

O.C. *siman* 673 : Oils and Wicks that are Valid for Chanukah**The development of: *Se'if* 1**

The "first half" of the Shulchan Aruch's ruling for *se'if* 1 follows the development of four subjects:

TO MAKE USE OF THE LIGHT OF A CHANUKAH CANDLE

The Gemara (*Shabbos* 21a³):

[When it comes to Shabbos "candles"¹, the Mishnah (Shabbos 2:1-3) and the Gemara (ibid. 21a) discuss a number of kinds of wicks and oils which one may not light with, because they don't burn well², and someone might adjust the candles on Shabbos in order to improve the flame. (In the Shulchan Aruch this is mainly dealt with in the Halachos of Shabbos, O.C. 264).]

Rav Huna said: *One may not light with these wicks and oils for Chanukah "candles" either, whether on Shabbos or on a weekday.*

Rava explained: *What is the reasoning of Rav Huna? [It actually results from two separate rulings of his about the Chanukah "candle".] (1) He holds that if one's Chanukah "candle" went out - one is responsible to "fix" it [and therefore one must do it properly to begin with - in case later on he may be negligent (Rashi)]; (2) He holds that it's muttar to make use of the light of one's Chanukah "candle" [and therefore on Shabbos these wicks and oils are assur, because maybe he would adjust the "candle" for the sake of making such use (Rashi)].*

Rav Chisda disagreed: *One may light with them on the weeknights of Chanukah, but not on Shabbos. [Working with Rava's approach, the Gemara explains:] He holds that if a Chanukah "candle" went out [21b] - one is not responsible for it [which makes it valid for weeknights]; and [he agrees] that it's muttar to make use of its light [which makes it assur for Shabbos].*

And Rav disagreed with both³: *One may light with these wicks and oils for Chanukah "candles", whether on Shabbos or on a weekday.*

R' Yirmiyah explained: *What is the reasoning of Rav? He holds that if a Chanukah "candle" went out - one is not responsible for it [like Rav Chisda], but that it's assur to make use of its light [so even when it comes to Shabbos - there's no reason to be concerned about him adjusting it].*

The Rashba^o points out that the Rif^o only brings Rav (thus ruling that it's *assur* to use the light), and that the *Ba'al HaMaor*^o disagrees. The *Beis Yosef* points out that the consensus of the authorities is like the Rif. [The Rashba

¹ 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 above (671:3).

² See the wording of the Rambam, which is the wording of the *Shulchan Aruch* [quoted soon, with the rest of this *se'if*].

³ source's wording: "R' Zeira said in the name of Rav Masnah (and some say [that] R' Zeira said [it] in the name of Rav)." The rest of this Gemara refers to this as the position of Rav (and the authorities do likewise).

mentions two reasons to rule like Rav⁴: (1) The Gemara continues by saying that R' Yochanan said like Rav, and that Abbaye eventually accepted this; (2) Rava also holds that it's *assur*⁵.]

The *Mishnah Berurah* writes that even the candles that are added each night as an "enhancement" [as explained above 671:2] are *assur*.

The *Shulchan Aruch* writes [as did the Rambam] that it's *assur* to make use of the candles "whether on Shabbos or on a weekday" [as quoted soon]. What's the significance of that addition? The *Mishnah Berurah* says it's to indicate that even a "Mitzvah use" is *assur* [as we see in the next subject], such as to eat a Shabbos meal by their light⁶.

WHAT KIND OF "MAKING USE" IS ASSUR

To examine this subject, we need to see a second Gemara (*Shabbos* 22a¹):

Rav Yehudah reported: Rav Assi said,⁷ "It's *assur* to hold money out toward the Chanukah 'candle'." [I.e. it's *assur* to inspect or count coins by their light (Rambam).] [However,] when I reported that to Shmuel, he rejected it by saying, "And does a 'candle' then have sanctity?"

Rav Yosef challenged [Shmuel's position]: It was taught in a Baraisa: It is written [about the Mitzvah to cover an animal's blood after slaughtering] "And he shall spill [the animal's blood]", and right afterwards "and he shall cover it"; this teaches that one has to cover the blood with that same limb with which he spilled it [i.e. his hand (Rashi)], meaning that he cannot cover it with his foot, for the Mitzvahs shall not be disgraceful to him. Now according to Shmuel, [wouldn't we have to reject that too and say:] "Does blood then have sanctity?" So [why not say] here too [that this is why it's *assur* in the case of the "candles"]: for the Mitzvahs shall not be disgraceful to him!

So in conclusion, Rav Yosef said: The "father" of all of these things being *assur* [i.e. the "source case" from which we derive all other cases] is [the above Halacha about] blood.

Here too, the Rif only brings the words of Rav Assi⁸ (thus ruling stringently again). The question then is: What is the relationship between the statement that it's *assur* "to make use" of the candles, and the statement that it's *assur* "to hold money out" toward them? Let's see how the authorities address this:

The Tur^o brings the *Ba'al Hattur*^o, who says that only a mundane use is *assur*, but not a holy use. (The *Beis Yosef* brings that the *Shibolei HaLekket*^o says likewise; and his example of a "holy use" is to read from Torah

⁴ The Rashba also says a third reason, which is based on how he explains the relationship between our Gemara and the Gemara about using the candles to look at money [see the next subject].

⁵ The Gemara does not quote Rava as saying so explicitly, but the Rashba proves that this is his position, in two ways: (a) From Rava's statement about needing an extra candle [discussed above 671:5], we see that the Chanukah candles themselves are *assur* to use; (b) From Rava's statement that the need for a Shabbos candle "outweighs" the need for a Chanukah candle [discussed below 678:1], we see that it's impossible for one candle to be both (which must be because the Shabbos candle's whole *purpose* is to be used, and the Chanukah candle *cannot* be used).

⁶ Another explanation could have been that the phrase is meant to emphasize that Chanukah candles are *assur even* on a weekday (in contrast to the fact that on *Shabbos* it's *assur* in *general* to do many things by the light of oil candles [as discussed in the Halachos of Shabbos (O.C. 275)].

⁷ This is the version in the Rosh^o. Other versions attribute this position to Rav.

⁸ Our text in the Rif attributes it to Rav, as mentioned.

writings; and he gives the reason: "because this way it's an *honor*, not a disgrace.") The *Gra* writes that the approach here is to interpret the statement about "holding money out" as *clarifying* what kind of "use" is *assur* (i.e. only a mundane one).⁹

However, against that, the Tur and *Beis Yosef* bring the position of the Rosh^o [who addresses our question *directly*]:

Even though it was already ruled above that it's assur to make use of the light of the "candle" for any use, [still] we need the statement of "holding money out". After all, when we said above that it's assur to make use of its light, that was only said about a "fixed" use [i.e. a focused and purposeful one], where someone who sees it would say [i.e. think]: "[It seems that] it's for the sake of this use that he lit it, and not for the sake of a Mitzvah"! But as for a "momentary" use, [obviously] for that he didn't light it! So now, Rav Assi informs us that even a "momentary" use that's disgraceful is assur; because since his hands are next to the candle in order to examine the coins well - therefore it's assur. This is also implied by his wording, as he said that it's assur to hold out money "toward the Chanukah 'candle'," and not "by its light".

