normally,] the Mitzvah is to place a Chanukah "candle"<sup>32</sup> at the entrance to one's house - on the outside [to publicize the miracle (Rashi)]. [However,] if someone has been living in an "aliyah" (i.e. an upper floor "apartment") [and therefore he has no place on the ground level<sup>33</sup> where he can place his" candles" (Rashi)], then he places it [indoors] by a window which is "near" [i.e. "facing" or "closest to"] the public domain. [Finally,] in a time of danger [such as when it was the Persians' law that on their own religious holiday no one was allowed to have a "candle" lit anywhere other than in their temple of idolatry (Rashi, based on Gittin 17a)], one places it on his table and that is sufficient.*

Rashi points out that "at the entrance to one's house" is not the place we might have expected to be chosen. After all, in those days the houses opened to courtyards, and only from the courtyards was there access to the public domain. Therefore, we might have expected the entrance to the courtyard to be the location for the candles, since that's the closest to the public domain (so lighting there would "publicize the miracle" better, just like we see from the choice of "by a window" that we look for the best access to "the public"<sup>34</sup>). Nevertheless, concludes Rashi<sup>35</sup>, the Baraisa teaches that the correct choice is to light at the *house's* entrance, despite that being *within* one's own courtyard.

<sup>29</sup> The *Mishnah Berurah* there (n5) quotes this (along with the Halacha of our *Rema*, written so as to fit together the way our *Bi'ur Halacha* explains). In the *Sha'ar HaTziyun* there, he says that this *minhag* is supported by the *Magen Avraham* and others, unlike one position who rejects it - saying it's like a significant fire. [It seems that the *Bi'ur Halacha* here is knowingly ignoring that one position.]

<sup>30</sup> In the *Bi'ur Halacha* here he says "and on *Yom Tov*," but I don't understand why *Yom Tov* should be included, considering the reason (cited in the next footnote).

<sup>31</sup> I.e. into a braid, like a necklace, in line with the Gemara (*Shevu'os* 20b) that "*Zachor*" and "*Shamor*" (the commands to "commemorate" and "keep" Shabbos - which the basic *minhag* of lighting two Shabbos candles corresponds to) were said at the same time.

<sup>32</sup> The word "*ner*" is traditionally translated "candle", but the earlier sources generally do not use the word to refer to solid candles. Rashi explains that in the days of the Gemara, earthenware "lamps" were used; his full description is brought in *se'if 3* above.

<sup>33</sup> Rashi's own wording is "in his courtyard", in line with his position (discussed soon) that the Baraisa has been referring to lighting at the entrance to the house *itself*, even if that's well *within* the courtyard.

<sup>34</sup> See *se'ifim* 6 and 7 below for more about choosing to light in a window, for the purpose of "publicizing the miracle" to the general public (as opposed to publicizing it "better" to the household, because "publicizing" to the household is not as important).

<sup>35</sup> Actually, the whole paragraph until this point is only *implied* by Rashi, and not spelled out.

The Tosafos disagrees, saying that the Baraisa is talking about where to light *if* one's house *opens directly* to the public domain (i.e. if there *is* no courtyard in between the two); but if there *is* a courtyard in between, then the normal Mitzvah is to light at the entrance into the courtyard (i.e. right by the public domain).<sup>36</sup>

The Tur<sup>o</sup> follows the position of Tosafos, and he says that the case of lighting by the window is "if he has no entrance that opens to the public domain." The *Beis Yosef* explains that the Tur's point is as follows: If the person's upper floor "apartment" opened directly out to the public domain, then of course he would light at that entrance, and if it opened directly out to the house's courtyard, then he would light at that courtyard's entrance out to the public domain (just like that's the lighting location for all the other householders of that courtyard). Therefore, the Baraisa has to be referring someone whose "apartment" opens only *down to the ground floor of the house* (which is someone else's), in which case the only place he can possibly light where it will be recognizable that his candles "belong to the upper floor apartment" is his own window upstairs.

The *Shulchan Aruch* also rules like Tosafos, beginning the *se'if*: **A Chanukah "candle" is placed at the entrance [which is immediately] by the public domain - on the outside; [This means that] if the house opens [directly] into the public domain - [then] one places it at that entrance, and if there is a courtyard in front of the house - [then] one places it at the courtyard's entrance; [However,] if someone has been living in an "aliyah" [i.e. an upper floor "apartment"] which does not have an entrance that opens into the public domain - [then] he places it by a window which is "near" the public domain; [Finally,] in a time of danger which does not permit him to perform the Mitzvah [publicly] - he places it on his table and that is sufficient.** [The rest of the *se'if* follows the next subject.]

The *Bi'ur Halacha* notes that the Ran<sup>o</sup> and the *Ohr Zarua*<sup>o</sup> quote Rashi's position.<sup>37</sup>

Rav Moshe Shternbuch<sup>o</sup> (*Mo'adim U'Zmanim* 2:140 & 6:85) discusses whether "the normal Mitzvah is outside" nowadays:

From the Gemara it would certainly seem that we light outside, except when there is an actual danger. And while it's true that there are some places where there's a concern from those non-Jews who disturb our performance of Mitzvahs, still, in most places the Jews are free to practice their religion openly. [Consequently, it should follow that we light outside.] (One might argue that in our more northern countries Chanukah is a windy and rainy time, and the only way for us to light outside would be inside a glass box<sup>38</sup>, and the Gemara was only

<sup>36</sup> The Tosafos brings two proofs [(1) from the Halacha of *se'if* 3 above that double candles "count for two" - implying that two householders' candles can belong in the same spot, and (2) from the Halacha of *se'if* 8 below of "a courtyard which has two entrances"]. See in both places how Rashi's explanations avoid there being any problem for his position.

<sup>37</sup> I.e. that's the only position they present, which shows they rule that way, and this could be a reason to take Rashi's position into account [just as we're about to bring R. Moshe Shternbuch as proposing].

<sup>38</sup> Some versions of this theory continue by saying that the Sages did not *require* lighting in glass boxes; either because it's too much trouble, or because it makes the Mitzvah less recognizable. R. Moshe Shternbuch's own version is to say that it's not even a *valid* way of lighting - because the candle is not "giving out its light in the natural way" like it did in the *Beis HaMikdash*. He explains that the basis of this would be to compare our Halacha to the Halachos of *havdalah* on Shabbos, where we see that one cannot say the *bracha* over seeing a fire enclosed by a glass box (see

talking about Babylonia and the Land of Israel - which have warmer climates. But in fact, the weather at Chanukah time in the Land of Israel is windy and rainy as well, so we are forced to say that even when the Jews would light outside - they *always* lit inside a glass box.)

Still, maybe once the non-Jews brought heavy decrees and persecutions upon us, the Sages understood that it would no longer be possible to light outside in our places of exile. After all, we can't judge each place separately as to whether there's a danger in that place, because if we do - then everyone will want to do "the normal Mitzvah" and some people will eventually come to do that even in places where there *is* a danger.<sup>39</sup>

Furthermore, the truth is that the "danger" of this Gemara does not necessarily have to be a threat to life; rather, even a "danger" that non-Jews might "attack" the candles (or put them out) is included.<sup>40</sup>

This explains why the only place where the practice is to light outside even nowadays is in the Land of Israel<sup>41</sup>, because it doesn't bother any non-Jews that the Jews feel "at home" there (and no one outside the Land can make the mistake of comparing themselves to those in the Land, either). [Still, *other* problems with lighting outside exist there, because of today's courtyards and apartment buildings...]

#### Rav Moshe Shternbuch (*Mo'adim U'Zmanim* 2:143) on today's courtyards and apartment buildings:

The *Shulchan Aruch* ruled like Tosafos, and according to that, one lights in the window only if he has no entrance that opens into the public domain [as explained by the Tur & *Beis Yosef* above]. However, there are two basic reasons that would support lighting in windows in our apartment buildings:

(1) If someone lives in an apartment building, and the main entrance of the building opens directly out to the street, we would assume that he should light by that entrance (according to the position of Tosafos), since the stairwell and lobby are his "courtyard". However, one could question this: Maybe the Sages were only talking about the concept of courtyards in *their* days, when much of their living activities were done in the courtyard (so it could be considered "an extension of the house"), whereas nowadays we don't use any "external" area in such a way. Consequently, nowadays, the window is often the only choice which both (a) is on the grounds of "his apartment" and (b) faces the public domain.<sup>42</sup> (It happens to be that I personally disagree with *this* reasoning, because at least *on Chanukah* it seems that the significance of a "courtyard" is just that it's "how one gets in".)

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O.C. 298:15) because it's not "giving out its light in the natural way." [He points out that according to this logic, we would have to say that when the Gemara mentions lighting "in a (glass) lantern" (*Shabbos* 23a), it's only talking about if the glass was removed.] He admits that the comparison is flawed, since here the fundamental idea is just to publicize the miracle. But all these approaches collapse once we are forced to say that even in Babylonia and the Land of Israel they *always* lit in glass boxes.

<sup>39</sup> This reasoning is based on a *Yerushalmi* in *Shevi'is*; and it is also the basis of the famous ruling of R. Yisrael Salanter in the cholera epidemic in Vilna in 1860, that even the people who were not in danger had to eat on *Yom Kippur*, since if each person had to be judged separately - then there would be a danger of many people fasting for whom it would *not* be safe.

<sup>40</sup> This is based on *Megillas Ta'anis* (Chapter 9) which says the danger was "from scoffers", and also on the fact that the danger Rashi mentioned was only of the candle being put out, as can be seen from *Gittin* 17a.

<sup>41</sup> As for those who light inside even in the Land of Israel, there is the defense of Rav Tzvi Pesach Frank<sup>o</sup> (*Mikra'ei Kodesh* 16), who brings that the *Ba'al Halittur*<sup>o</sup> (according to a commentary) answered this by his saying that once the *minhag* changed because of the danger - we can continue with that *minhag* even without danger. [This description, that the *minhag* "changed", does not seem to fit Rashi's explanation of the "danger" mentioned by the Gemara (because probably only *part* of Chanukah would coincide with a Persian holiday, and even that would probably not happen in every year). Presumably, the *minhag* only would have "changed" because of "danger" like Tosafos's explanation (that it began when the Jews came under the power of certain non-Jews who made decrees against the candle-lighting).]

