

# Insights into Chanukah

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## Chanukah: The Holiday of *Torah Sheba'al Peh*

Chanukah is not mentioned in all of Tanach. Moreover, it is mentioned just nine times in the Mishnayos and on three pages in Shas. Nevertheless, there are perhaps two hints to Chanukah in the Torah. First, the 25th word in the Torah is *ohr* (light), hinting to the 25th of Kislev, the first day of Chanukah. Secondly, the 25th destination of the Jewish people in the desert was Chashmona, perhaps another hint to the Chashmonaim of Chanukah. However, clearly there is no specific mention of Chanukah in Tanach.

The Gemara, *Pesachim* 30b, writes that כל דתקון רבנן כעין דאורייתא תקון: when the rabbis made an enactment, it was patterned and modeled after a Biblical law. The mitzvah on Chanukah is to light the Chanukah candles. Perhaps we can suggest six sources that show that the Rabbinic mitzvah of Chanukah candles was patterned after a mitzvah in the Torah.

1. There is a mitzvah in the Torah to light the Menorah in the Mishkan and the Beis Hamikdash. The Ramban, Bamidbar 8:2, explains that Aharon Hakohen was despondent that he was not included in the dedication of the Mishkan. Hashem told Aharon not to be despondent because He would give him the job of lighting and cleaning the Menorah to appease him. The Ramban notes that this was satisfactory during the times of the Beis Hamikdash, however after the *churban* (destruction of the Temple), how would Aharon be appeased? The Ramban answers that Chanukah will be the replacement for the lack of lighting the Menorah in the Beis Hamikdash. The fact that Chanukah was given to the Jewish people could be an extension of that appeasement that Hashem gave Aharon regarding cleaning and lighting the Menorah. One should not think that the appeasement would only be that the kohanim have an obligation to light the Chanukah candles. Rather, as long as there is a Rabbinic mitzvah given to all of the Jewish people, that would be an appeasement to Aharon. We see from the Ramban that the actual institution of Chanukah at its core was to serve as the substitution for the Menorah in the Beis Hamikdash.
2. There is a dispute in the Gemara, *Shabbos* 22b, as to whether the ignition of the flame is the mitzvah (*hadlakah oseh mitzvah*) or whether the placement of the *chanukiyah*, is the mitzvah (*hanachah oseh mitzvah*). Rashi, writes:

*If the mitzvah of Chanukah is contingent on lighting, we must [actually] light it, like we find with the Menorah.*

**Rashi, Shabbos 22b, s.v. Ee Hadlakah**

אי המצוה של חנוכה תלויה בהדלקה  
מדליקין כדאשכחן במגורא.  
רש"י, שבת כב: ד"ה אי הדקלה

Regarding the Menorah the ignition of the light is the mitzvah, so too on Chanukah it is the ignition that is the mitzvah. The *Minchas Chinuch* no. 98, asks, according to the Gemara, one of the main practical applications of the opinion that the ignition is the mitzvah is that the *chanukiyah* must be lit in the proper place to be valid. It can't be lit and then moved to the proper place. Yet, we find that the Rambam, *Hilchos Bias Mikdash* 9:7 and the Ra'avad, there, both write that the Menorah in the Beis Hamikdash was lit outside of the Heichal and then brought into the Heichal. It was not lit in the place that the Menorah was placed. If we assume that the Chanukah candles are patterned after the Menorah, then one should be permitted to light the Chanukah candles and then place them in its proper place. Shouldn't one then conclude from the Menorah that it is the placement that is the mitzvah? The *Minchas Chinuch* writes that he had this question for many years and then later found it in the *Ma'aseh Rokeach* as well. The *Minchas Chinuch* suggests in defense of Rashi that there is an explicit statement of the *Toras Kohanim*, *Emor* no. 13 that one should light the Menorah in the Heichal and it should not be lit outside of the Heichal and then brought in. Perhaps Rashi was relying on the *Toras Kohanim* when he patterned the *hadlakah oseh mitzvah* rule of Chanukah after the lighting of the Menorah in the Beis Hamikdash.