The *Beis Yosef* also brings the *Ran*^o, who writes similarly, that the statement about "holding money out" does not *limit* in which way it's *assur* "to make use": "For since they instituted it [i.e. the Chanukah 'candle'] through a miracle that was performed with the Menorah - [therefore] they made it [have a Halacha of being] like the Menorah, which one may not make use of at all." (The *Mishnah Berurah* brings both this reason, and the reason of making the Mitzvah "recognizable" like the Rosh [and Rashi].) Rather (continues the *Ran*), the statement about "holding money out" is coming to tell us that even such an "insignificant" use is *assur*¹⁰. Accordingly, the *Shulchan Aruch* refers to the *Ba'al HaIttur*'s position merely as "someone who holds that it's *muttar*", etc. [as quoted soon].

The *Beis Yosef* writes that the Rosh implied "that by a 'momentary' use which is *not* disgraceful - which means [one] that does not need for his hands to be next to the candle - [that would be] *muttar*, and I don't know why the Tur¹¹ and *Rabbeinu Yerucham*^o did not write that¹²." The *Bi'ur Halacha* mentions that the Maharshal^o ruled like that distinction; but the *Shulchan Aruch* does not mention it, and that's how the *Mishnah Berurah* rules as well (explicitly).

(However, the *Mishnah Berurah* does say that a *totally* insignificant use is *muttar*, such as to continue sitting in the same room where the candles burn [i.e. even if there's no "*shamash*" {*Sha'ar HaTziyun*}]. In addition, in the *Sha'ar HaTziyun* he brings the *Pri Chadash*^o, who includes even *walking* by the light [using it to prevent tripping] in this category.)

The Rashba proves that even a "Mitzvah use" (such as to eat a Shabbos meal by the candles' light) must be *assur*, from the statement that the need for a Shabbos candle "outweighs" the need for a Chanukah candle [see below 678:1] (because we see from there that it's impossible for one candle to be both - which must be because the Shabbos candle's whole purpose is to be used for the meal [whereas the Chanukah candle *cannot* be used *even* for a such a Mitzvah]). The

⁹ The *Ran*^o [who's mentioned soon] also seems to understand the *Ba'al HaIttur* this way.

¹⁰ The *Ran* concludes by saying that this is also the position of the Rambam (and that there's a proof to it in the *Yerushalmi* [which I have not yet identified]), and that the *Ba'al HaMaor*^o disagrees [i.e. ruling like the *Ba'al HaIttur*].

¹¹ source's wording: "and our teacher" ("*Rabbeinu*") [as the *Beis Yosef* always calls the Tur].

¹² *Rabbeinu Yerucham* was a student of the Rosh, and generally brings his positions.

Gra adds: If a Mitzvah use were *muttar*, then how could "the *assur* oils and wicks" be *muttar* on Shabbos Chanukah? Someone might adjust the candles for the sake of a *Mitzvah* use!

It should be noted that the Taz^o (n3) emends the Rosh such that he says *any* "momentary" use is *assur*. And then (n4), he innovates that the position of the *Ba'al Halttur* (and the *Shibolei HaLekket*) is really that it's *muttar* to use the candles only for a "Mitzvah use" which is *also* "momentary". The *Gra* notes that this second point depends on the first, reasoning as follows: If the Taz would have accepted that even the *Rosh* holds that a "momentary" use is *muttar* [i.e. as long as it's not a disgrace - i.e. with his hands too close], then he couldn't have said that the *Ba'al Halttur's* whole leniency was *within* "momentary" uses, because the Tur says explicitly that the Rosh rejects the *Ba'al Halttur's* leniency. In practice, the *Bi'ur Halacha* leans toward being lenient when *both* reasons are present (i.e. to study Torah [a "Mitzvah use" as above] in a "momentary" way), and in the *Mishnah Berurah* he refers to this *Bi'ur Halacha*.

The *Bi'ur Halacha* also writes that even regarding Torah study in a "fixed" way, it's possible that one only needs to be stringent during the main time period of the Mitzvah (i.e. until "no foot remains in the marketplace" [as explained above 672:2]). But he ends by saying that even *after* this time, the best thing would be to put out the candle (if possible) and then to re-light it.

Finally, in the *Mishnah Berurah* he writes that the Chanukah candles of the synagogue are also *assur* even in "Mitzvah use", such as to pray *Ma'ariv* by their light (during the main time period¹³).

WHICH "OILS AND WICKS" ONE *SHOULD* USE FOR THE LIGHTING (ON A WEEKNIGHT)

Regarding those which it's *assur* to use for the Shabbos candles, the Halacha is like Rav that for Chanukah even *they* are valid [as was already discussed at the beginning of the *siman*]. However, the Gemara adds (*Shabbos* 23a¹):

R' Yehoshua ben Levi said: *All oils are fitting for the "candle", but olive oil is the choicest.*

Abbaye said: *Originally, "the master" [i.e. Rabbah¹⁴] would try to use sesame oil, as he would explain: "It drags out the light more [i.e. it lasts longer (Rashi)]"; [but] once he heard this statement of R' Yehoshua ben Levi - [from then on] he tried to use olive oil, as he would explain: "Its light is clearer."*

It says in Tosafos that this Gemara is referring to Chanukah candles¹⁵, and the *Beis Yosef* brings likewise from the Rokeiach^o (and the *Mordechai*^o, regarding the practice of "the Maharam"), as does the *Darkei Moshe* from the Maharil^o (and he also brings that this is the *Kol Bo*^o's conclusion).

¹³ The fact that in this case the *Mishnah Berurah* seems to consider it more obvious (that it's *assur* for a Mitzvah only during the main time period) needs explanation. Perhaps (1) he's treating the candles of the synagogue more leniently [maybe because their being included in being *assur* at all is an "innovation" of the *Pri Megadim*], or (2) he doesn't consider "praying by the candles' light" to be such a "fixed" use [maybe because most people know what to say and only need to check occasionally (and for "*Al HaNissim*"), similar to the leniency in the Halachos of Shabbos (O.C. 275:9)].

¹⁴ Abbaye always refers to Rabbah as "the master" ["*Mar*"], because he was Abbaye's teacher (Rashi to *Shabbos* 5b). [Rashi to *Bava Metzi'ah* 107a adds that Rabbah had raised him in his own home.]

¹⁵ Whereas for the Shabbos candles (when we're concerned about adjusting), it's *obvious* that olive oil's advantage (that it burns best) makes it better than other oils [as is in fact codified in the Halachos of Shabbos (O.C. 264:6)].

On the other hand, the *Darkei Moshe* brings from the *Sefer HaMinhagim*^o that wax candles are just as "choice" as olive oil, and he brings in the name of R. Avraham^o (of Prague) that this is because their light is clearer than *all* oils. The *Darkei Moshe himself* adds that the *minhag* of "the world" is to use wax candles, and that this *minhag* was also mentioned by the *Kol Bo*.

But in the *Rema*, he doesn't favor wax candles quite so strongly, but instead seems to say that they compare with oils *other* than olive oil [as quoted soon]. (In fact, the *Sha'ar HaTziyun* says the Mahara^o holds that one does not light with wax candles at all, for the miracle was performed with oil; but in the *Mishnah Berurah*, he only quotes the position that this reasoning makes it "a better Mitzvah" to use oil.¹⁶) [See also the discussion of wax candles above (671:2), and the additional discussion brought soon (within this *se'if*).]

The *Mishnah Berurah* then fills in a number of details:

(1) When lighting candles according to "which day it is" [as discussed above (671:2)], one should either light wax candles for all of them or oil for all of them (and not "mix"), but one does not have to avoid such "mixing" with respect to multiple candles pertaining to the members of the household.