<sup>42</sup> In a later volume (6:87), R. Moshe Shternbuch says that the *Chazon Ish*<sup>o</sup> held this way.

(2) In addition, there's actually room to follow Rashi's position, which seems to be that one *can't* light in a courtyard, since it's unclear who the candle "belongs to". Naturally, that would support lighting in a window.

On the other hand, it could be that windows are *invalid* [at least whenever we light outside]; and we should especially take into account that candles in windows aren't really "adjacent to the public domain", because the glass is in the way.

So in practice, one *could* light at the main entrance (with the *bracha*) and then light by one's own window (without talking in between). But it would be too much of a stringency to *rule* that one should do that; rather, the Halacha is that "whatever you do - you're covered."

#### AN "OBLIGATORY" EXTRA CANDLE ("SHAMASH")

The Gemara (*Shabbos* 21b<sup>3</sup>):

**Rava said:** *One needs an extra "candle"*<sup>43</sup> - to use its light [*to make the matter recognizable*]<sup>44</sup> (*Rashi*). [*On the other hand,*] if there is a significant fire nearby, the extra "candle" is not needed [because he will use the significant fire for light (i.e. the light he needs for his activities), so it's recognizable that the Chanukah "candle" is there for a Mitzvah (*Rashi*)]. [*However,*] if he is an important person [and therefore not accustomed to making use of a significant fire (*Rashi*)], then even if there is a significant fire nearby - he still needs an extra "candle".

Accordingly, the *Shulchan Aruch* concludes the *se'if*: **[In addition,] one needs an extra "candle" - to use its light; [On the other hand,] if there is a significant fire - then one does not need an extra "candle"; [However,] if he is an important person and therefore it is not his manner to use the light of a significant fire - then he does need an extra "candle".**

However, the *Bi'ur Halacha* quotes the explanation of the *Me'iri*<sup>o</sup> (*Shabbos* *ibid.*)<sup>45</sup>:

**I hold,** based on the *sugya*<sup>\*</sup>, that the statement "one needs an extra candle" was only referring to someone who placed his Chanukah candle "on his table"<sup>46</sup>; but any time that one places his Chanukah "candle" by an entrance - he doesn't need an extra candle. [*Furthermore,*] this is true even if he stands right there - as long as he doesn't actually make use of the Chanukah candle's light for some specific activity. I have in fact seen some Rabbis having the practice of standing right there and speaking with their friends with no extra candle. Still, in actual practice, it's my *minhag* to light an extra candle even without a need to make use of one; and we all have the *minhagim* [we received] from our fathers and our teachers.

<sup>43</sup> source's wording (throughout this entire subject): "another" candle.

<sup>44</sup> "For even if he won't want to make use of the light at all, he still needs an extra candle - in order to have the *ability* to use the light of that extra candle; and *then* it's recognizable that the first candle is for the sake of a Mitzvah; but otherwise people would say that he lit that one candle just for his personal needs, since it's standing on the table [see the *Me'iri* quoted right after this Gemara]." (*Bi'ur Halacha*)

<sup>45</sup> The *Gra* seems to agree, as will be explained in the first half of *se'if* 7 below (in a footnote to the end of the "third clarification" of the *Rema*).

<sup>46</sup> The need for an extra candle is stated right after the case of lighting "on the table" (which was the end of the *Baraisa* we just learned in this *se'if*), both in the Gemara (where Rava immediately follows the *Baraisa*) and in the *Shulchan Aruch*.

The *Bi'ur Halacha* also writes (in the name of the *Magen Avraham*° in Siman 678) that even someone who only has one candle [and none to use as the "extra"] nevertheless lights that one candle, with the *bracha*. However, the person certainly must be careful<sup>47</sup> not to make use of its light.

[In addition, see below 673:1 for more about an "extra candle", including *minhagim*, what candle is called the "*shamash*", and other details.<sup>48</sup>]

### The development of: **Se'if 6**

"INITIALLY" THE CANDLES SHOULD BE "LOW"

The Gemara (*Shabbos* 21b<sup>4</sup>):

*A Mishnah elsewhere*<sup>49</sup> says: If a camel which is loaded up with flax is passing through the public domain - and its flax protrudes into a shop and is ignited by the shopkeeper's "candle"<sup>50</sup> - and then the burning flax ignites a whole building, the owner of the camel is obligated to pay [because he shouldn't have loaded the camel with so much flax that this would happen (*Rashi*)]. However, if the shopkeeper left his "candle" outside, then the shopkeeper is obligated to pay. Still, R' Yehudah says that if it was a Chanukah "candle" - then the shopkeeper is exempt [because he had the right to leave it there for the Mitzvah's publicizing (*Rashi*)].

**Ravina (in the name of Rava) proves from this:** This last point tells us that when it comes to a Chanukah "candle", the Mitzvah is to place it within ten tefachim\* (32 - 38 in., 80 - 97 cm.)<sup>51</sup> high [off the ground, and no higher]. For if placing it more than ten tefachim high [off the ground] were just as good, then why would R' Yehudah say the shopkeeper is exempt? After all, it would then be possible to argue against the shopkeeper: "You should have placed the Chanukah 'candle' above the height of a camel and its rider!"<sup>52</sup>

<sup>47</sup> source's wording: be careful "initially". [Maybe he means that one should "try his best" not to make use of it.]

<sup>48</sup> One point appropriate for mention here: The *Mishnah Berurah* (there) says that as far as "the strict Halacha" is concerned, the [usual] "candle on his table" can serve as the "extra" candle of our *se'if*.

<sup>49</sup> *Bava Kamma* 62b. The Gemara here in *Shabbos* actually starts by quoting the first case of that Mishnah, which has no apparent relevance to our Gemara's issue: "If a spark flies out from under a blacksmith's hammer - and goes and damages property - the blacksmith is obligated to pay."

<sup>50</sup> The word "*ner*" is traditionally translated "candle", but the earlier sources generally do not use the word to refer to solid candles. *Rashi* explains that in the days of the Gemara, earthenware "lamps" were used; his full description is brought in *se'if* 3 above.

<sup>51</sup> Based on the positions of R. Chaim Na'eh, R. Moshe Feinstein°, and the Chazon Ish°, on the definition of an *amah*°.

<sup>52</sup> The Mishnah (*Bava Basra* 27b - discussed in *Shulchan Aruch* volume *Choshen Mishpat* 155:27) explicitly says that this is the required height for a tree to be allowed to hang out into the public domain. So we see that if a person passing through the public domain has the right for a certain thing not to be in his path, then he can demand that it even has to be high enough to enable him to ride by on a camel and still not have to deal with it. Now, we saw in the middle case of the Mishnah that the owner of the camel has the right not to have to deal with a shopkeeper's candle being in his path (and therefore it's the shopkeeper who is obligated to pay). So by extension, if any height of a Chanukah candle is equally good for the Mitzvah, then the owner of the camel should be able to demand that the shopkeeper put the candle above that height.

**The Gemara rejects the proof:** *Maybe in fact one should have been able to make such a claim to the shopkeeper, except that the Sages judged that if we trouble a person that much [i.e. to force him to light that high] - he will [eventually] come to neglect the Mitzvah entirely!*

The Rashba<sup>o</sup> deals with two points:

(1) **Question:** *How did Ravina/Rava "choose" the height of ten tefachim?*

**Answer:** *[We can be sure that] the Sages gave this Mitzvah some "familiar specification", i.e. taking one from among the fixed specifications of the other Mitzvahs of the Torah. And we see that it doesn't follow the height specification of twenty amahs\* [32 - 38 ft., 9.6 - 11.6 m]<sup>53</sup>, which is the **maximum** for a sukkah<sup>54</sup> [for that's much higher than "a camel and its rider", and Ravina/Rava deduced from the case of the shopkeeper that Chanukah "candles" belong lower]. So we conclude that this Mitzvah must instead follow the height specification of ten tefachim, which is the **minimum** for a sukkah.*

(2) **As for the [practical] Halacha:** *We rule like what Ravina said in the name of Rava. [The logic for this is as follows:] We do not discard what was clear to Rava and Ravina - and choose [instead] what the Gemara said in response [to their proof] in the form of a mere "maybe" [Furthermore, there's a greater publicizing of the miracle that way - because it's unusual for something made for light to be placed so low (Rosh<sup>o</sup>)]. And so ruled Rabbeinu Chananel<sup>o</sup> [as well].*

The Beis Yosef says that the Ran<sup>o</sup> also brings this ruling (and that he brings it in the name of Rabbeinu Yonah<sup>o</sup> too), as well as the Rosh<sup>o</sup>, and that the Smag<sup>o</sup> and the Smak<sup>o</sup> also rule the same way. Then he points out that the Rif<sup>o</sup> and the Rambam left out the statement of Ravina/Rava, which implies that they don't rule like it. Still, the Beis Yosef concludes that in practice one must in fact place a Chanukah candle "within ten", in order to do the Mitzvah properly according to both positions.

Next, the Beis Yosef brings that the Mordechai<sup>o</sup> holds that since "nowadays we light indoors"<sup>55</sup>, so one can just as easily place the Chanukah candle at the "less publicizing" height of "above ten"<sup>56</sup>. But the Beis Yosef concludes by pointing out that we can see that the Tur<sup>o</sup> disagrees (since he doesn't make such a distinction here), and in fact the practice of people who are "exacting" is to be stringent even now.

On the other hand, the Tur brings [as does the Mordechai (Beis Yosef)] that the Maharam<sup>o</sup> (of Rottenburg) was careful to place the Chanukah candle above three [tefachim\* off the ground]<sup>57</sup> (9.5 - 11.5 in., 24 - 29 cm.)<sup>58</sup>. The Beis Yosef explains his reason: since anything lower than three tefachim is like [putting it on (Mishnah Berurah)] the solid Earth itself [as we find by a number of Halachos - and specifically by the Halachos of Shabbos]. (The Mishnah Berurah explains [in

<sup>53</sup> Based on the positions of R. Chaim Na'eh, R. Moshe Feinstein<sup>o</sup>, and the Chazon Ish<sup>o</sup>, on the definition of an amah<sup>o</sup>.