3. Both the Ran, *Shabbos* 9a (*dapei HaRif*) s.v. *Halachos* and the *Ba'al Hamaor*, there, s.v. *L'man D'amar*, write that there is a prohibition to derive benefit from the *chanukiyah* light. One should not read by it or derive warmth from it. Where did this prohibition come from? The *Ba'al Hamaor* and the Ran write that it comes from the Menorah in the Beis Hamikdash. Just like there is a prohibition of deriving benefit from the Menorah in the Beis Hamikdash, that prohibition serves as a model for the prohibition of deriving benefit from the *chanukiyah*.
4. The *Shulchan Aruch*, *Orach Chaim* 671:7 and Rama, there, write based on the comments of the *Terumas Hadeshen* that when we light the *chanukiyah* in the shul, we should light it at the southernmost wall. The reason for this is that the Menorah was lit in the Beis Hamikdash at the southernmost wall.
5. Rama, *Orach Chaim* 673:1, writes that ideally, one should use oil and wicks to light the *chanukiyah* as opposed to wax candles. The miracle of the Menorah in the Beis Hamikdash was with oil not with wax candles, so to highlight the linkage, one should ideally light Chanukah candles with oil and not candles.
6. There is a discussion amongst the *poskim* (see *Darkei Teshuva* 141:56-57) as to why making a *chanukiyah* does not violate the prohibition of replicating the vessels of the Beis Hamikdash. The ultimate conclusion is that the *chanukiyah* has nine stems not seven like the Menorah. It is not made of the same dimensions and material and therefore it is permissible. The discussion again highlights a link between the *chanukiyah* and the Beis HaMikdash.

## The Nature of the Mitzvah to Light

The Gemara, *Shabbos* 21b, quotes a *beraisa* that there are three levels to the mitzvah of lighting the candles. The base level is *ner ish uveiso*, which means that one candle has to be lit for each house no matter what night of Chanukah it is. HaRav Zalman Nechemia Goldberg, Shlit" a explains that the

mitzvah of lighting Chanukah candles is an obligation on the household and not a personal obligation. This can explain the ruling of *Shulchan Aruch, Orach Chaim* 675:3, in the name of the *Ba'al Haaitur*, that a minor who is old enough to understand the concepts of Chanukah (*higia l'chinuch*) may light on behalf of the entire household. Normally, a minor cannot perform mitzvos on behalf of an adult. How then can he light on behalf of the household? The answer is that the limitation of minors performing mitzvos on behalf of adults only applies to personal obligations. However, since this mitzvah is an obligation on the household, the minor, as a member of the household, may light on behalf of the entire household.

The Gemara, *Shabbos* 23a, writes that if someone is a guest at someone's house on Chanukah, the guest should be *mishtatef b'perutah*, meaning he should give a coin to the host to become a partner in the mitzvah since the guest is not at his own house. What is the guest becoming a partner in? The *Mishna Berurah* 677:3, writes that the guest becomes a partner in the oil or candles. The Rav zt"l asked on the *Mishna Berurah*: the Gemara, *Baba Metzia* 47a, states that money cannot acquire movable objects. According to R. Yochanan, this is because we are concerned that a buyer might give money for an item and then says he'll pick it up later. If there is, God forbid, a fire that breaks out in the store, the seller will not try to save the object because it is not his. Therefore, Chazal instituted that movable items remain in the possession of the seller until the buyer physically takes hold of the object and pulls it in. Consequently, the Rav zt"l asked, how does a guest acquire a share in the candles or oil if money cannot be used to purchase movable items? For this reason, the Rav zt"l disagreed with the *Mishna Berurah* and suggested that the guest becomes a partner in the home. The home is not a movable object and therefore, a monetary transaction is valid. HaRav Wohrman, Shlit"a, *She'eris Yosef* Vol.5, pp. 210-211, defends the *Mishna Berurah* by quoting the *Kesef Hakodashim* who writes that when purchasing an item for a mitzvah, Chazal suspended their concern about the seller taking responsibility for the item and allowed a monetary transaction to take place on movable items without actually taking possession of the object. Therefore, the guest's contribution of the coin is valid to make him a partner in the candles. It emerges from the Rav zt"l that the obligation to light the Chanukah lights is primarily an obligation on the household, taking the words *ner ish uveiso* very seriously.