(2) In the *Sha'ar HaTziyun*, he writes that there's no issue of "mixing" different oils (because there's no *recognizable* difference)¹⁷.

(3) The *Bi'ur Halacha* (in the previous *siman*) writes that one may not use wax left over from a house of idolatry.¹⁸

(4) The *Mishnah Berurah* here writes: "[As for] animal fat¹⁹ which became *assur* by means of [the mixing of] meat with milk, it's *assur* to light the Chanukah 'candle' with it; and it's also *assur* to make it "*batel*" ["nullified" - see the "getting mixed up" subject at the end of this *se'if*] in [a mixture] of sixty [times the amount] in order to light with it [*Pri Megadim*^o]."

(5) He also says one may not use oil after a rodent was found in it, because it's revolting.²⁰

(6) Finally, when it comes to the wicks, the "choicest" is to use cotton or strands of flax.

The *Mishnah Berurah* (to *se'if* 2) writes that the "choicest way to do the Mitzvah" is to buy the left-over wax that dripped from the synagogue candles, for "once one Mitzvah has been done with it - let another Mitzvah [also] be done with it" (*Shabbos* 117b).²¹

¹⁶ When the *Kol Bo* concludes that wax candles are not as "choice" as olive oil, he explains: "for that's what the miracle was [done] with." However, presumably he too only means to favor *oil*, and not specifically *olive* oil; because if this was a reason to favor olive oil over others - then the Gemara itself should have said so (since it's already comparing the kinds of oil).

¹⁷ Therefore (the *Sha'ar HaTziyun* says), the issue of "mixing types" doesn't contradict the position of the *Shevus Yaakov*^o, that when olive oil is too expensive then one only need be choosy about the "main candle" being from olive oil. [See below 676:5 as to which is the "main" candle.]

¹⁸ He refers to the *Mishnah Berurah* in the Halachos of the synagogue (*siman* 154 n45), which indeed says this, but there in the *Sha'ar HaTziyun* he refers to where it's explicit in the *Shulchan Aruch* (volume *Yoreh Dei'ah* 139:13). I don't know why the *Bi'ur Halacha* here doesn't refer directly to the *Shulchan Aruch*.

¹⁹ source's wording: "*shuman* [i.e. *muttar* animal fat] or *cheilev* [i.e. the *assur* kind]."

²⁰ This is also the reason concerning wax from idolatry [*Mishnah Berurah* & *Shulchan Aruch* *ibid.* (cited in the above footnote)].

²¹ It's not clear whether he means that this is even preferable to oil (or rather that it's merely "the choicest" when using wax anyway).

As for stolen oil²², the *Mishnah Berurah* writes that it's doubtful (which seems to mean that one cannot light with it with a *bracha*²³). *We can ask*: Why doesn't he say that *any* oil is invalid if the one to be *yotzei* doesn't actually own it? After all, the *Ran*^o says [as quoted below (676:1) by "the correct wording of the *brachos*"] that "one can only be *yotzei* [this Mitzvah] through that which is one's own"!

Rav Yaakov Chaim Sofer^o [*Kaf HaChayim* 673 n11] regarding the oil being "revolting":

Really, *anything* which is "too revolting to eat"²⁴ may not be used for a Mitzvah, in keeping with "Offer it to *your* officials!" [*Malachi* 1:8, as applied in *Sukkah* 50a, *Bava Basra* 97b, and more]. However, if the oil is merely too *bitter* to eat, that alone is not a problem²⁵ [since in practice its Mitzvah use does not involve eating it].

Now that the *Mishnah Berurah* brought that it's *assur* to use a "meat and milk mixture", *we can ask*: What about other ways that the oil could be *assur*?²⁶ Isn't there a principle that a "Mitzvah object" has to be as "*muttar* to your mouth" as possible?²⁷ How much effort to ensure that the oil is "*muttar*" [at least with respect to "deriving benefit"] should be appropriate?

Rav Ovadiah Yosef^o [*Yabia Omer* 3:35] on "candles without oil or wicks" - such as electric lights:

The later authorities have pointed out many reasons for electric lights to be invalid for Chanukah lighting (some of which apply to other kinds of "candles" as well).

(1) Even though we don't rule like the Maharal that wax is invalid because the miracle was with "candles" of oil; nevertheless, it still makes sense that *some* substance "in place of" the oil is needed. If so, electric lights would be invalid, since there's no *tangible* fuel. (Gas flames also may have this problem.)

(2) Another possible defining characteristic of the Torah term "candle"²⁸ is the wick, which electric lights don't have either (since even a filament isn't "drawing" any fuel or "maintaining" any flame). Gas flames are also missing this, and so is a long thin glass tube of independently-burning oil (and possibly a long thin slow-burning stick, as well).

²² Obviously, if someone stole oil, he has to return it, and it's *assur* for him to burn it. So the question here can be (1) if he lit with it anyway, does he have to light again; or (2) in some situations, by the time the question of lighting arises, the oil is already no longer considered the property of the original owner (i.e. the obligation to repay is in the form of "money", and there's no need to return the original oil itself).

²³ For one thing, "doubts about *brachos* call for being lenient" [see "Principles"]. Furthermore, we learn elsewhere (by O.C. 454:4 and 649:1) that to say a *bracha* over something which one got through theft is more serious than merely doing a Mitzvah act with it.

²⁴ The *Kaf HaChayim*'s own example is oil left under a bed, "for in such a case an evil spirit 'rests' upon it." [This issue, along with others like it, is mainly dealt with in *Shulchan Aruch* volume *Yoreh Dei'ah* (116:5).]

²⁵ In fact, the *Kaf HaChayim* adds that such oil can be used even after being left under a bed, "because the evil spirit won't rest on it once it's inedible."

²⁶ Oil that comes from the Land of Israel would be especially problematic, since there are more (and different) ways of it being *assur* [see by "oil that's to be burned" below, for example]. And if it has the "holiness of *Shemittah* [the Sabbatical year]", it could be *assur* to light it "not for consumption". [Most of these applications are beyond the scope of this project.]

²⁷ This is derived (*Shabbos* 28b) concerning *tefillin*, which must therefore be made using a *muttar* kind of animal. [Why this doesn't require that the animal be ritually slaughtered is explained elsewhere (*Shabbos* 108a).]

²⁸ R. Ovadiah Yosef says on these last two points (not quoting anyone) that we seem to see in the Gemara [of the beginning of the *siman*] that oils and wicks are considered intrinsic to the candles.

(3) Even if Chanukah candles don't have to be like the Menorah in *those* respects, it still might be necessary to have a comparable "act of lighting". For the Torah itself (*Bamidbar* 8:2) emphasizes the "raising up" a flame to light the Menorah, and with electric lighting that is not done.

(4) We learn below (675:2) that since "the lighting makes the Mitzvah", the required amount of oil must be already present and ready at the time of the lighting. Can the availability of an electric current fulfill that condition? (This is especially problematic when [a] the current is actually being generated as the "candles burn" {as opposed to a battery, for example}, and even more so if [b] the flow isn't truly constant - but rather stops constantly for tiny fractions of a second.)