<sup>54</sup> source's wording: "and a mavo'i" (patterned after the language of R' Tanchum; see the next subject).

<sup>55</sup> This was discussed above in se'if 5.

<sup>56</sup> The Mordechai says explicitly (in a later paragraph - which we refer to in our next paragraph) that the Maharam of Rottenburg applied the requirement of "below ten" even in practice [although it would seem obvious that he too lived "nowadays"]. Apparently, we see from the Mordechai here that he himself is disagreeing with the Maharam on this point. Surprisingly, the Beis Yosef makes no reference at all to this issue.

<sup>57</sup> "And below ten". (See previous footnote about the "contradiction" in the Mordechai.)

<sup>58</sup> Based on the positions of R. Chaim Na'eh, R. Moshe Feinstein<sup>o</sup>, and the Chazon Ish<sup>o</sup>, on the definition of an amah<sup>o</sup>.

the name of the Bach {*Sha'ar HaTziyun*} that therefore it's not recognizable that the owner of the house put it there [i.e. intentionally and with purpose].)

**The *Shulchan Aruch* rules [as quoted after the next subject]** that "one places it" above three, and then he rules that "it's a Mitzvah to place it below ten - but even if he didn't he was *yotzei*." Since he mentioned "being *yotzei*" only by "above ten", that implies that if someone placed it "below three" he's *not yotzei*. However, the *Mishnah Berurah* writes in the name of the *Pri Chadash*<sup>o</sup> that one *is yotzei* "after the fact". As for "below ten", the *Mishnah Berurah* writes in the name of the *Eliyahu Rabbah*<sup>o</sup> that the *minhag* of "the world" is to be lenient nowadays (like the *Mordechai*), but then he quotes what the *Beis Yosef* wrote (ending with the *Beis Yosef's* conclusion - that the practice of people who are "exacting" is to be stringent). [Finally, the *Mishnah Berurah* writes that when it comes to lighting by a window - we measure from the *floor* of the "apartment". (For more about "how we measure", see the supplementary material near the end of this *se'if*.)]

Now what if someone can only light either (1) *below* ten *tefachim* - but indoors, or (2) by a window which faces the public domain - but *above* ten *tefachim*? The *Mishnah Berurah* writes in the name of the *Magen Avraham*<sup>o</sup> that the window is the correct choice. In the *Sha'ar HaTziyun*, he points out that the *Magen Avraham* holds that the window is *always* better - even if with the "lower indoor option" he would be able to put the candles "by an entrance" [see the next *se'if*]. The *Sha'ar HaTziyun* proceeds to back that up (against the questioning of the *Pri Megadim*<sup>o</sup>), by pointing out that the goal of "being recognizable to people in the public domain"<sup>59</sup> has a strong basis in the Gemara<sup>60</sup>, while the requirement "initially" to place the candles "below ten" is not even the practical Halacha according to some early authorities<sup>61</sup>.

As for the candles lit in the synagogue, the *Mishnah Berurah* writes that the *minhag* is to put them "in a high place" and not below ten *tefachim*. [His source is the *Pri Megadim*<sup>o</sup>, who is surprised about it, especially since the case of the *Nimukei Yosef* and R. Yitzchak Abouhav<sup>o</sup> brought below (see 675:1) implies otherwise.]

THE CANDLES *MUST* NOT BE "TOO HIGH" (i.e. this is crucial even "after the fact")

The Gemara (*Shabbos* 21b<sup>5</sup>):

**R' Tanchum taught**<sup>62</sup>: [22a] A Chanukah "candle" which was placed higher than twenty amahs\* (32 - 38 ft., 9.6 - 11.6 m)<sup>63</sup> [off the ground] is invalid [because people's eyes do not reach it - and (therefore) it

<sup>59</sup> The assumption here is that this "public" includes Jews. Concerning "publicizing" just to non-Jews, see below (at the end of 677:3).

<sup>60</sup> The *Sha'ar HaTziyun* mentions (1) the fact that the normal Mitzvah is to light outside, and (2) that the end of the "time for lighting" is described as "until even the last passersby have left" (*Shabbos* 21b - see below 672:2).

<sup>61</sup> I.e. the Rif and the Rambam, and also the *Mordechai* (since we're talking about indoors), as above.

<sup>62</sup> source's wording: "Rav Kahana said: Rav Nassan bar Menyumi expounded in the name of R' Tanchum".

<sup>63</sup> Based on the positions of R. Chaim Na'eh, R. Moshe Feinstein<sup>o</sup>, and the Chazon Ish<sup>o</sup>, on the definition of an *amah*<sup>o</sup>.

lacks publicizing of the miracle (Rashi)]; just like [the similar Halacha] by the "s'chach" covering of a sukkah [see Sukkah 2a] and by a "mavoi"<sup>64</sup>.

The Tosafos explains how to fix the situation, if one already lit his candle too high:

*He should put it out and lower it, and then light it again [with the bracha (Mishnah Berurah)]; for he can't just "lower it and leave it" while it's still lit [because (of the principle<sup>65</sup> that) "the lighting is what accomplishes the Mitzvah"<sup>66</sup> (Beis Yosef), and he (originally) lit in an invalid place (Mishnah Berurah)].*

Accordingly, the *Shulchan Aruch* rules [for this entire se'if]: **One places it above three tefachim [off the ground]; and it's a Mitzvah to put it below ten tefachim [above the ground]; and if someone puts it above ten tefachim - he was yotzei; but if someone puts it above twenty amahs [off the ground] - he was not yotzei.** The *Rema* adds: **Even if he [then] took it [while it was] still lit and [then] put it [down] below twenty [amahs] - he was not yotzei, since "the lighting is what accomplishes the Mitzvah."**

The Tur writes about whether "above twenty amahs" is invalid even indoors:

*HaRav [Rabbeinu] Yoel HaLevi<sup>o</sup> wrote that [it's invalid] only if one places it outdoors; but if he placed it inside a house - then it's valid even above twenty amahs. [His proof is that this is] just like we say by a sukkah (Sukkah 2b) that if the walls reach the "s'chach" [covering] then the sukkah is valid even if it's higher than twenty amahs - because then people's eyes do reach it.<sup>67</sup>*

**But I hold that here "the thing to be proven cannot be compared to the source."** After all, in the case of a sukkah, what we need is for one's eyes to reach the **roof**; and since the partitions go all the way up to the roof - so **by way of them** his eyes will reach the roof. But here, we need one's eyes to reach the **candles**; so what difference does the roof make? The roof is even **higher** than the candles - so it won't cause anyone's eyes to reach the candles any better!

<sup>64</sup> A *mavoi* is an "alleyway" jointly used by multiple "courtyards" in which carrying on Shabbos is to be made *muttar* by means of a crossbeam at its exit (out to the public domain). The crossbeam cannot be higher than twenty *amahs* [see *Eiruvin* 2a].

<sup>65</sup> This is explained below in *siman* 675.

<sup>66</sup> The *Gra* argues (based on Tosafos to *Sukkah* 2a) that the Halacha of our Tosafos (that one can't "lower it and leave it") does *not* depend on saying "the lighting is what accomplishes the Mitzvah." Rather, even if someone would take the opposing position that "the placing is what accomplishes the Mitzvah," he could *still* agree that in our case one couldn't "lower it and leave it", because then "someone who sees him would think that the candle is for his personal use" (a reasoning from the Gemara brought below 675:1). But the *Gra* points out that there was never much of a *need* for Tosafos to explain the *reason*, because the Tosafos *proved* our Halacha from the fact that R' Tanchum avoids the wording "let him lower it" (which is found in the Mishnah elsewhere).

<sup>67</sup> Actually, the Gemara only says this according the position that the reason a *sukkah* "taller than twenty" is invalid is because people's eyes don't reach that high. Our accepted ruling is that such a *sukkah* is in fact invalid for a *different* reason, which is why the Tur & *Shulchan Aruch* in the Halachos of the *sukkah* (O.C. 633:1) rule that a *sukkah* "taller than twenty" is invalid even if the walls *do* reach the *s'chach* (*Darkei Moshe* in the name of R. Avraham<sup>o</sup> of Prague). Still, *Rabbeinu Yoel's* proof is not disturbed by this, because we *do* say that "the eyes don't reach" is the reason *in the case of Chanukah candles*, and we can learn from *Sukkah* what we *would* say whenever that's the reason for "above twenty" being invalid.

[The *Beis Yosef* brings R. Yitzchak Abouhav<sup>o</sup>, who explains that Rabbeinu Yoel held that the only time people's eyes don't reach above twenty *amahs* is when the *outdoor air* affects their ability to see as far as they want, and accordingly he cited the distinction from *sukkah*, which fits together nicely with that.]

The *Shulchan Aruch* does not mention Rabbeinu Yoel's distinction [as quoted above], and the *Mishnah Berurah* confirms that our accepted ruling is indeed like the Tur. (However, the *Mishnah Berurah* refers to the *Pri Megadim*, who's not so sure that one makes a *bracha* on re-lighting in this case.)

In the *Sha'ar HaTziyun*, he explains that even if only the *flame* is above twenty *amahs* (such as with a long wax candle), it's still invalid.

*We can ask:* What about regarding the Mitzvah (discussed in the previous subject) of the candle being below ten *tefachim* and above three? This is a tricky issue, because if the flame is below ten, that could force the base of one's "*menorah*" to be below three - or even on the ground itself - which certainly seems to be "not recognizable" as being for a Mitzvah!

Rav Shmuel Vosner<sup>o</sup> (*Shevet HaLevi* 4:64) discusses applying this nowadays:

If there is a *minhag* to light in one's window even on a floor of one's building that's so high that the candles are more than twenty *amahs* above the street, there's no reason to change the *minhag*, for a combination of reasons:

(1) Nowadays, since we light indoors,<sup>68</sup> according to the strict Halacha - need for visibility is for those *inside*, and from their point of view the candles are not so high.

(2) Some authorities hold that the advantage of a window [over lighting below ten *tefachim*] applies even if it's above twenty *amahs*, since there's still *some* slight visibility to the public domain.

(3) And besides, if there are some neighbors "across from him" for whom it's *not* "above twenty" [like for example if the surrounding buildings are similar in height], that also helps publicize the miracle.

