Laws of Chanukah Chapter 4 (Megillah 6) (Auto Translated)

English

Auto Translated

Shiur Overview

Summary of the Lecture – Rambam Laws of Chanukah Chapter 4 (Conclusion of Sefer Zemanim)

Introduction / Structure of the Book

Chapter 4 is the last chapter of Laws of Chanukah and also the last chapter of Sefer Zemanim. In the previous chapters, the Rambam dealt with: (a) the essence of the Yom Tov of Chanukah and why it was established, (b) Hallel – which according to the Rambam is the first matter of Chanukah (Hallel and thanksgiving), and there he enumerated Hallel for all holidays. Only now in Chapter 4 do we come to the details of lighting the Chanukah candle – how many, when, where, how.

Chanukah and Purim have a parallel structure to other holidays: first there is the essence of the Yom Tov (forbidden in eulogies and fasting, like the joy of Yom Tov with festive meals on other holidays), and then there are special mitzvot that mark the specific miracle – the Chanukah candle or reading the Megillah, parallel to shofar, lulav, etc.

Halacha 1 – How Many Candles Does One Light on Chanukah

a) The Essential Mitzvah – One Candle for Each House

"Its mitzvah is that each and every house should light one candle, whether the members of the household are many or there is only one person in it."

Explanation: The minimum of the mitzvah is one candle for the entire house, regardless of how many people live there.

b) Mehadrin – A Candle for Each Person

"One who beautifies the mitzvah lights candles according to the number of people in the house, a candle for each and every person, both men and women."

Explanation: The first enhancement is to light a candle for each person in the house – men and women alike.

Novel Points:

1. **The Rambam understands "mehadrin" as more candles, not that each person lights individually.** The Rambam doesn't say that each person in the house lights their own candle, but rather that the head of household (or whoever lights) lights more candles – one for each person, as if on behalf of each one. This is a fundamental difference between the Rambam's interpretation and the interpretation we follow – by us, the enhancement is that each person should light individually.

2. **Question on the concept of "enhancement":** Enhancement of a mitzvah usually means that one has one essential mitzvah and beautifies it (like decorating a sukkah). But here the "enhancement" is that one lights more candles – what is the connection to enhancement? Here "enhancement" doesn't mean beautifying the one candle, but rather that each candle separately is a Chanukah candle; the enhancement is in the quantity itself. It's not that one candle is the essential mitzvah and the others are additions.

3. **Why is the measure according to the members of the household?** If the enhancement is simply "more candles = more beautiful," why does it depend on how many people are in the house? This is simply a measure – more people, more publicizing of the miracle, more candles.

c) Mehadrin Min HaMehadrin – Adding Each Night

"One who beautifies even more than this and performs the mitzvah in the most choice manner, lights a candle for each and every person on the first night, and adds progressively... If there were ten members of the household, on the first night he lights ten candles, on the second night twenty, on the third night thirty..."

Explanation: The highest enhancement (the most choice mitzvah) is to combine both enhancements: a candle for each person, plus adding each night. With ten people in the house: first night 10, second night 20, third night 30, etc.

Novel Points:

1. **The Rambam combines both levels – against Tosafot.** The famous Tosafot (Shabbat 21b) holds that one cannot combine mehadrin with mehadrin min hamehadrin, because if one lights according to household members *and* according to days, one won't know which night of Chanukah it is (one won't be able to calculate whether the number of candles comes from more people or more days). But the Rambam doesn't worry about this – he makes the calculation explicit (10, 20, 30) to show that he indeed means both together.

2. **Why doesn't the Rambam worry about Tosafot's question?** The Rambam apparently didn't take seriously the matter that one must be able to recognize which night it is from the number of candles – this is only hints, not the essence. The essence for the Rambam is that more candles = more Yom Tov, one goes up with the "excitement."

3. **"Adding progressively" – added to each person, not instead of.** The Rambam makes clear that one cannot skip the middle level (a candle for each person) and only do adding progressively for the entire family together. One must first have the candle for each person, and to that one adds the progressive addition.

d) The Simple Custom – Different from the Most Choice Mitzvah

"The simple custom in all our cities in Spain is that all members of the household light one candle on the first night, and add progressively a candle each night, until on the eighth night one lights eight candles."

Explanation: The practical custom in Spain was: one set of candles for the entire house (not for each person), adding progressively from 1 to 8. They skipped the middle level

(mehadrin – a candle for each person) and only took the progressive addition.

Novel Points:

1. **The custom doesn't match the Rambam's own ruling.** The Rambam calculates what is the most choice mitzvah (combination of both), but the custom is different – one doesn't do for each person, but rather one menorah for everyone, only adding progressively. With ten people in the house, the maximum is 8, not 80.

2. **The Rambam doesn't say what he himself did.** The Rambam very rarely says what he personally does (only in Laws of Tisha B'Av does he bring his personal custom). Here he only says what the people do. It's possible that he himself did the most choice mitzvah, but we don't know.

3. **The custom matches Tosafot's reasoning.** The simple custom in Spain – one menorah for everyone, adding progressively – matches the approach of Tosafot that one cannot combine both enhancements, because one won't know which night it is.