(5) We learned above (671:4) that when the flames of the candles engulf a wider area than just their own wicks, they're "like a significant fire" and invalid for Chanukah. Electric lights can have this problem too (when [a] the filament is in the form of a circle {which is in the above category [as stated above *ibid.*]}, or if [b] the light is seen "coming out of the entire bulb" and not just from the filament [like with a frosted or fluorescent bulb, for example]).

So from all this we see that electric lights cannot be relied upon for the Chanukah Mitzvah. And if someone has no other choice, and he uses electric lights on the off chance that they really *are* valid, then he certainly may not say a *bracha*.

THE ISSUE OF CERTAIN OILS AND WICKS BEING *ASSUR* TO LIGHT WITH ON SHABBOS

As mentioned [at the beginning of the *siman*], the Halacha is like Rav that this issue does not apply to Chanukah candles (even on Shabbos Chanukah), because there's no concern that someone will adjust them, since it's *assur* to make use of them. However, the *Beis Yosef* brings a responsum of the Rashba^o (1:170), who points out that after the candles burn for the main time period (i.e. until "no foot remains in the marketplace"), it becomes *muttar* to make use of the light [as discussed above 672:2]; and the Rashba therefore concludes with the observation: "Who says that it's *muttar*²⁹ to use extra oil [i.e. more than the minimum amount (also discussed above 672:2)] when one is coming to light on Shabbos with *those* oils³⁰?" Accordingly, the *Rema* rules that in fact it's *not* *Muttar* [as quoted soon]. (Parenthetically, the Rashba mentions that this matter is estimated, not measured exactly, just as the same is true of the Halacha of *siman* 672 itself [i.e. that the candles become *muttar* later on].) A final point: The *Mishnah Berurah* brings from the *Magen Avraham*^o that it's *assur* to use these oils and wicks for the "*shamash*", since it's *muttar* to use its light [see the "second half" of this *se'if*].

So now let's see the "first half" of this se'if. [The bulk of the "second half" of the *se'if*, which is about the "*shamash*", follows the development of the remaining subjects, except the very next subject (which still relates to the above material) and the last subject (which is a "small last section" of the *se'if*.) The *Shulchan Aruch* rules: **All oils and wicks are valid for the Chanukah "candle", even if the oils are not drawn [properly] after the wick, and [also even if] the flame is not "held" properly by those wicks.** The *Rema* inserts: **However, olive oil is the choicest [form] of the Mitzvah; and if there's no olive oil [around] - the ["next choicest"] Mitzvah is [then to light] with oils whose light is pure and clear, and the minhag in these areas is to light with a wax candle - for their light is as clear as [that of] oil.** The *Shulchan*

²⁹ source's wording: "that they permitted us".

³⁰ I.e. the ones it's *assur* to light with on Shabbos.

Aruch continues: **[Furthermore,] even by the night of the Shabbos which is during the days of Chanukah, it's [still] *muttar* to light - for the Chanukah "candle" - the oils and wicks with which it's *assur* to light the Shabbos "candle".** The *Rema* qualifies that: ***If he doesn't put into the candle [any more than] just enough to be the [minimum] amount for its Mitzvah.*** The *Shulchan Aruch* continues: **Because it's *assur* to make use of the Chanukah "candle", whether on Shabbos or on a weekday, and even to examine coins or to count them by its light is *assur*; Even a "holy" use - such as to study [Torah] by its light - is *assur*, and [on the other hand] there is someone who holds that it's *muttar* by a "holy" use.**

"OIL THAT IS TO BE BURNED" (i.e. contaminated *terumah* oil [see "Principles"])

The last *Yerushalmi* in *Terumos* (59a):

***Question:* What is the Halacha about lighting "oil that is to be burned" for Chanukah?**

***The House of R' Yannai say:* One may light "oil that is to be burned" for Chanukah.**

***R' Nisa said:* I do not know the positions of my father *firsthand*,³¹ but my mother used to say to me, "Your father would say, 'Someone who doesn't have oil which is *chulin* [i.e. oil which has no sanctity at all] can light the Chanukah "candle" with oil that is to be burned'."**

The Rambam (Halachos of *Terumos* 11:18) indeed writes that it's *muttar* to light with "oil that is to be burned" (for someone who doesn't have oil which is *chulin*), and he adds "without a *kohen's* permission". The Radvaz^o explains that if the non-*kohen* *did* have permission, it would have been too obvious that it's *muttar*. (The *Derech Emunah*^o goes further, saying that if the non-*kohen* has permission, it's *muttar* even if he *does* have *chulin* as well.) The Radvaz says the *reason* it's *muttar* is "the publicizing of the miracle". The *Derech Emunah* gives a more complex explanation: He says it's based on the principle that one can assume "others would be happy to let me use their property since it's for a Mitzvah" (*Pesachim* 4b). The complexity is: Normally, one cannot say this when there's cause to be concerned that it will result in the owner *losing* that property³². But here, the *Derech Emunah* writes, we're talking about where no *individual kohen* actually got possession of it yet (so it's in the category called "property which no one else in particular can lay claim to"³³), and so the non-*kohen* has the right to assume that *the kohanim in general* are happy to have him do a Mitzvah with their property, since (1) they don't actually have it [yet], and (2) they're not losing much (since even for *themselves* all they can do is burn it).

The *Derech Emunah* also writes that although some authorities hold that it's *assur* by Torah-mandate to get *this* kind of benefit from "oil that is to be burned" [that is "benefit which uses up the material"], they nevertheless will accept the lenient ruling here, because "Mitzvahs were not given to benefit from" [see "Principles"].

³¹ source's wording: "[As for] me - I am not knowledgeable about my father."

³² This is based on *Bava Metz'ah* (29b). These rules are discussed by the *Shulchan Aruch* and *Mishnah Berurah* in the Halachos of *tzitzis* (O.C. 14:4).

³³ This concept is mentioned by the Gemara (*Beitzah* 38b, *Bava Kamma* 39a, *Chulin* 130b), and its basic meaning is self-explanatory. A more complete explanation is beyond the scope of this volume.

The "second half" of the Shulchan Aruch's ruling for se'if 1 follows the development of three subjects:

DETAILS AND MINHAGIM ABOUT A "SHAMASH"

The idea of an "obligatory" extra candle was discussed above (671:5), along with Rashi's explanation: "to make the matter recognizable"³⁴. And over there we quoted the *Me'iri* (brought by the *Bi'ur Halacha* there), who said that that it's only an obligation for someone who put his Chanukah candle "on his table". The *Beis Yosef* writes similarly here (in the name of *Rabbeinu Yerucham*^o), that there's no obligation if the candles are "in a place where one doesn't usually leave a candle." However, the *Beis Yosef* himself points out that lighting an extra candle is a *universal* practice, so he explains: "The earlier [generations] established this practice, because not everyone is expert [enough] to distinguish between 'a place where one usually leaves a candle' and a place where one doesn't."

In varying ways, the authorities discuss making the extra candle "distinct" from the others:

- (1) The *Beis Yosef* from *Rabbeinu Yerucham*: To serve its purpose, it must be "separated".
- (2) The *Shulchan Aruch*'s language is "a bit of a distance away" [as quoted soon].
- (3) The *Mishnah Berurah* (from the *Levush*^o) gives the reason: To make recognizable the number of candles being lit *for that day*.
- (4) The *Rema* [also quoted soon] chose the description of the *Mordechai*^o (which the *Beis Yosef* also brought), that it should be "larger" [i.e. a longer wax candle] than the others. The *Mordechai*'s reasoning is that this way, if the person should come to make use of the light, it will be the light of the "*shamash*" that he uses (and that's how the *Tur* & *Shulchan Aruch* describe the whole idea of the "*shamash*").
- (5) In the *Darkei Moshe*, he brings from the *Maharil*^o that it should be "higher" than the others, and so too the *Mishnah Berurah* writes that being "taller" is just as good as being "larger".