[Note: Of course, he's taking for granted that there's no *general* obligation to light downstairs at the entrance to the building. Above in *se'if* 5, we saw that this is questionable, so maybe it would in fact be better to light there than to rely on the above leniency, where possible.]

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<sup>68</sup> This was discussed above in *se'if* 5.

**The development of: *Se'if 7***

The first half of the Shulchan Aruch's ruling for *se'if 7* follows the development of four subjects:

THE CANDLES GENERALLY BELONG "IN THE NEAREST *TEFACH*" ON THE LEFT HAND SIDE (of the "entrance")

The Gemara (*Shabbos 22a*<sup>1</sup>):

**Rabbah said:** Included in the Mitzvah of a Chanukah "candle"<sup>69</sup> is to place it in the *tefach* [3 - 4 in., 8 - 10 cm.]<sup>70</sup> nearest to the entrance [because if he would place it any farther away - then it would not be recognizable that the owner of the house placed it there (i.e. intentionally and with purpose) (Rashi)].

**And which side does one put it on?**

**Rav Acha the son of Rava said:** On the right [as a person enters (Rashi)].

**Rav Shmuel of Difti said:** On the left.

**And the Halacha is to put it on the left - so that the Chanukah "candle" will be to the left and the *mezuzah* to the right<sup>71</sup> [and thus one will be surrounded with Mitzvahs<sup>72</sup> (Mishnah Berurah)].**

The *Mishnah Berurah* writes that the Mitzvah of lighting "within a *tefach*" applies both to the entrance to a courtyard and to a house. He also adds that even if one incorrectly put it on the right, he was *yotzei*.

Since the idea is to be surrounded with "Mitzvahs", the *mezuzah* in question should have to be one that it's a Mitzvah to have on the wall, in order to be relevant (which would not be the case if, for example, the Halachos of *mezuzah* dictate that there's *no Mitzvah* to put a *mezuzah* on a particular doorpost).

#### A CASE WHEN THE CANDLES BELONG ON THE RIGHT

The Tur<sup>o</sup> says in the name of the Ra'avyah<sup>o</sup> [as the *Hagahos Mordechai*<sup>o</sup> says in the name of "*Rabbeinu Yakir*" (*Beis Yosef*)] that this is true when the entrance has no *mezuzah*. The *Gra* says we can prove this from the fact that the Gemara says the left is only chosen because of the *mezuzah*. The *Mishnah Berurah* gives two reasons why the right is preferable (i.e. in the absence of a *mezuzah*): (1) like in all Mitzvahs of the Torah, (2) to increase publicizing of the miracle - because people turn toward the right<sup>73</sup>.

<sup>69</sup> The word "*ner*" is traditionally translated "candle", but the earlier sources generally do not use the word to refer to solid candles. Rashi explains that in the days of the Gemara, earthenware "lamps" were used; his full description is brought in *se'if 3* above.

<sup>70</sup> Based on the positions of R. Chaim Na'eh, R. Moshe Feinstein<sup>o</sup>, and the Chazon Ish<sup>o</sup>, on the definition of an *amah*<sup>\*</sup>.

<sup>71</sup> The fact that a *mezuzah* goes on the right doorpost is dealt with in *Shulchan Aruch* volume *Yoreh Dei'ah* (289:2).

<sup>72</sup> "Being surrounded with Mitzvahs" is mentioned by the Tur & *Shulchan Aruch* concerning *tzitzis* (O.C. 8:4).

<sup>73</sup> The reference would seem to be to the principle (*Zevachim* 62b) "Whenever you turn - turn to the right". (This is further explained below 676:5.)

## "IF ONE PLACES THE CANDLE BY THE DOOR ITSELF"

The Tur brings from the Smak<sup>o</sup> that in that case "he places it from the halfway point of the entrance - to the left side." What do these words mean?

The *Beis Yosef* brings two explanations of these words from R. Yitzchak Abouhav<sup>o</sup>, and even when it comes to the words of those explanations themselves - the Bach<sup>o</sup> writes that "those who have studied them have become all confused" in trying to explain *them*. The *Shulchan Aruch* (as brought soon) simply quotes the original words.

The *Mishnah Berurah* brings the explanation of the *Magen Avraham*<sup>o</sup>, that the idea is to teach that one can be lenient and consider the entire space of the entranceway - from the left "end" to halfway across its width - as "on the left". However, the *Mishnah Berurah* then brings the position of the Taz<sup>o</sup> that in practice one should be stringent and place the candles all the way at the "leftmost edge" of the doorway.

WHETHER THESE POINTS APPLY "NOWADAYS" (when "we light indoors"<sup>74</sup>)

The *Darkei Moshe* brings that the *Terumas HaDeshen*<sup>o</sup> and the Maharil<sup>o</sup> hold that it still applies. But then he points out that we see from the words of R. Avraham<sup>o</sup> (of Prague) [which he brought above by *se'if* 2] that indoors it's *not* relevant (because everyone *inside* knows what these candles are for), and he concludes that this is why only the "exacting" are careful with this even "nowadays". [More about this shortly.]

***So now let's see the first half of this se'if.*** [As for the second half of the *se'if* - about lighting in the synagogue - that follows the development of the remaining subjects.] The *Shulchan Aruch* rules: **Included in the Mitzvah is to place it in the *tefach* nearest to the entrance, on the left [hand side] - so that the Chanukah "candle" will be to the left and the *mezuzah* to the right; And if he [wants to] place it in the door[way] itself - [then] he places it from the halfway point of the entrance - to the left side.** The *Rema* adds: **However, nowadays when we all light indoors - and there's nothing recognizable to people in the public domain at all - one need not be so concerned if we won't light in the *tefach* nearest to the entrance; But nevertheless, "the practice" [see immediately below] is to light in the *tefach* nearest to the entrance just like in the old days<sup>75</sup>, and one should not deviate [from that], unless there are many members in the household - for [then] it's better for each [person] to light in a distinct place - rather than to mix [all] the candles together and have it be unrecognizable how many candles are being lit [by each person]; And in any case, people must be careful not to light in the same spot where candles are lit all year round, because even though nothing is recognizable to anyone but the household [i.e. and they know on their own what these candles are for] - nevertheless "a little bit" [of differing from the norm] to make it [inherently] recognizable is necessary.**

A number of points need clarification with this *Rema*:

<sup>74</sup> This was discussed above in *se'if* 5.

<sup>75</sup> The *Rema*'s wording is "their" days; the precise intent is unclear.

(1) **How can the Rema say** that "the practice" is to light in the "nearest *tefach*" nowadays, when he already wrote the opposite in the *Darkei Moshe*, and he ruled in the *Rema* that "one need not be so concerned"? **The Bi'ur Halacha answers** that the *Rema* must mean that it is "the *correct* practice" to light in "the nearest *tefach*" even "nowadays" (i.e. except when there are many members in the household, as above).

(2) **Why** does the *Rema* say this is "the correct practice"? **The Mishnah Berurah explains:** Because one can thereby "pass between the two Mitzvahs when entering."<sup>76</sup>

(3) **How does the Rema know** that people must be careful not to light in the same spot where candles are lit all year round?<sup>77</sup> **It seems** that this is based on the words of the *Nimukei Yosef*<sup>o</sup> and R. Yitzchak Abouhav<sup>o</sup> (brought by the *Beis Yosef* below 675:1 - see there) on the subject of moving the lit candelabra of a synagogue to its year-round regular place.<sup>78</sup>

Here again, the *Mishnah Berurah* makes the point that "being recognizable to people in the public domain" is more important than all of these details<sup>79</sup>; so for example, if one has a window that faces the public domain [which is less than twenty Amahs\* above the ground of the public domain (*Sha'ar HaTziyun*)], assuming it's not dangerous to light there. (And while on the subject of the left and the right - see below (at the end of Siman 676) for more about the "configuration" of the candles and the lighter.)

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<sup>76</sup> This explanation has two problems: (1) it changes the Halacha, and (2) its source is questionable. To elaborate: (1) If the reason that even "nowadays" one should light in "the nearest *tefach*" is only "in order to pass between two Mitzvahs", then it only applies when there's a *mezuzah*, a distinction which the *Rema* never made. (2) The *Magen Avraham* brings this explanation in the name of the *Darkei Moshe*, but it's not in our edition of *Darkei Moshe*; so the commentaries explain that the *Magen Avraham* is referring to a "added note" that's found at the end of this *siman* in one old edition of the *Darkei Moshe* (the *Pri Megadim*<sup>o</sup> adds that the *Magen Avraham* must have had that line in his edition of the *Darkei Moshe*). So who actually wrote this reasoning? And to conclude: When the *Darkei Moshe* (our edition) brings the above-mentioned *Terumas HaDeshen*, he makes a point of noting *two* aspects of the *Terumas HaDeshen*'s position for "nowadays": (1) that when there's a *mezuzah* one lights on the left, and (2) that when there's no *mezuzah* one lights on the right. Doesn't this *openly contradict* the *Mishnah Berurah*'s (i.e. the *Magen Avraham*'s) explanation of the *Rema*? (Incidentally, the *Gra* seems to understand that the *Rema* is simply favoring the position of the *Terumas HaDeshen* and the Maharil over that of R. Avraham of Prague.)

<sup>77</sup> The *Rema* generally does not add entirely new material that has not already been discussed in the *Darkei Moshe* (or *Beis Yosef*), and we don't seem to find anything about this point in the *Beis Yosef* and *Darkei Moshe* of this *siman*.

<sup>78</sup> The *Gra* cites (as the source of this *Rema*) the obligation of an "extra candle" (discussed above in *se'if* 5). To explain this: It seems that he understands that Halacha like the *Bi'ur Halacha*'s explanations (see there in the name of the *Me'iri* and in the footnote explaining Rashi), that the purpose of the extra candle is so that one will have the *ability* to use *its* light, which in turn makes it recognizable that the *first* candle is for the sake of a Mitzvah; for otherwise people would say that he lit that one candle just for his personal needs, *since it's standing on the table*. This *proves* that the measures which ensure recognizability are necessary even "nowadays". However, if this is how the *Gra* understands our *Rema*, then the *Rema* here would have to be referring to someone who is lighting only the Chanukah candles and no "extra" one (because if there's an extra one - then *that source itself* shows us that that's enough), and it seems difficult to accept that, since we see below (673:1) that the general *minhag* is to have an "extra" candle [the "*shamash*"] in all cases.