The second level that the *beraisa* lists is *mehadrin* which means each member of the household should light one candle no matter what night of Chanukah it is. The third level is called *mehadrin min hamehadrin*. There is a dispute between the Rambam and Tosafos as to how to define this concept. Tosafos, *Shabbos* 21b, s.v. *Umehadrin*, write that if *mehadrin min hamehadrin* would modify *mehadrin* then on the eighth night of Chanukah if there were ten members of the household, one would light eighty candles because each member lights according to the count of the night. The problem is that since from the outside it is not discernible that the candles correspond to the number of nights (because the outsider doesn't know how many members of the household there are) it is not a proper way to publicize the miracle (*pirsumei nisa*). Therefore, Tosafos rule that *mehadrin min hamehadrin* only modifies the basic level of *ner ish uveiso*. The one candle lit for the household is incremented according to the night of Chanukah. You cannot simultaneously fulfill *mehadrin* and *mehadrin min hamehadrin* and therefore, *mehadrin min hamehadrin* trumps *mehadrin*. It is more important to delineate what night of Chanukah it is than to light based on the number of members of the household.

The Rambam, *Hilchos Chanukah* 4:1, however argues and says that *mehadrin min hamehadrin* modifies *mehadrin* and if there are ten members in the house on the eighth night, then there will be eighty candles in the home. How does Rambam address the argument of Tosafos that if one does so, it is not discernible which night it is? Rav Betzalel Zolty zt”l, *Mishnas Ya’avetz, Orach Chaim* no. 74, writes that the Rambam holds that the *hiddur mitzvah* (enhancement of the mitzvah) of the *chanukiyah* is different from *hiddur mitzvah* as it applies to other mitzvos. Regarding other mitzvos, *hiddur mitzvah* must be recognizable. Rashi, Yoma, 70a, s.v. *L’haros*, writes that on Yom Kippur, everyone would bring their *sefer Torah* and lift it up to show its beauty to the congregation because one only fulfills *hiddur mitzvah* when it is recognizable to the naked eye. Rabbeinu Tam, cited in Tosafos, *Menachos* 32b, s.v. *Ha*, rules that there is no requirement to make lines (*sirtut*) on the parchment of tefillin because it is normally covered. No one can see the parchment and since the *sirtut* requirement is based on *hiddur mitzvah*, if one cannot see the item *hiddur mitzvah* does not apply. However, on Chanukah, the requirement is different and perhaps it applies even if the enhancement is not recognizable. This explains the opinion of the Rambam. However, Tosafos hold that the *hiddur mitzvah* of Chanukah is patterned after the regular parameters of *hiddur mitzvah* that we find regarding other mitzvos and therefore, the *hiddur* must be recognizable.

Rashi and Rabbeinu Chananel seem to follow Tosafos’ approach to *hiddur mitzvah* of the Chanukah lights. Rashi, *Shabbos* 21b, s.v. *Vehamehadrin*, describes *mehadrin* as those who are *מהדרין אחר המצות*, people who seek out enhanced performance of mitzvos. Why does he mention other mitzvos? Aren’t we only dealing with Chanukah? Rav Zolty zt”l writes that Rashi patterned Chanukah after all the other mitzvos and therefore, regarding *hiddur mitzvah* of Chanukah, the *hiddur* must be recognizable. Rabbeinu Chananel, *Shabbos* 21b, quotes the Gemara, *Baba Kama* 9b, which presents two opinions as to whether the requirement to increase a third in order to fulfill *hiddur mitzvah* is internal (e.g. if the base price of an item is \$30, one should pay \$40, one-third more than the base price) or external (e.g. if the base price is \$30, one should pay \$45 so that the base price is one third less than the price of the enhanced item). Why does Rabbeinu Chananel even mention the discussion about how to calculate one third for *hiddur mitzvah*? What relevance does it have to the *mehadrin* discussion about Chanukah? Rav Zolty zt”l, suggests that Rabbeinu Chananel wanted to highlight that the *hiddur mitzvah* of Chanukah is patterned after the *hiddur mitzvah* of other mitzvos and therefore, he includes a general rule regarding *hiddur mitzvah* in the context of Chanukah.