[See the upcoming material as well, for further development of these subjects.]

The *Mishnah Berurah* writes that according to the strict Halacha, one is *yotzei* with "the candle that's on the table" [i.e. it can be considered an "extra candle"], but the *minhag* is in fact not to rely on it (but rather just the opposite - a separate "*shamash*" is used for every "*menorah*" being lit). In addition, the *Magen Avraham*^o is stringent in the opposite direction; i.e. a "*shamash*" isn't enough, and one needs a candle "on the table" too. But the *Mishnah Berurah* only writes that it's "best" to have one³⁵ [because the later authorities disagree with the *Magen Avraham* (*Sha'ar HaTziyun*)].

³⁴ "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." (*Bi'ur Halacha* above *ibid.*)

³⁵ It seems logical that the only time the "*shamash*" could be insufficient is when the Chanukah candles (with their "*shamash*") stand in a place that's regularly used for light-giving candles. In that case, it's certainly not a problem nowadays, because there's no such place; after all, the room is lit electrically anyway. [However, that fact itself actually seems to present a bit of a problem: If candles are lit indoors, in a room well-lit electrically, isn't it like lighting during the day? (See the previous *siman*.)]

WHICH ONE IS THE "SHAMASH"

The Tur^o brings a responsum of his brother ("HaRav R' Yechiel"):

Question: *What if someone was lighting his Chanukah "candles", and he simply lit one extra "candle", in order to have a "shamash", but he didn't specify which one of the "candles" was in fact to be the "shamash"? Do we say that afterwards he can choose whichever he wants to be the "shamash" (even the first, or one of the middle ones)? Or perhaps he can only choose the last one (which is what makes sense to me [i.e. the questioner])?*

Answer: *One should not interrupt between the Chanukah "candles". Consequently, the **last** one becomes the one which is not for the sake of being a real Chanukah "candle" (but rather is lit only so that if he will make use of their light - it will be the light of that "candle" that he uses). You should know, however, that the name "shamash" does not apply to that "candle", for the "shamash" is the one with which he lights the other candles.*

The *Darkei Moshe* focuses on the conclusion (that the name "shamash" only refers to the "lighter"), and explains that it's actually an additional point concerning the Halacha being discussed; namely, that it's *assur* to "simply" light one extra candle, because that's considered "deviating"³⁶ from the correct number (i.e. according to "which day it is" [as explained above 671:2]). Accordingly, the Tur's brother was explaining, one avoids that problem by using the "lighting" candle [and placing it near the others *after they are lit*], because in this way it's recognizable that this candle is not "part of the group" (since he used it for the lighting).

CAN ONE ACTUALLY MAKE USE OF THE CANDLELIGHT EVEN "INITIALLY", ONCE THERE IS A "SHAMASH"?

The *Magen Avraham*^o writes that it's clear from the Ramban^o that it's still *assur* to actually go and make use of the candlelight, "since someone who sees it would say [i.e. think] that he lit all of them for his [personal] needs; because sometimes a person lights several candles" [i.e. even if only for one necessity]. The *Bi'ur Halacha* brings the *Pri Megadim*^o, who explains that the *Magen Avraham* means to say that it's *assur* to do activities that need light *even alongside the added light or the "shamash" itself*. But the *Bi'ur Halacha* explains why he himself wrote in the *Mishnah Berurah* that *this* is in fact *muttar*: (1) because of the language of *Rabbeinu Yerucham*^{o37}, and (2) in line with the positions of a number of late authorities.

However, the *Bi'ur Halacha* points out, we see that the "shamash" *does* make sure that he's not considered to be *actually* making use of the Chanukah candles. (The practical difference this makes is seen in the next subject, where candles are being re-lit - but this time *not* for the Mitzvah, so that there's nothing that needs to be "recognizable" to "onlookers", but they can't *actually* be used - just like any Chanukah candles.) In the *Mishnah*

³⁶ The *Gra* says this is similar to the Halacha of the *Rema* above (671:2) that "different people's candles" should be separated, in order to maintain the ability of their candles to show "which day it is".

³⁷ His words were brought "two subjects ago". (However, the *Bi'ur Halacha* is probably talking about the fact that *Rabbeinu Yerucham* always refers to the "shamash" as the "candle [that's there] for the purpose of using its light" [which we didn't quote above].)

Berurah, he brings the position of the Bach^o, that this is only true if the "Shamash" is in fact higher than the other candles, because then it's the "main source" of his "making use". However, in the *Bi'ur Halacha*, he says the *Magen Avraham* holds it's *never* considered "actual use" (unless the particular use actually calls for more light than the "muttar" candle alone gives [for then one clearly *is* benefiting from the "assur" ones]). In the *Mishnah Berurah*, he concludes that one should be stringent about this point (except in a case that's *really* like the next subject, i.e. where "assur" candles have become mixed up with "muttar" ones [*Sha'ar HaTziyun*]).

And now, here's the "second half" of se'if 1: The *Shulchan Aruch* picks up [after explaining that "making use" is *assur*] by ruling: [Accordingly,] **the *minhag* is to light an additional "candle", so that if he'll make use of the light - [then] it will be the added light (which is the one that was lit last) [that he uses]; and he should position it a bit of a distance away from the other Mitzvah "candles".** The *Rema* adds: [On the other hand,] **in these areas the *minhag* is not to "add"; rather, one leaves the "shamash" (which he lights the candles with) next to them - and this is better; and one should make it longer than the other "candles", so if he comes to "make use" [of the light] - it will be this "candle" that he uses.** [This concludes the *se'if*, except for a "small last section", which is a separate subject.]

[The *Rema*'s language implies that it's not enough merely for the "*shamash*" to be "separated a bit"; rather, the correct practice calls for *both* (1) that it be used for the actual lighting, and (2) that it be longer [or higher]. So it seems his position is that one should take into account both versions [above] of how to keep the "*shamash*" distinct.]

[SOLID] CHANUKAH CANDLES WHICH GOT MIXED UP WITH OTHERS (such as ones that were only a "*shamash*")

First, some introductory material: When a minority of solid objects which are "*assur*" [in some way] got mixed up with a majority of other objects (of the same type) that are *muttar*, we "ignore" the "*assur*" minority [generally speaking] (*Shulchan Aruch* volume *Yoreh Dei'ah* 109:1). When we refer to such an "ignoring", we say the minority became "*batel*" [i.e. "nullified" or "cancelled"]. There are two situations [among others] where a minority can be considered "too significant" to ever become "*batel*": (a) if it's "an honorable portion" (i.e. worthy of one's guests) [*Yoreh Dei'ah* 101:1 - from *Chulin* 100a], (b) if it's "something counted" (i.e. people count how many they're dealing with)³⁸.

There's a discussion in Tosafos (*Yevamos* 81b) about "an honorable portion":

[A Baraisa in the Gemara said: (1) If a contaminated piece of meat got mixed up with pure pieces of chatas* offerings, the contaminated piece becomes "batel"³⁹ (according to one Tanna). (2) If a contaminated piece of meat got mixed up with pure ones that were chulin [i.e. they had no sanctity at all], the contaminated piece does not become "batel".]