<sup>79</sup> See the paragraph (and footnote) on this point, in the previous *se'if*.

The second half of the Shulchan Aruch's ruling for se'if 7 follows the development of seven subjects:

#### LIGHTING IN THE SYNAGOGUE

The Rivash<sup>o</sup> (responsum 111) writes:

*To light in the synagogue is a minhag of the ancient righteous ones. For in our time, each of us in his home is unable to fulfill the Mitzvah in the ideal way in which it was instituted, which is to light at the entrance to his house - on the outside - for the purpose of publicizing the miracle. Rather, now we are suppressed by the power of the nations - and each person lights at the entrance of his house from the inside, and this commemorates the miracle only for his household alone. Therefore, they started the minhag to light in the synagogue - so that we too will be publicizing the miracle. As such, this is no simple minhag - and therefore we even say the bracha over it. Still, no one is yotzei with that lighting in the synagogue - and everyone must light again in his house.*

The Beis Yosef quotes this, and also brings two other explanations of the minhag<sup>80</sup>, from the Kol Bo<sup>o</sup> (50):

*(2) to publicize the miracle before the entire populace - and to present the order of the brachos before them, for this constitutes a great publicizing for His Name - and a sanctification of His name<sup>81</sup> - as we praise Him "in congregations"; and also -*

*(3) so that those who see it - and otherwise would not be yotzei the Mitzvah<sup>82</sup> [i.e. the out-of-town guests who have no house to light in - just as kiddush in the synagogue was instituted (as discussed in O.C. 269) for guests who eat and drink in the synagogue (Beis Yosef)] - will now be yotzei their obligation.*

Although normally no one is yotzei in the synagogue (as mentioned), the Mishnah Berurah writes that on the first night, since the person who lights in the synagogue says the bracha of "shehecheyanu", consequently if he lights at home afterwards<sup>83</sup> then he cannot say that bracha<sup>84</sup> a second time (unless he's "causing to be yotzei" his wife and household with that home lighting). And in the Sha'ar HaTziyun, he writes that there is an authority who holds that

<sup>80</sup> The Kol Bo adds in his siman 44: "and [it's] a commemoration of the Beis HaMikdash". The Beis Yosef does not bring this explanation at all. The Gra supports the synagogue lighting by comparing it to saying Hallel in the synagogue on the first night of Pesach (which has a source in the Yerushalmi), since both are done in order to publicize the miracle. This seems to fit with the Bi'ur Halacha, who implies that the authoritative reason is "to publicize the miracle 'in congregations'."

<sup>81</sup> The Kol Bo in his siman 44 says this is also "an enhancement of the Mitzvah".

<sup>82</sup> The Kol Bo's own wording here is "who have no house to make the bracha there", which fits the Beis Yosef's interpretation. However, the Kol Bo himself in his siman 44 says that the idea is "to 'cause to be yotzei' those who are not expert and those who are not particular regarding this [Mitzvah]."

<sup>83</sup> But if he lit at home first, then he does say "shehecheyanu" again in the synagogue (Sha'arei Teshuvah<sup>o</sup>, referenced by the Sha'ar HaTziyun).

<sup>84</sup> The Me'iri (brought below in 676:1 under the subject of "brachos without lighting or seeing") holds that the bracha of "she'asah nissim" refers to the time of Chanukah (as he holds about "shehecheyanu" as well). According to that, it might be logical to say that the synagogue lighter should not be able to repeat "she'asah nissim" at home either, since it's for the day and not necessarily for the lighting. However, the Mishnah Berurah does not really accept the Me'iri's position [see there]. In any case, see also the position of R. Moshe Feinstein<sup>o</sup> about this Halacha, quoted below (676:3).

if a guest is the one who lights in the synagogue, then he may possibly not have to light again afterwards at his host's house.

Rav Shmuel Vosner<sup>o</sup> [*Shevet HaLevi* 8:156] on putting out the synagogue candles when leaving:

If the reason for the lighting would be as a commemoration of the Menorah in the *Beis HaMikdash*, then there's no reason to put it out just because the people are leaving. Likewise, according to the reason that guests without houses are *yotzei* with these candles - then certainly "initially" they should not be put out before burning for the required half hour, like any other Chanukah candles. But maybe [we should rule] according to the reason of "publicizing the miracle more publicly" - so maybe that only applies when lighting and while people are still around. [If so, when the people are leaving, there would be no need for the candles to remain lit.] But in practice, it's not proper to put them out, unless there is a concern of theft or fire.

As for where this *minhag* (of lighting in places other than home) applies, Rav Yitzchak Yaakov Weiss<sup>o</sup> [*Minchas Yitzchak* 6:65:3] explains [paraphrased]: "The authorities explained lighting with a *bracha* even in the *synagogue* only with difficulty, so there can be no question that by any other gathering we cannot 'innovate' the use of the *bracha*."

[*We can ask*: What about a place which *is* a synagogue to some extent? And what should be the criteria for "what's considered a synagogue" with respect to this? Should a place only qualify if it has regular services consistently? And if a number of "congregations" share a synagogue, should there be multiple lightings?]

The *Pri Megadim*<sup>o</sup> implies that candles burn in the synagogue in the morning as well. (The *Luach Eretz Yisrael*<sup>o</sup> in fact says that the local *minhag* is to light then, for the duration of *Shacharis*.)

#### WHO DOES THE LIGHTING IN THE SYNAGOGUE

As an introduction, let's see the Mishnah and Gemara in *Yoma* (31b<sup>1</sup> and 32b<sup>4</sup>-33a<sup>1</sup>):

[Now it was time for the kohen gadol to slaughter the "Tamid" - the first offering of the day of Yom Kippur. He had to do both the slaughtering and also the "collecting of the blood" by himself, because the entire Yom Kippur service must be done by him. How was this accomplished?]

**The Mishnah says:** He made a quick killing cut into its throat, and another [kohen] completed the slaughter "on his behalf"<sup>85</sup> [so the kohen gadol himself could hurry and collect the blood].

**Reish Lakish (in the Gemara):** [When it comes to the slaughter of an offering<sup>86</sup>,] it would have been possible for someone to think that that if no one would complete the slaughter - then it would be invalid by Rabbinic decree [since when slaughtering offerings, it's so central to get out the necessary blood (Rashi)]. So to correct this, it was taught [an extra time<sup>87</sup> (Rashi)]: "The majority of one [vital pipe<sup>88</sup> needs to be cut] for a

<sup>85</sup> This is the more straightforward translation given by Rashi. The other meaning is that the other *kohen* finished it "immediately afterwards".

<sup>86</sup> This explanation (and the relevance of "getting the blood out" mentioned soon) is found in Rashi in *Yoma*, and is stated more explicitly in the parallel Gemara in *Chulin* (29a-29b).

<sup>87</sup> I.e. even though the upcoming teaching could have been understood by extension of other taught material, nevertheless it was stated explicitly in order to shed light on our subject, as follows (Gemara and Rashi, *ibid.*).

bird [to be slaughtered], and the majority of two [pipes] for a land animal" [i.e. to teach that even in the case of offerings, this is all that it's really crucial to cut].

**Question:** But once we know that even Rabbinically there is no decree of the slaughtering being invalid [if it's not completed] - so then why is it required<sup>89</sup> [at all] that another kohen completes the slaughter [as the Mishnah said it is]?

**Answer:** It is [still] a Mitzvah to complete the slaughter [in order to get the blood out well (Rashi)].

To return to our subject: The *Darkei Moshe* brings the Maharil<sup>o</sup>, who seems to take for granted that the "chazzan"<sup>\*</sup> lights in the synagogue. However, as it gets further into Chanukah and there are a lot of candles to light, and the people are in a hurry to start *Ma'ariv*, do they have to wait [i.e. so he can do the entire Mitzvah on his own]? In fact, there's a solution (continues the *Darkei Moshe* in the name of the Maharil): the "chazzan" takes the candle he's using to light all the Chanukah candles (i.e. the "shamash" - see below 673:1), he says the *bracha* and lights the first Chanukah candle<sup>90</sup>, and then he hands the "lighting-candle" over to the "attendant" [i.e. the "gabbai"] of the community - who finishes lighting the remaining candles while the "chazzan" goes back to his regular place and starts *Ma'ariv*.

The *Magen Avraham*<sup>o</sup> and the *Gra* (whose approach is the one explained in the *Mishnah Berurah*) write that this Halacha parallels the above Mishnah and Gemara: The "main person" (the *kohen gadol* / the "chazzan" who made the *bracha*) does the "fundamental part" of the Mitzvah (cutting the majority of two pipes / lighting one Chanukah candle [for the rest is a mere "enhancement"]), but if there is a "pressing reason for hurrying"<sup>91</sup> (for the *kohen gadol* to collect the blood / for the "chazzan" to begin *Ma'ariv*) then someone else can "finish" (cutting what's left of the pipes / lighting the remaining candles). Based on this, rules the *Mishnah Berurah*, such "handing over" is okay whenever there's a pressing reason to hurry, and even in one's home (not like the *Levush*<sup>92</sup>).

[Concerning whether the synagogue lighter can be a minor, see below 675:3 (by "lighting by a minor").]

#### A MOURNER BEING THE "CHAZZAN" ON CHANUKAH (ETC.)

The *Mishnah Berurah* writes the following: Mourners can be "chazzan" on Chanukah [whether in the twelve months of mourning for a parent or the thirty days for others], but only for *Mincha* and *Ma'ariv*. (This is as opposed to *Chol HaMo'ed*, which is fully like a *Yom Tov*<sup>\*</sup> in this respect<sup>93</sup>; and on the other hand unlike *Lag BaOmer* or *Tu B'Shvat* or *Tu B'Av*<sup>94</sup> - when there isn't even Hallel - so then a mourner can be "chazzan" even in

<sup>88</sup> The windpipe and the food pipe, called the "*simanim*" in this context, whose cutting is the fundamentally act in ritual slaughtering.

<sup>89</sup> source's wording: "why do we need [at all for anyone] to complete [the slaughter]?"