## *Hiddur Mitzvah*

Regardless of whether the *hiddur mitzvah* of Chanukah is patterned after the regular rules of *hiddur mitzvah* or whether it is a separate category, one can question whether the *hiddur mitzvah* of Chanukah is a portion of the mitzvah to light or whether it is a separate concept. What if a poor person asks for oil or candles on the fifth night of Chanukah? Do we give him enough for five candles or enough for one? The *Bei’ur Halacha*, 671:1, *Va’afilu Ani*, writes in the name of the *Chemed Moshe* that we give him enough for one candle. We are not obligated to subsidize him for the *hiddur mitzvah* as well. However, the *Ohr Sameach*, *Hilchos Chanukah* 4:12, holds that we give him enough for five candles. The *Ohr Sameach* deduces this from the language of the Rambam:

Even if he has nothing to eat except what he receives from charity, he should borrow or sell his garment to purchase oil and candles to light.

**Rambam, Hilchos Chanukah 4:12**

אפילו אין לו מה יאכל אלא מן  
הצדקה שואל או מוכר כסותו ולוקח  
שמן ונרות ומדליק.  
רמב"ם, הל' חנוכה ד:יב

Why does Rambam mention multiple candles when the poor person can fulfill the mitzvah with one candle (flask) that is refilled with oil each night? The *Ohr Sameach* deduces that we should provide multiple candles for the poor person and allow him to fulfill *hiddur mitzvah*. What is the basis of the dispute between the *Chemed Moshe* and the *Ohr Sameach*? If *hiddur mitzvah* is a portion of the mitzvah itself and it qualitatively enhances the mitzvah, one should give the poor person five candles. However, if *hiddur mitzvah* is a separate idea, one is only obligated to subsidize him to fulfill the mitzvah of lighting Chanuka candles, not the concept of *hiddur mitzvah*.

A second difference between these two approaches is the direction in which we light the candles. The *Shulchan Aruch, Orach Chaim* 676:5 writes that we light from left to right but we add the candles each night from right to left. The candle used to fulfill the primary mitzvah is the one furthest to the right and the *hiddur mitzvah* candles are to the left. Why do we light the *hiddur mitzvah* candles before the primary candle? The answer is that the *hiddur mitzvah* candles are on the same level as the primary candle. *Hiddur mitzvah* becomes subsumed in the primary mitzvah and it enhances the mitzvah. Since we always want to turn to the right, we light the left most candle and continue rightward and it is not a denigration of the primary candle. The *Bei'ur HaGra, Orach Chaim* 676:6 argues against the ruling of the *Shulchan Aruch* claiming that it doesn't make sense. The Gra writes that one lights the primary candle first and then the *hiddur mitzvah* candles. The *hiddur mitzvah* candles are not on the same level as the primary candle, and therefore, it is not proper to light the *hiddur mitzvah* candles before the primary candle. Accordingly, *hiddur mitzvah* is a separate concept and it does not become integrated into the primary mitzvah and this is why one must light the primary candle first.

A third difference between these two approaches is regarding what happens if there is no *shamash* to light the candles. Although, the Gemara, *Shabbos* 22a, rules that it is permissible to light from one candle to another, Rama, *Orach Chaim* 674:1, writes that this only applies from one primary candle to another. One may not light a *hiddur mitzvah* candle from a primary candle. The *Sha'arei Teshuva, Orach Chaim* 674:1, writes in the name of the *Beis Yehuda* that he doesn't see a problem with lighting the *hiddur mitzvah* candles from the primary candle. The basis of this dispute seems to be how we view *hiddur mitzvah*. If *hiddur mitzvah* is an extension of the primary mitzvah, one may, perhaps, light the *hiddur mitzvah* candles from the primary candles. However, if *hiddur mitzvah* is a separate concept, the *hiddur mitzvah* candle is not on the same level and therefore it is disrespectful to light the *hiddur mitzvah* candle from the primary candle.