³⁸ Actually, there are *Tanna'im* who hold that "something counted" *can* become "*batel*" [as in the Mishnah in *Orlah* (3:7), discussed in *Beitzah* (3b)]. However, the accepted Halacha (at least for *Ashkenazim*) is that it cannot [as the *Rema* writes in volume *Yoreh Dei'ah* (110:1)].

³⁹ The source's wording is that it "comes up".

The explanation (of Tosafos) is: In the latter case, when the contaminated piece got mixed up with chulin, we note that **after** it would become "batel" [i.e. if we will say that it can] then it would be worthy of "honoring" with; therefore, everyone agrees that it [in fact] does **not** become "batel". [In contrast,] in the earlier case, when the contaminated piece got mixed up with pure pieces of chatas* offerings, [then] even if it would become "batel" [i.e. and consequently kohanim could eat from the mixture in purity], it would not be worthy of "honoring" with, for "honoring isn't relevant before the kohanim in the Beis HaMikdash" [i.e. the kohanim do not consider themselves indebted to each other over what they get to eat - for they are all equal, as it says (Vayikra 7:10) "it shall be for all the sons of Aharon - each man just like his brother" (Tosafos to Chulin 100a)], and consequently it **does** become "batel".

The *Terumas HaDeshen*^o (103) applies this to whether Chanukah candles are considered "something counted":

Question: Let's say a number of people lit [various candles] in one house, and [in the end] one ["true"] Chanukah candle got mixed up among two "shamash" candles, and all of them are sitting there burning, and we don't know which of the candles is the ["true"] Chanukah candle. Is the ["true"] Chanukah candle muttar by means of becoming "batel" within the majority - and [therefore] it's muttar to derive benefit from the three of them - or not?

Answer: Since we light [Chanukah candles] "by count" each night, they are [considered] "something counted", which does not become "batel"⁴⁰.

Now, someone might argue: [No,] the only thing called "something counted" is something which is measured **in the marketplace** by counting - and not by weight or estimation (and [only] in **that** way is it recognizable that it's a "significant" thing - and therefore it's not "Batel"). In contrast, these candles - even [after] granting [the fact] that we **light** them "by count" - [but] nevertheless if they were being **sold out of a store**⁴¹ they [too] would be sold by weight for usage purposes, and consequently they should not be "something counted"⁴², and [therefore] such a candle should be "batel" within the majority! (As for the fact that we light "by count" - that's [merely] because of the Mitzvah obligation, for that's its Mitzvah [i.e. and this is not the determining factor here].)

But I hold [that the correct approach is]: Here, they got mixed up **after** the Chanukah candle was lit for a Mitzvah, so now it's "something counted" as regards its **own** concern [i.e. Mitzvah lighting] (even though with respect to non-Mitzvah concerns⁴³ - candles are **not** "something counted").

And the proof is the [above] Tosafos⁴⁴: [For in the case of "an honorable portion", the Tosafos says that] even though a **chulin** piece is worthy of "honoring" with, nevertheless in the other case where they're pieces of chatas offerings - once they're not considered "worthy of honoring with" in their **own** context (the way they are now - i.e. offerings) - we go after **that** [even] to be lenient. If so, then **certainly** [we use

⁴⁰ The *Terumas HaDeshen* substantiates the principle: "'Something counted' - even if it's being *assur* is [merely] Rabbinical - does not become 'batel', as the *Sefer HaTerumah*^o ruled on [the issue of] the [Baraisa of the] 'litra' of dried figs [Beitzah 3b]."

⁴¹ Here the *Terumas HaDeshen* adds: "in a place where most things are sold by weight (such as in 'eretz lo'eiz' [a foreign country])."

⁴² source's wording: "they should not be [included] in the 'significant' things."

⁴³ source's wording: "with respect to 'the mundane and the like'."

⁴⁴ The *Terumas HaDeshen* also says that Tosafos and the Rosh^o in *Chulin* (100a) say the same thing.

such reasoning] in the opposite direction [i.e. regarding a Chanukah candle being "something counted"] - to be stringent.

The *Beis Yosef* brings this. However, the *Darkei Moshe* says that even the *Terumas HaDeshen* would agree that it's *muttar* to make use of the three candles *together* [or even any two of them], just like we say by the whole idea of a "*shamash*" that "it's the *muttar* candle that he's using."

Accordingly, the *Rema* concludes the *se'if*: **If a Chanukah candle (from which it's *assur* to derive benefit) got mixed up with other candles - it does not become "*batel*" (even one within a thousand), for it is "something counted"; Rather, he should light enough [candles] from the mixture so that a "*muttar*" candle is definitely burning with the "*assur*" candle [i.e. even if *assur* ones are there too] - and then it's *muttar* to perform activities [that need light] by them.**

In the *Mishnah Berurah* (and *Sha'ar HaTziyun*), he brings those that disagree with these rulings (in a few ways):

(1) The Taz^o says that the *Terumas HaDeshen* made a basic mistake, because we can see *from that Tosafos itself* that we look at the objects with the significance they'll have *once we'll say that the *assur* one became "*batel*".* So here, once we'll say the Chanukah candle is "*batel*", it *won't* be "something counted", so we should in fact be able to say that it's "*batel*"! The *Sha'ar HaTziyun* writes that a number of authorities disagree with this approach (i.e. confirming that of the *Terumas HaDeshen* [and the *Rema*]).

(2) The Maharsh^o holds that the Chanukah candle is "*batel*", and the *Sha'ar HaTziyun* explains that since Chanukah candles are counted only because that's the Mitzvah, consequently the counting does not show "significance" at all (and therefore has no bearing on whether or not they become "*batel*"). The *Mishnah Berurah* brings this, and in the *Sha'ar HaTziyun* he writes that in a case of "great loss" [see "Principles"] one might be able to rely on the lenient position, since the issue is Rabbinical.

(3) As explained in the previous subject, a "*shamash*" causes one's "making use" *not* to be considered *actually making use of the Chanukah candles*, but the Bach^o holds that's only if the "*shamash*" is higher (so it's the "main source" of his "making use"), and the *Mishnah Berurah* brings his position (which basically contradicts the leniency written in the *Darkei Moshe & Rema* here⁴⁵). But from the *Sha'ar HaTziyun* it's clear that we *are* lenient on this point *here*, since the candles have become mixed up.

A few more details from the Mishnah Berurah and Sha'ar HaTziyun:

(a) Even regarding the stringent position of the *Rema* (and *Terumas HaDeshen*) that the Chanukah candle can't be "*batel*", the *Mishnah Berurah* refers to the Taz who says that's only if they got mixed up *during* Chanukah (because the "significance" of the Chanukah candle depends on the fact that it's suitable to use for the next night's Mitzvah). In contrast, if they get mixed up *after* Chanukah (or even during the eighth *day*), the Chanukah candle already lost its "significance" [i.e. it is no longer considered "something counted", and therefore it can become "*batel*"]. Furthermore, in the *Sha'ar HaTziyun*, he refers to the *Machtzis HaShekel*^l, who points out that they *also* can only be talking about

⁴⁵ The *Sha'ar HaTziyun* writes (in the name of the *Mor U'Ketzi'ah*^o) that even the *Rema* himself can't be *certain* that the "*shamash*" *always* helps this way, for we see that the *Rema* himself ruled earlier [in the *se'if*] that the "*shamash*" *should* be longer than the other candles.

where the Chanukah candle was still big enough to use it again (i.e. it can still burn for a half hour), for the same reason.