<sup>90</sup> This point, that the "chazzan" need light only one candle, is stated explicitly only in the *Rema*.

<sup>91</sup> For if not, it's better that once a person started a Mitzvah he should complete it himself (*Mishnah Berurah* - see Rashi to *Bamidbar* 31:6).

<sup>92</sup> The *Levush* says it's only okay by the synagogue lighting, because there, both people are agents of the congregation to perform the congregation's Mitzvah, as opposed to someone lighting at home, whose Mitzvah is "for himself". The *Eliyahu Rabbah*<sup>o</sup> defends him by disproving the comparison to Yoma: Maybe there it's okay because the *Kohen Gadol* has no alternative at all other than to "hand over" the rest of the slaughtering and move on to the collecting, but a mere "pressing reason" like a hurry to start *Ma'ariv* would not justify such a thing.

<sup>93</sup> The practice of the mourner being "chazzan" is not done on Shabbos or *Yom Tov* (*Shulchan Aruch* volume *Yoreh Dei'ah* 376:4).

<sup>94</sup> Three "days when *Tachanun* is not said" [see "Principles"].

*Shacharis*.) [All the above was from the *Pri Megadim*.] However, on the first night of Chanukah, he should not be the one to light the candles in the synagogue, because the *bracha* of "*shehecheyanu*" is said then; the problem would be that this *bracha* announces that "it's a time of joy for the entire congregation" (as opposed to the "*shehecheyanu*" the mourner says at home, which is *muttar*).

The *Mishnah Berurah* himself elsewhere brings different guidelines about this. (In his "*Ma'amar Kaddishin*" in O.C. 132, he says that on days when "*LaMenatzayach*" is not said [which includes Chanukah - see the end of *siman* 683 below] a mourner cannot be "*chazzan*" at all; and by the Halachos leading up to *Rosh HaShanah* (O.C. 581 n7) he says a mourner can be "*chazzan*" even for *Shacharis* as long as someone else leads the Hallel itself.)

#### THE BASIC POSITION (AND ORIENTATION) OF THE CANDLES IN THE SYNAGOGUE

The Tur brings from the Smak<sup>95</sup> that in the synagogue we put them in the south<sup>95</sup>, to commemorate the Menorah, which was on the southern side (of the inside of the *heichal*\*).<sup>96</sup> [The *Darkei Moshe* points out that this is not like a certain place's practice.] But should the candles be arranged north-to-south, or east-to-west?

The Gemara (*Menachos* 98b<sup>2</sup>) clarifies this concerning the Menorah in the *Beis HaMikdash*:

**The Rabbis taught in a Baraisa:** *Rebbi* [i.e. R' Yehudah HaNasi] says that the tables [which Shlomo made] were positioned with their ends facing east and west; and R' Elazar bar R' Shimon says: north and south.

**The Gemara explains the reasoning of Rebbi:** He derives this from the Menorah: Just as the Menorah was oriented to the east and west - so too the tables should be oriented to the east and west.

**And as for how he knows that the Menorah itself was oriented east-west:** That is derived from the *pasuk*\* of the western "candle" (*Sh'mos* 27:21): "Aharon ... shall set **it** up ... before Hashem" [i.e. toward the west<sup>97</sup> (Rashi)]. The obvious inference is that only **one** of the "candles" is "before Hashem" (or at least to the greatest degree). But if the Menorah were oriented to the north and south - so then **all** the "candles" would be equally "before Hashem"! [So the opposite must be true.]

**Question:** So why doesn't R' Elazar bar R' Shimon agree to the above reasoning?<sup>98</sup>

**Answer:** He must hold that the Menorah **itself** was positioned oriented to the north and south.

**Question:** But doesn't he **also** have to deal with the *pasuk* "Aharon and his sons shall set **it**"?

<sup>95</sup> Furthermore, even under circumstances where an individual lights *outside*, nevertheless the synagogue lighting is *inside* (*Bi'ur Halacha*).

<sup>96</sup> See below (at the end of 675:1) in the name of R. Yitzchak Abouhav<sup>o</sup>, who says that the reason we are not concerned that the synagogue lighting be by the *entrance* is since it's merely a *minhag*. (He says that instead it's done before the *Aron HaKodesh*<sup>s</sup>; see the next subject here for more about that.)

<sup>97</sup> The Holy of Holies was at the westernmost end of the Sanctuary.

<sup>98</sup> Actually, before reaching this point, the Gemara goes through three steps: (1) It says that the reasoning of R' Elazar bar R' Shimon is that he derives the Halacha of the tables from the *Ark* [which the Gemara earlier (as Rashi points out) said was oriented to the north and south]; (2) It asks why Rebbi doesn't *also* derive the Halacha of the tables from the *Ark*; (3) It answers that we choose to learn something which is *outside* the *heichal* from something else which is *outside*, and not to learn something which is *outside* from something which is *inside*. [So the logical next question is: Once we have established that it's better to learn from the Menorah, why does R' Elazar disagree with Rebbi?]

**Answer:** [He holds that] the Menorah's "candles" were turned sideways [i.e. the wick-hole of the middle "candle" pointed west, while those of the others pointed toward the middle one (Rashi)], as taught in the following Baraisa: The pasuk says (Bamidbar 8:2) "The seven 'candles' shall shine pointing in the direction of the 'face' of the Menorah" [i.e. the middle "candle" - which rests upon the main (shaft) of the Menorah (Rashi)], to teach [us] that they were [all] turned toward the middle "candle"<sup>99</sup>.

To apply this to our subject, the *Beis Yosef* brings five points from the *Terumas HaDeshen*<sup>o</sup> (104):

(1) Regardless of which of the above positions we will adopt about the orientation of the Menorah, we have to put the synagogue Chanukah candles in that same orientation [as a commemoration (*Mishnah Berurah*)].

(2) The normal principle for ruling on such a disagreement is "the Halacha follows Rabbi against his contemporaries" (*Eiruvim* 46b), and in fact Rashi in his commentary to the *Chumash* follows Rabbi's position.<sup>100</sup> [The *Gra* points out that Rashi in *Shabbos* 22b also leans in favor of Rabbi<sup>101</sup>, and that the Ra'avad<sup>o</sup> (to the upcoming Rambam) and Tosafos (to *Menachos* ibid.) support Rabbi - citing the language of the Mishnah in *Tamid* (3:9): "the two easternmost candles".]

(3) On the other hand, the Rambam<sup>102</sup> and the Smag<sup>o</sup> accept R' Elazar bar R' Shimon's position. (The *Gra* says this is supported by *Megillah* 21b. [The Gemara there quotes the above Baraisa in line with R' Elazar's position, and issues a practical ruling<sup>103</sup> based on it.]

(4) The majority of communities follow Rabbi, like the principle from *Eiruvim* [and the rest of what's on that side], so that's the practice which should be adopted in any place that doesn't already have a *minhag*.

(5) However, where there's already a *minhag*, "every river and how it spreads" [i.e. each place can have its own *minhag*].<sup>104</sup>

The *Beis Yosef* himself concludes by saying that the east-west orientation is "the accepted *minhag*", and the *Darkei Moshe* agrees, and so rules the *Shulchan Aruch* (implicitly, and the *Rema* spells it out), as quoted soon. However, the *Mishnah Berurah* says that one does not protest at places which have the *minhag* to orient their synagogue candles north-south.<sup>105</sup>

<sup>99</sup> The Baraisa concludes: "R' Nassan says: From here we learn that 'middle is best'." Rashi explains that he is referring to the three men who read the Torah on Monday and Thursday - the middle one reads four (*pesukim*<sup>\*</sup>) and the others each read three.

<sup>100</sup> When Rashi brings the Baraisa's explanation of "in the direction of the 'face' of the Menorah", he calls the other six candles "the three eastern ones" and "the three western ones".

<sup>101</sup> I.e. by explaining a Gemara there by means of a Midrash which agrees with Rabbi.

<sup>102</sup> Halachos of the *Beis HaMikdash* 3:12. The *Sha'ar HaTziyun* writes that the Rivash<sup>o</sup> also holds this way.

<sup>103</sup> The "middle is best" Halacha (see footnote just above).

<sup>104</sup> "Every river etc." is the language that the Gemara uses (in *Chulin* 18b and 57a) to say that each place can have its own *minhag*.

<sup>105</sup> Following the *Magen Avraham*<sup>o</sup>, who supports saying "every river and how it spreads" as above - since both sides have a basis to rely on (*Sha'ar HaTziyun*).

## MORE ABOUT "POSITIONING" FOR THE SYNAGOGUE LIGHTING

The *Beis Yosef* says that "the accepted *minhag*" is to fix the Chanukah candles into place right up on the southern wall of the synagogue itself (and that's what he writes in the *Shulchan Aruch*, as quoted soon). The *Mishnah Berurah* adds the option of having them on a table standing by that wall.

The *Mishnah Berurah* then brings the *Chasam Sofer*<sup>o</sup> (O.C. responsum 186), who says that the first Chanukah candle to be lit should be the "*menorah*"'s closest candle to the *Aron HaKodesh*<sup>\*106</sup> - which generally stands by the eastern wall of the synagogue<sup>107</sup>, and therefore as follows:

- (1) The "*menorah*" goes on the *southern* side of the *Aron HaKodesh* (as above [from the *Smak*]),
- (2) Its candles are oriented to the east and west (generally, as above [from the *Terumas HaDeshen*]),
- (3) On the first night, one lights a Chanukah candle on the right end of the "*menorah*" (following the position of the *Shulchan Aruch* below 676:5 with respect to "the order of the lighting"),
- (4) **SO**, the lighter has to stand to the south of a table with the "*menorah*" on it [i.e. between the table and the synagogue's southern wall], facing north, so that when he lights at the end of the "*menorah*" which is on his right (i.e. the end pointing east) - that will also be the end closest to the *Aron HaKodesh*.

[The *Mishnah Berurah* then refers to "what I write at the end of *siman* 676". Apparently, he means the *Sha'ar HaTziyun* there (n21), which explains why according to the position of the *Gra* there (in his disagreement with the *Shulchan Aruch* just mentioned in step #3), the *Chasam Sofer*'s principle results in the *opposite* (i.e. the lighter stands to the *north* of the candles - facing *south* - and lights first on the *left* end); see there.]