A fourth difference is apparent in a question discussed by R. Akiva Eger in his responsa, no. 13. What if, for example, on the fifth night of Chanukah, someone started lighting and after lighting three candles, realizes that he never recited the *berachos*? May he still recite the *berachos*? R. Akiva Eger provides three reasons why he may still recite a *beracha*. First, it is still within the timeframe to light and until the time of *השוק רגל מן תכלה*, traffic has ceased from the

marketplace, one may still recite a *beracha*. Second, he notes the opinion of the *Hagahos Ashri* that if one forgot, one may recite a *beracha* after performance of a mitzvah, an opinion that is at odds with the Rambam's opinion. Third, and most relevant for our discussion, there is a dispute between the *Eliyah Rabbah* and the *P'ri Chadash* about whether one can say a *beracha* on fulfillment of *hiddur mitzvah*. Rav Zolty zt"l, adds that if *hiddur mitzvah* is an integral part of the lighting, then the action involved in lighting (*ma'aseh mitzvah*) has not been completed and consequently, one can still recite the *berachos*. If *hiddur mitzvah* is an independent concept then it would depend on the dispute between the *Eliyah Rabbah* and the *P'ri Chadash* whether *hiddur mitzvah* warrants a *beracha*.

## History of Chanukah

The Rambam begins *Hilchos Chanukah* with the history of Chanukah. There is no other holiday where Rambam discusses the history of the *chag*. Why, specifically, does the Rambam discuss the history of Chanukah? The Rav zt"l said that the Rambam writes in the introduction to *Yad Chazakah* that after he finishes his work the *Yad Chazakah*, all one will need is a Tanach and a *Yad Chazakah* because the Rambam codifies all of the laws that appear in the Talmud. Therefore, the Rav zt"l says that since Chanukah is nowhere in Tanach, the Rambam must include the history of Chanukah in the *Yad Chazakah* or otherwise, one who only studies Tanach and *Yad Chazakah* would not know about the history of Chanukah.

The Lubavitcher Rebbe (cited in *Be'eros Nasan* pg. 40) provided a different explanation for the Rambam. The *pirsumei nisa* (publicizing the miracle) that is needed when it comes to the mitzvah of lighting Chanukah candles is inextricably linked to the performance of the mitzvah. If one does not understand the history of Chanukah, how can one properly publicize the miracle of Chanukah. The Rambam, in providing the history of Chanukah is making a halachic statement. In order to fulfill the mitzvah of *pirsumei nisa*, one must understand the history and background of Chanukah. The *Magen Avraham* 672:6, writes that the mitzvah of lighting Chanukah candles and *pirsumei nisa* are inextricably linked. According to the *Magen Avraham*, if one is on a desert island and there is nobody else there, there is no obligation to light the Chanukah candles. This goes well with the Lubavitcher Rebbe's explanation of the Rambam that the history of Chanukah is quintessential to know in order to fulfill the mitzvah of *pirsumei nisa* which is linked to the lighting of the candles. Rav Moshe Feinstein, *Igros Moshe, Orach Chaim* 4:105 (7), disagrees with the *Magen Avraham* and says that *pirsumei nisa* and the lighting of the candles are not linked and Rav Moshe zt"l says that on a desert island one is obligated to light the Chanukah candles even though there would be no *pirsumei nisa*.

Chanukah is known as the *chag of Torah sheba'al peh* (the oral tradition). The Gemara, *Gittin* 60b, says that the *Torah sheba'al peh* is the covenant between Hashem and the Jewish people. Chanukah is the time to rededicate ourselves to Hashem and strengthen our relationship to Hashem. May our own fulfillment of the mitzvah of lighting Chanukah candles bring us closer to Hashem and may we merit to light the Menorah in the Beis HaMikdash, speedily in our times.