(b) The *Mishnah Berurah* also explains that the basic assumption of our case, i.e. that the Chanukah candle is "assur to derive benefit from", can only refer to where it became *assur* [for all "mundane" use] by being "set aside" [see below at the end of *siman* 677 as to how - and also see there that the Halacha of a mixture of *oil* depends on whether there's sixty times the *assur* amount], and the *Rema* is only talking about where it was then lit a *second* time [this time *not* for the Mitzvah of Chanukah (*Bi'ur Halacha*)] after going out the first time *before* the "main time period" ends⁴⁶.

The *Sha'ar HaTziyun* mentions that the Taz himself also holds that *sometimes* the "assur" candles *don't* become "batel", and that is: when they're "kavua" [i.e. the mix-up happened in the same place where the "assur" candles had *already* been]; but the *Sha'ar HaTziyun* himself decides in favor of those who hold that the principle of "kavua" does *not* apply here⁴⁷.

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

ONE IS NOT RESPONSIBLE FOR A CHANUKAH CANDLE THAT WENT OUT

It should already be clear, from the beginning of this *siman*, that we rule this way. (Furthermore, we likewise see from the Gemara brought at the beginning of the previous *siman*, that one is "not responsible to re-light it" even if it went out *before* the "main time period" ends.)

Accordingly, the *Shulchan Aruch* starts the *se'if* by ruling: **The lighting makes the Mitzvah; therefore, if it went out, [even] before its time [period] passed, he is not responsible for it.** [The other parts of *se'if* 2 follow the next two subjects.]

The language "The lighting makes the Mitzvah" actually comes from a different Gemara [*Shabbos* 22b] and refers to an unrelated subject [see below *siman* 675]. The Taz^o explains that the *Shulchan Aruch's* intent *here* is just that once one has lit - he immediately fulfilled the Mitzvah (and therefore does not need to do any more), which *is* our subject.⁴⁸ (The *Mishnah Berurah* [at the beginning of this *siman*] explains further that once one has lit, it's *already* a commemoration of the miracle.) [The *Bi'ur Halacha* brings that one should "keep his hand in place" by the wick (i.e. continuously touching the "lighter" to it) until the lighting is "complete" (which he describes as when most of the part of the wick that sticks out {of the oil} is burning). He also writes that to be considered "*Mehadrin* of the *Mehadrin*" (see above 671:2), the entire number of candles which are being lit according to "which day it is" must all be burning together (and

⁴⁶ The *Sha'ar HaTziyun* explains that even though some are stringent even about candles that go out *afterward* the "main time period" ends, nevertheless one certainly should not be stringent about that *here*, now that the candles have become mixed up.

⁴⁷ The *Sha'ar HaTziyun* gives no explanation of either side of this disagreement. Indeed, the depths of the principle of "kavua" go far beyond the scope of this volume.

⁴⁸ See also the responsum of the Rashba (by the last subject of this *se'if*), where he, too, uses this language about our subject.

presumably the equivalent would also be true of "*Mehadrin*"; and therefore, if one candle went out before he finished with the others - then he *should* re-light the one that went out.]

Actually, the *Mishnah Berurah* brings a case (from "the later authorities") when one *is* "responsible for it"; namely, if he lit the candle in such a way that it cannot "survive" (which resembles "lighting without enough oil" which is invalid [as discussed below 675:2]). [For even though one *can* light with the "bad" oils and wicks (as discussed above *se'if* 1), that's because with respect to *them* there's only *some concern* that the candle won't last (*Sha'ar HaTziyun*).] So if he can see quite well that the candle is burning "wrong" and it *never* stood a *chance* of remaining lit, then after it's out he must re-light it with a *bracha*⁴⁹. However, if he merely lit it in (what the *Mishnah Berurah* calls) "a place where there are winds", then the *Mishnah Berurah* brings that although he does have to re-light it if it goes out, nevertheless he does not say a *bracha* over that. (The *Sha'ar HaTziyun* brings from the *Pri Megadim*^o that this is because we do not know with *certainty* that the candle *inevitably* had to go out.)

[In the previous *siman* (clarifications 6-7 to *se'if* 1) we saw that if someone lit in the afternoon (after "*plag haMincha*") with only the regular "half hour's worth", then he has to re-do the lighting, but without a *bracha* - "because out of [the] difficulty [of this case] we say that the Mitzvah actually started from '*plag haMincha*' and onward."]

Note that in the case of "winds", one only has to re-light the candle if it in fact goes out. This could be because of the point mentioned afterwards, that we do not know with certainty that it inevitably had to go out; so if it *doesn't* go out, then that itself *demonstrates* that it was never inevitable that it go out. Another approach would be to say that the first lighting is actually considered valid, and the requirement to re-light is only a "fine" for the fact that it went out *as a result of the lighter's negligence*. A practical difference between these approaches would be the case of glass boxes (which people use to light outdoors in the wind), as follows: How do people keep candles in these boxes from being blown out? Usually, they close the box quickly right after lighting. According to the second approach, that "the first lighting is valid regardless," then so long as the above "trick" works (i.e. the candles *aren't* blown out), there's no problem at all. But according to the first approach, that "lasting in practice *shows* that it wasn't too negligent," so *here* we lack that "evidence", since the lighter "interfered" with the outcome by closing the box. *We can ask*: What should the Halacha be?

IF ON FRIDAY AFTERNOON BEFORE THE ONSET OF SHABBOS, THE CANDLES WENT OUT

The *Beis Yosef* brings the *Terumas HaDeshen*^o (102), who points out that although the main time for the Mitzvah starts only after nightfall (and here the candle went out while it was still day), nevertheless the lighting was already

⁴⁹ This seems strange, since the *Mishnah Berurah* brought - as the explanation of this subject - that "it's like lighting without enough oil," and the *Mishnah Berurah* himself rules below (by 675:2) that someone who does exactly that (i.e. he lights without enough oil) does *not* say the *bracha* when he lights again! But actually, there are two different levels of "bad lighting" here: When lighting "without enough oil", the lighting is only "bad" because the candle could not last *long enough*. But here by "lightings that cannot survive", the candle had no ability to "survive" *at all*! So although we use "lighting without enough oil" as our *source* for the idea of "bad lighting"; still, this case is in fact *worse*. (I saw that the *Chayei Adam*^o makes this distinction [in his footnotes].)

considered a "proper beginning" for the Mitzvah (since on Friday it's impossible to light at night)⁵⁰, so "he is not responsible for it" even if it goes out *that* early. [See below (*siman* 679) for another conclusion the *Terumas HaDeshen* reaches using this reasoning.]

Accordingly, the *Shulchan Aruch* continues: **[In addition,] even if it went out on Friday before the acceptance of Shabbos - which is still during the day - he is not responsible for it.** [The rest of the *se'if* follows the next subject.]

The *Mishnah Berurah* brings the position of the Taz^o, who disagrees with the *Terumas HaDeshen*, and says that if there's still time in which it's *muttar* to do *melacha*^{*} then one is *obligated* to light again (just without the *bracha*). And afterwards he brings from the *Pri Megadim*^o, that even if the one who wants to re-light already accepted Shabbos [early⁵¹] - it's still *muttar* for him to ask someone else [who *didn't* accept Shabbos early] to do the re-lighting *for* him. [See in the next subject, that it's proper to always be stringent and re-light.]