#### R. Betzalel Stern<sup>o</sup> [*Betzeil HaChochmah* 2:50] on more ways of determining synagogue "positioning":

The reason for the synagogue lighting to be in the south is [as mentioned] to commemorate the Menorah in the *Beis HaMikdash*. There are two other aspects of how the Menorah was positioned in the *Beis HaMikdash*, which could also be relevant:

(1) A number of authorities mention the *minhag* of Berona, to light on the northern side of the synagogue. Presumably, that was done because the Menorah was in the *left* half of the *Beis HaMikdash* (from the point of view of someone coming in through its entrance, which was in the east); so since their synagogues "faced east" (i.e. the entrance in the west, and the *Aron HaKodesh* in the east [as above]), their "left side" was in the north. Now, *our minhag* is to consider "south" more important than "left". But if a synagogue in fact "faces west", then *both* approaches would agree on using the left, which would *also* be the south.

(2) The Rambam writes (Halachos of the *Beis HaMikdash* 3:17 - based on the Tosefta {*Yoma* 2:11}) that the Menorah was placed in the *innermost* area of the *heichal* [i.e. *far* from the entrance]. And since we learned that in the synagogue we light by the *Aron HaKodesh*, so it's like the *Beis HaMikdash* in that respect as well. But what about a synagogue which "faces north", so its south side is also its *outermost* side [i.e. *near* the entrance]? Well, since the authorities

<sup>106</sup> The *Mishnah Berurah* here does not emphasize this point. However, it's totally clear that it's the *Chasam Sofer*'s focus, (1) in the responsum itself, and (2) in the application of the *Sha'ar HaTziyun* (below 676 n21), as brought soon.

<sup>107</sup> The *Shulchan Aruch* says in the Halachos of the synagogue (O.C. 150:5) that the *Aron HaKodesh* goes on the side toward which one prays [in that part of the world - which in Europe meant east, toward the Land of Israel and Yerushalayim (as set forth in O.C. 94:1)], and the synagogue's entrance goes on the opposite side.

emphasize specifically the south, we see that it's the most important. And in this case, we can *also* have the lighting on the *left* side [i.e. by lighting in the south*west*]. (However, if so, the lighting shouldn't be right next to the entrance itself, because since a synagogue doesn't need a *mezuzah*, then if one were to light right next to its entrance - one would really have to light on the *right* side [as above]. Rather, the lighting should be merely in the southern *half* of the synagogue.)

[As for the *height* of the synagogue candles, see above (by the first subject of *se'if 6*).]

#### WHEN IN THE EVENING IS THE SYNAGOGUE LIGHTING?

The *Darkei Moshe* brings from the *Kol Bo*<sup>o</sup>, the *Avudraham*<sup>o</sup>, and the *Maharil*<sup>o</sup>, that the *minhag* is to light between *Mincha* and *Ma'ariv* on the weeknights, and before *mincha* on Friday afternoon. [The time for the lighting at the departure of Shabbos is discussed below (681:2).] However, the *Darkei Moshe* then writes that "our" *minhag* is to light between *Mincha* and *Ma'ariv* even on Friday afternoon. (In the *Rema* he doesn't show any strong preference [as quoted soon], and the *Mishnah Berurah* brings the *Maharshal*<sup>o</sup> who in fact rules like the *minhag* to light beforehand, but then the *Mishnah Berurah* brings the "preferential language" of the *Darkei Moshe*, explaining that only *after Mincha* comes the real "gathering" - so *that's* publicizing the miracle [but see the next subject]. The *Mishnah Berurah* also refers to below (at the end of *siman* 679), where he writes in the name of the later authorities that even for *each individual* it's correct "initially" to pray *Mincha* before lighting.

Getting back to weeknights, the *Mishnah Berurah* explains that the *synagogue* lighting is early even according to the position that *individuals* don't light until the stars come out [as explained below (672:1)]. He explains that only before *Ma'ariv* is the "gathering" still together, and furthermore, it wouldn't be right to hold up the people *afterwards* - since that's when everyone has to hurry home for their *own* lightings.

#### WHETHER IN THE SYNAGOGUE ONE CAN ONLY LIGHT IN THE PRESENCE OF TEN

As an introduction, let's see the Gemara in *Kesubos* (7b<sup>1</sup>):

**Rav Nachman quotes a Baraisa**<sup>108</sup>: *How do we know that "Sheva Brachos"*<sup>109</sup> *is only said in the presence of [at least] ten [men]? From the pasuk*<sup>\*</sup> *(Ruth 4:2 [when Boaz marries her]): "And he took ten men from [among] the elders of the city, and he said to them 'sit here'."*

**R' Abahu disagrees**: *[That Halacha is derived] from the pasuk (Tehillim 68:27): "In 'congregations' bless [the] G-d Hashem - over the 'source' of Israel [i.e. marriage]". [After all, "in congregations" cannot mean less than an "assembly" - as it says (Bamidbar 20:8): "congregate the assembly"; and in Brachos (21b) we learn that an "assembly" is at least ten - from the ten spies (i.e. all but Yehoshua and Kalev) who were called (Bamidbar 14:27) "this evil assembly" (Rashi).]*

**The Gemara asks**: *So what does R' Abahu derive from that pasuk of Rav Nachman's?*<sup>110</sup>

<sup>108</sup> source's wording: "Rav Nachman said: Huna bar Nassan said to me: A Baraisa teaches", etc.

<sup>109</sup> The seven *brachos* said at a wedding and during its festive week (the Gemara refers to them as "the *bracha* of *chassanim*").

**So we answer for R' Abahu:** He will say that the purpose [of Boaz's gathering] was to clarify the basis of his being allowed to marry Ruth<sup>111</sup> [- i.e. **not** for the "Sheva Brachos"].

**And R' Abahu can add:** [Really, this is the **only** possible explanation!] For if the gathering's purpose was for the "Sheva Brachos" - [then] why would he have needed [specifically] **elders**?

**It could be that Rav Nachman would retort:** I can just as easily ask **you**: If the gathering's purpose was for clarifying the Halacha - [then] why would he have needed [specifically] **ten men**?

**But R' Abahu would explain:** In order to **publicize** the Halacha!<sup>112</sup>

From this Gemara we see that "to publicize" something, we need the same context which is called "in congregations" - i.e. the presence of ten people. And indeed, the *Bi'ur Halacha* brings the *Mor U'Ketzi'ah*<sup>o</sup>, who holds that the same is true of the synagogue lighting. (This makes even *more* sense when we remember that the *Kol Bo*<sup>o</sup> described the purpose of this lighting as being to praise Hashem "in congregations", with that exact same wording from *Tehillim*.) However, it seems that the *Mor U'Ketzi'ah* was reluctant to disagree with the Maharil<sup>o</sup> (quoted by the *Magen Avraham*<sup>o</sup> here), who wrote that synagogue candles were lit on Friday afternoon before the people were gathered in the synagogue. So the *Mor U'Ketzi'ah* wrote that the Maharil meant without a *bracha*, and that this was done only because they had run out of time (and it's just that the lighting still shouldn't be *entirely* abandoned).

The *Bi'ur Halacha* disagrees, and says that the "publicizing" of Chanukah candles is different. The proof: We see that *no one* claims that the lighting of *individuals* needs ten people to be watching! (And yet, the Gemara calls the lighting of individuals "publicizing the miracle!"<sup>113</sup>) So we are forced to say that *the lighting itself* is considered a publicizing of the miracle; after all, the Sages instituted it as a practice for the Jewish people! And although the synagogue lighting was *not* actually instituted, but rather it's merely a *practice* of the entire Jewish people [as above], but still it should *at least* be sufficient that *afterwards* the entire congregation will be in the synagogue seeing the candles lit. (He points out that this is what the *Magen Avraham* himself says - that if time is running out on Friday afternoon, then the candles should be lit *with a bracha*, since afterwards the people will come and see them; just like anyone can light by the street when no one is around - because people come *afterwards*.) The *Bi'ur Halacha* adds<sup>114</sup> that this approach is supported by the *Avudraham*<sup>o</sup>, who says one reason that even someone who merely *sees* Chanukah candles says a *bracha*<sup>115</sup> is because of the publicizing of the miracle! (So we see that

<sup>110</sup> Actually, the Gemara also deals with the question of what Rav Nachman does with R' Abahu's *pasuk*, and why R' Abahu rejects that.

<sup>111</sup> The Gemara brings the following derivation: When it says (*Devarim* 23:4) that Jews are *assur* in marriage to "**an Ammonite**" [i.e. even after conversion to Judaism], the masculine form is a calculated one, teaching that only a *man* from the nation of Ammon is *assur*, **but not an Ammonitess**, and likewise "**a Moabite**" - **but not a Moabitess**. This needed to be clarified in order to justify Boaz's marriage to Ruth, a former Moabitess.

<sup>112</sup> The Gemara brings an example: Shmuel once had "a group of ten" gathered, so that he could teach a certain Halacha *in their presence*.

<sup>113</sup> We see this by the Halacha that Chanukah candles take precedence over the *kiddush* of Shabbos (*Shabbos* 23b - see below 678:1).

<sup>114</sup> He also adds: (1) It's difficult to say the Maharil meant without a *bracha* (since if so he should have said so explicitly); (2) Those who wrote that the *minhag* on Friday is to light before *Mincha* must hold that it can be done even before there are ten (because otherwise they would have explicitly said to make sure that there are ten); (3) The *Chayei Adam*<sup>o</sup> explicitly decides in favor of the *Magen Avraham* concerning this question.

<sup>115</sup> This is explained below (676:3), based on *Shabbos* 23a.

when it comes to Chanukah candles - even merely *seeing* them is "publicizing", and so too here in the synagogue, there can be no greater publicizing, since the entire congregation *will* come and see the candles.)

In conclusion, writes the *Bi'ur Halacha*, if it's *easy* to gather ten - that's fine. But as for the strict Halacha, in the *Mishnah Berurah* he quotes the above *Magen Avraham* (who permits lighting with a *bracha* before ten men arrive).