IF HE HIMSELF ACCIDENTALLY PUT OUT HIS OWN CANDLE WHILE TRYING TO FIX IT

The *Beis Yosef* brings a responsum of the Rashba^o (1:539)⁵², about just such a case:

The logical conclusion is: *He is not obligated to re-light it, since this is like the Gemara's [standard] case of when "it went out"; for "the lighting makes the Mitzvah" - and he already lit it. [Consequently,] if someone **does** re-light it, he does not say a bracha on the re-lighting; after all, he already **did** the Mitzvah of lighting⁵³.*

Accordingly, the *Shulchan Aruch* concludes the *se'if* by ruling: **[Furthermore,] if after he lit it he was going to fix it and he accidentally put it out - he likewise is not responsible for it.** The *Rema* adds: **[Consequently,] if he wants to be stringent with himself and light it again - he may not say a bracha over that.**

In the *Sha'ar HaTziyun*, he brings the *Pri Megadim*^o, who says that if someone put out his own candle *on purpose*, then he certainly *does* have to re-light it, but he *still* does not say a *bracha*. And the *Mishnah Berurah* says (in the name of the later authorities) that in *all* these cases, it is in fact appropriate to be stringent and re-light.

⁵⁰ The *Terumas HaDeshen* compares this to cooking for one's parents, which is not the *fulfillment* of the Mitzvah (for *that's* not until they eat), but nevertheless (in *Yevamos* 6a) is still considered enough of a "proper beginning of a Mitzvah act" to override Shabbos [according to that Gemara's assumption that honoring parents overrides Shabbos] if that's what the parent requires. The *Gra* proves the point from the very fact that one *can* use the "bad" oils and wicks even for the Shabbos Chanukah lighting (and the *Terumas HaDeshen* himself also wrote a similar proof).

⁵¹ Accepting Shabbos early is mainly dealt with in the Halachos of Shabbos (O.C. 261:2 and 267:2).

⁵² The *Beis Yosef* quotes the *Ran*^o in *Bava Metzi'ah* as bringing this responsum.

⁵³ The *Gra* proves this Halacha with logic similar to that which he used for the previous one: If putting out a candle in an attempt to fix it would ruin the Mitzvah, how could the Gemara let us use the "bad" oils and wicks, which are more likely to "need fixing"?

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

AN "OLD CANDLE"

We find an intriguing statement about Chanukah lighting, in "*Tractate Sofrim*" [see note to 676:4] (20:3):

It is assur to light with an "old candle"; and if someone only has an "old" one - he must "whiten it" by fire [i.e. blowtorch it] well.

What exactly does that mean?

The Tur^o brings the Maharam^o (of Rottenburg)⁵⁴, who explains it with four points: (1) The plain word "candle"⁵⁵ is assumed to refer to an earthenware one; (2) After it's been lit with one time - then it's "old"; (3) Firing it makes it "like new"; and (4) Metal is different and doesn't have the problem.

The *Gra* says this Halacha can be seen from two Baraisas in *Shabbos* (44a): [a] "One may move a new 'candle' [i.e. one that has never been lit with before (Rashi)] but not an old one - [these are] the words of R' Yehudah"; [b] "R' Yehudah says: One may move all metal 'candles'." The *Gra* explains that it's clear from the Gemara there that the subject is whether these candles are "*muktzeh* due to repulsiveness" [see "Principles"]. The *Mishnah Berurah* concludes the proof: On Chanukah as well, an already-used earthenware "candle" would be a disgrace to the Mitzvah.

At the end of the Tur's presentation is one additional point: (5) Glass "candles" and coated earthenware "candles" (i.e. coated with a layer of lead (*Mishnah Berurah*)) have the same Halacha as metal⁵⁶.

Accordingly, the *Shulchan Aruch* rules: **[In the case of] an earthenware "candle" with which one lit [on] one night, it becomes "old" and one may not light with it [on] another night; and if all he has is "old" [ones] - he "fires" it each night in a fire; and a metal "candle" does not have [to be] new; and [as for] one of glass or of covered earthenware - its Halacha is like [that of] metal.**

The *Mishnah Berurah* adds that "the *sefarim*" write that it's best that each person make an effort to have as beautiful a "*menorah*" as he is able to (and that the "candles" should look good as well). [Note: In the Halachos of *Shabbos* (at the end of O.C. 264), the *Mishnah Berurah* applies the "problem with old earthenware" to *Shabbos* candles as well, and he brings that the *Pri Megadim*^o says (about that) that a poor person should use whatever he has.]

⁵⁴ The *Beis Yosef* cites a number of other authorities as also bringing his explanation.

⁵⁵ 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 above (671:3).

⁵⁶ The *Gra* explains this with sources that show that earthenware is the kind of material which is the best at *absorbing*, as opposed to metal and glass which do not absorb as well. He compares this to O.C. 87:1, which discusses a different kind of repulsiveness which depends on absorbing. According to that comparison, it would seem that a few other points from there should be applicable here, and most importantly the following: If some container is considered repulsive because it *absorbs* some substance, then such a container *certainly* would have to be considered repulsive while that substance *itself* has not yet been cleaned off of it. This is in fact what it says in *siman* 87, concerning the subject there. Therefore, according to the *Gra*, here too, the "fuel container" of a Chanukah "*menorah*" would certainly have to be cleaned before use every night. However, if we would understand that our Halacha is *not* because of absorbing, but rather comes from some other effect which happens only to earthenware, then we could say that *here* the left-over substances are *not* considered repulsive.

Rav Yaakov Chaim Sofer^o [*Kaf HaChayim* 673 n60] on the choicest material for our "menorahs":

Some authorities write the following list of possibilities (in order): (1) gold, (2) silver, (3) gold-looking copper, (4) "red" copper, (5) iron, (6) "*bedil*" [tin?], (7) lead, (8) glass, (9) wood, (10) bone, (11) coated earthenware, (12) uncoated earthenware (new, as just discussed), (13) pomegranate shells, (14) "*hindi*" walnut shells, (15) "*alon*" shells. And all these should only be used in the form of proper "vessels" [*"keilim"*] (as opposed to eggshells and the like which are not usable vessels), which are capable of standing on their own.

The development of: Se'if 4

CHANGING THE WICKS EACH NIGHT

Another Halacha from "*Tractate Sofrim*" [see note to 676:4] (20:4):

There is no need to be concerned and change the wick; rather, one may continue [lighting again with the same wick] until it is finished.

Accordingly, the *Shulchan Aruch* rules: **There is no [need for] concern over changing the wicks, [but rather one may continue] until it's finished.**

The *Mishnah Berurah* explains that the old wicks are not a disgrace to the Mitzvah; just the opposite - they light more easily once they have been lit before.

The *Darkei Moshe* brings this Halacha from the Avudraham^o (the *Beis Yosef* brought it from the *Shibolei HaLekket*^o). He points out that the Avudraham says the *minhag* is to change the wicks anyway⁵⁷ (and that the *Kol Bo* says the same), but he did not add this in the *Rema* (as above). [Nevertheless, if wicks are available which *don't* "light more easily once they have been lit before", then perhaps everyone would agree that it's a correct *minhag* to change them each night.]

⁵⁷ The *Me'iri*^o refers to changing the wicks as "an enhancement [done] as a commemoration of the [*Beis Ha*]Mikdash."