**And now, here's the rest of se'if 7:** The *Shulchan Aruch* picks up [concerning candle locations] by ruling: **[In addition,] in the synagogue one places it [i.e. the "candle"] on the southern wall.** The *Rema* clarifies: **like the "candles" of the Menorah** [as emended by the *Mishnah Berurah*], **and he arranges them [i.e. the Chanukah "candles"] from east to west.** Then, the *Shulchan Aruch* explains: **And we light with a *bracha* (in the synagogue) in order to publicize the miracle.** The *Rema* continues: **[However,] no one is *yotzei* with the "candles" of the synagogue, and [therefore] one has to light again in his home; and the *minhag* is to light in the synagogue between *Mincha* and *Ma'ariv*; and on the eve of Shabbos some have the *minhag* to light before *Mincha*; and if they [i.e. the people] want to hurry and pray - [then] after the "*chazzan*" said the *bracha* and lit one of them [i.e. the Chanukah "candles"] - [then] the "attendant" will be able to light the remaining ones, and the "*chazzan*" will pray.**

### The development of: ***Se'if 8***

#### THE BASIC IDEA OF HAVING TO LIGHT BY EVERY ENTRANCE BECAUSE OF "SUSPICION"

The Gemara (*Shabbos* 23a<sup>3</sup>):

**Rav Huna said:** *A courtyard which has two entrances needs two "candles"*<sup>116</sup> [even if both entrances serve the same person (*Mishnah Berurah*)].

**Rava clarified:** *We only say this when the two entrances face two directions*<sup>117</sup> [although we **do** say it even if one is in the north and one is in the east (*Rashi*)]; but if they face the same direction - then it's not necessary [to light twice].

**And the Gemara's final explanation of the reasoning is:** *The need for two "candles" is to prevent "suspicion" by the people of that city*<sup>118</sup>; [for] sometimes they pass by one [entrance] and do not pass by the other [entrance], and they [might] say [i.e. think]: "Just as he didn't light by this entrance [i.e. as I just saw] - so too [I suppose that] he didn't light by the other entrance either!"

<sup>116</sup> The word "*ner*" is traditionally translated "candle", but the earlier sources generally do not use the word to refer to solid candles. *Rashi* explains that in the days of the Gemara, earthenware "lamps" were used; his full description is brought in *se'if 3* above.

<sup>117</sup> source's wording: "We only say [this when the two entrances emerge] from two directions".

<sup>118</sup> The point here is as follows: If we were concerned about "suspicion" by visitors from *outside* the city, we would have to deal with *that* even when the entrances are facing the same way, because visitors would suspect that the entrance with no Chanukah candle belongs to a separate person (who must not have lit at all), since visitors are not familiar with "who lives where" in this city (*Gemara* and *Rashi*). But the *Gemara* is now concluding that we are in fact *not* concerned about such visitors, because they are not [normally] to be found in the streets after dark (*Sha'ar HaTziyun*, from the *Magen Avraham*<sup>\*</sup>).

Rashi explains that the Gemara is talking about a house which has two entrances leading out into the courtyard. He *has to* say this, because he holds [as explained above in *se'if* 5] that the candles go at the *house's* entrance, not the *courtyard's*. However, this is only relevant to explaining the Gemara's words, because either way, the *Mishnah Berurah* writes that our *Halacha* applies equally to a two-entrance *house*, or to a two-entrance *courtyard* (as long as those two entrances create the issue of potential "suspicion"<sup>119</sup> (*Sha'ar HaTziyun*)).

As for Rava's clarification, the *Darkei Moshe* brings the *Kol Bo*<sup>o</sup>, who says that even if the two entrances face the same direction (where Rava said it's *not* necessary to light twice), nevertheless, if the two entrances serve two separate houses - just that they happen to *belong to* the same person - so then he *does* have to light twice. The *Mishnah Berurah* explains (1) that the *Kol Bo* actually means even if there's only *one* house, just that it's divided on the *inside*; and (2) the *Kol Bo's* reasoning: in such a case, even the *locals* can suspect that the entrance with no Chanukah candle belongs to a separate person [because even their knowledge of their own town might not extend so far that they will know about one person occupying two residences (*Sha'ar HaTziyun*)]. (The *Magen Avraham*<sup>o</sup> and the *Gra* disagree about whether a certain Rashi<sup>120</sup> is a proof *for* the *Kol Bo* or *against*, but the *Mishnah Berurah* refers to the one who disagrees with the *Kol Bo* with the weak language: "there are some who are lenient.")

So now let's see the *Shulchan Aruch* (with one point from the *Rema*) [although clarifications - and the rest of the *se'if* - are still to come]: **[In the case of] a courtyard which has two entrances [which emerge] from two directions - it is necessary to light by both of them because of [the [potential for] "suspicion"; but if the two entrances are on the same side (and they're [emerging] from the same house<sup>121</sup> {Rema}) - [then] it is sufficient for him [to light] by one of them.**

[The principles of "suspicion" are discussed further by the Halachos of a "guest" (677:1 below).]

The *Beis Yosef* asks: We learn in *Brachos* (8b & 61a): "It's *assur* to pass behind [the entrance of] a synagogue while the congregation is praying; and we only say this if there's no *other* entrance; but if there's another entrance - [then] it's not [a problem]", which is because then people will assume that "he's going inside through the other entrance" (Rashi). This raises the question: Why don't we say similarly with respect to Chanukah as well: that even when people see that someone didn't light by *one* entrance - [still] they won't come to suspect him - because they will assume [that] he lit by the *other* entrance!

<sup>119</sup> So for example, if a house has two entrances, and each one leads to a separate courtyard-entrance (out to the public domain), then *everyone* would agree that there's a potential for "suspicion", since the "two entrances" *definitely* mean *two potential places to light* (and all the more so if a house's two entrances both open *directly* into the public domain).

<sup>120</sup> On the point (brought in an earlier footnote) that "visitors would suspect that the entrance with no Chanukah 'candle' belongs to a separate person", Rashi's wording is: "they will think that the house is divided on the inside."

<sup>121</sup> On the surface, this does not fit with the *Shulchan Aruch*, who is referring to a case where a courtyard has two entrances out to the public domain (not "from the houses" like Rashi said [as discussed above]). This is because the *Shulchan Aruch* ruled like *Tosafos* (above in *se'if* 5). The *Sha'ar HaTziyun* explains that the *se'if* can still be read in "*Tosafos's* world", as follows: In an earlier footnote, we explained that if one house has two entrances, and each one leads to a separate courtyard-entrance (out to the public domain), then Rashi and *Tosafos* have the identical point of view; so that can be the "case of the *Shulchan Aruch*" to which the *Rema* can apply the *Kol Bo's* wording.

He answers: [1] Prayer is different; for since if someone doesn't pray then he's [actually] throwing off the [entire] yoke of Heaven - so people won't suspect him of *that* (as long as there's another entrance [with which to "explain him"]). Alternatively: [2] It's only with respect to Chanukah candles that people suspect someone when they see "one out of two unlit" - because *that* involves a monetary expense.

BY WHICH LIGHTING DOES ONE SAY THE BRACHA?

The *Beis Yosef* quotes the *Ran*<sup>o</sup> (to 10a of the Rif), who writes: "It makes sense [to say] that since he's only lighting because of 'suspicion', [so] he only says the *bracha* by one entrance."

Accordingly, the *Rema* continues: **[However,] if someone lights by two entrances - [then] he says the *bracha* only by one of them; and by the second one, he lights without a *bracha*.**

WHETHER THIS ISSUE OF "SUSPICION" APPLIES "NOWADAYS" (when "we light indoors"<sup>122</sup>)

This question is discussed in the *Tur*<sup>o</sup> and the *Darkei Moshe*:

*The Sefer HaTerumah*<sup>o</sup> writes: *Nowadays it doesn't apply; for nothing is recognizable to anyone but the household, and they know that both entrances belong to the same person! [The Beis Yosef says that the Smak<sup>o</sup> and the Mordechai<sup>o</sup> agree.]*

*The Tur disagrees: Since we light at the entrance to the house, whoever is passing to and fro can see whether a person didn't light - so there is "suspicion".*

*The Darkei Moshe points out that Rabbeinu Yerucham<sup>o</sup> wrote: Now, the minhag is to light [just] inside the entrance [which is immediately] by the public domain. But there are those who have the minhag to light [just] inside the entrance [which is immediately] by the courtyard, because there are thieves and hostile non-Jews around.<sup>123</sup>*

*So the Darkei Moshe concludes: Based on the above, I understand that in the days of the Tur, that was the minhag - to light at the entrance to the house; and that's why he holds that it's recognizable to those who would pass to and fro. But in our days, when we light in the "winter house" which is totally indoors - then it's clear that there's nothing recognizable to anyone passing to and fro, so no one has to light more than once; and that's the minhag. ([Furthermore,] this also explains why people do not concern themselves to light in the tefach nearest to the entrance [see the end of the first half of se'if 7 above].)*

The *Shulchan Aruch* seems to agree with the *Tur* (since he wrote our Halacha with no reservation). But the *Rema* concludes: **However, nowadays - when everyone lights totally indoors, and there's nothing at all recognizable**

<sup>122</sup> This was discussed above in *se'if* 5.

<sup>123</sup> Actually, he adds a second reason: A *mezuzah* would not be put at the entrance by the public domain (because it could be stolen), but rather only at the entrance out into the courtyard, so only *there* could one have "the *mezuzah* to the right and the Chanukah candle to the left" (see above, toward the beginning of *se'if* 7).

**to people in the public domain, [as such] even if a courtyard or a house has many entrances in many directions - one [still] lights only once, inside; that's what I hold - and that's the accepted *minhag*.**

*We can ask:* What about our *own* "nowadays"? Should people have to light in windows facing every possible direction, and perhaps also by their outside entrance [at least in the Land of Israel<sup>124</sup>]? Or can we assume that passersby will say "they must have lit in a more visible spot<sup>125</sup> which I can't see", or "they must have the *minhag* to follow the Halachic positions which call for lighting somewhere other than where I'm looking"?

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<sup>124</sup> Above by *se'if* 5, we brought R. Moshe Shternbuch<sup>o</sup>, who explained why it's only in the Land of Israel that people light outside nowadays.

<sup>125</sup> This would be based on saying that all other issues being equal, one chooses one lighting spot which is the most "visible".