4. **Our custom (Ashkenaz) vs. the Rambam.** By us, we follow that each adult male lights his own menorah (mehadrin – each person lights), with progressive addition (mehadrin min hamehadrin). The Rema would have wanted one to do like the Rambam (a candle for each person), but with the stringency that each person lights in a different corner/place so that one can recognize which night it is. But the Rambam doesn't have the idea at all that each person should light individually.

5. **Why don't women light by us?** According to the Rambam it's "both men and women"; also according to our custom, women should light. There are other answers for why many women don't follow this, but this is a separate question.

e) A Candle with Two Openings / Covered with a Vessel / A Bonfire

"A candle that has two openings counts for two people... If he covered it with a vessel, each wick is considered as one candle... If he didn't cover it with a vessel, this is like a bonfire and it's not even considered as one candle."

Explanation: A lamp with two openings (openings for wicks) can serve for two people. If one has a bowl with oil surrounded by wicks, and one places a vessel on top (covered it with a vessel), each wick is considered as a separate candle. But without the vessel, it's like a bonfire, and it doesn't count even as one candle.

Novel Points:

1. **What "two people" means:** "Two people" doesn't mean two separate householders who live in different houses – because each one must light in his own house. This speaks of the mehadrin – when one lights according to the number of household members, one candle with two openings can count for two people in the same house. Or it can also be for the second night when one lights two candles.

2. **What is "covered it with a vessel":** The vessel isn't a lid that closes everything, but rather a vessel that has holes/openings – like makeshift separate openings for each wick. This makes each wick into a separate external candle. This isn't like our modern menorahs where each holder is already a separate vessel – here we're talking about one bowl with oil where the vessel creates the separateness.

3. **What's wrong with a bonfire:** A bonfire isn't a "torch" – a bonfire is a fire that one lights to warm oneself, not for honor or beauty. When wicks burn together without a vessel that separates them, it looks like a bonfire – a practical fire, not a candle for a mitzvah. Therefore it doesn't count even as one candle.

Halacha 2 – Time of Lighting

"One doesn't light Chanukah candles before sunset, but at sunset, not delaying and not advancing."

Explanation: One doesn't light Chanukah candles before sunset, but exactly at sunset – not earlier and not later.

Novel Points:

1. **A reasoning that wasn't accepted:** During the day one doesn't see any candles (not recognizable), and at night when people light regular candles in the house it's also not recognizable that this is for a mitzvah. Only at sunset, when it begins to get dark, is it recognizable that one is lighting for the sake of a mitzvah. But this isn't the main reason.

2. **The true reason – until foot traffic ceases from the marketplace:** The reason for sunset becomes clear from the continuation of the halacha. The Chanukah candles were outside (outdoors), and the goal is that people in the street should see them. After sunset, people are still moving about in the street – they're on their way home. But at night, no one is in the street anymore. Therefore one must light at sunset so that it will burn while people are still there. This is the reason for "not delaying" – later no one is there anymore. And "not advancing" – earlier it's still light and one doesn't see.

Forgot or Intentionally Didn't Light / Until Foot Traffic Ceases from the Marketplace

"If he forgot or intentionally didn't light at sunset, he lights continuously until foot traffic ceases from the marketplace, which is about half an hour or more. After this time has passed, he doesn't light."

Explanation: If one forgot or intentionally didn't light at sunset, one can still light until foot traffic ceases from the marketplace – approximately half an hour or more. After that, one can no longer light.

Novel Points:

1. **After this time has passed, he doesn't light:** The Rambam rules that after foot traffic ceases from the marketplace, one can no longer light at all. This is a strict position.

2. **Today's custom:** In Shulchan Aruch it already says more – today's custom permits lighting even later. By us, where we don't light outside for the street, the whole matter changes – because the entire reason for this time was due to publicizing the miracle for the people in the street.

Halacha 3 – Measure of Oil

"And one must put oil in the candle so that it will burn continuously until foot traffic ceases from the marketplace."

Explanation: One must put in enough oil so that the candles will burn the entire time from sunset until foot traffic ceases from the marketplace.

Novel Points: This is an ideal requirement – ideally the candles should burn the entire time from sunset until foot traffic ceases from the marketplace (the half hour). This is the measure of oil that one must put in.

Lit and It Went Out

"If he lit it and it went out, he is not required to light it again."

Explanation: If one lit it and it went out, one doesn't need to light it again.

Novel Points:

1. **After the fact – even one second:** Although ideally one would want it to burn the entire half hour, after the fact one fulfills the obligation even with one second of burning. The proof: one can light until foot traffic ceases from the marketplace – even one second before foot traffic ceases. If so, the candle burns only one second within that time, and yet one fulfills the obligation. Therefore, if it went out after one second, one has already fulfilled the obligation.

2. **One doesn't need to stand and watch:** The practical implication is that one doesn't need to stand by the candles the entire time and make sure it burns.

Remained Burning After Foot Traffic Ceased from the Marketplace

"If it remained burning after foot traffic ceased from the marketplace, if he wants to extinguish it or remove it, he may do so."

Explanation: After foot traffic ceases from the marketplace has already passed, if the candles are still burning, one may extinguish them or remove them.

Novel Points: The mitzvah is only during that time (from sunset until foot traffic ceases), and afterward there is no matter at all – no sanctity, no prohibition of benefit, nothing. One can freely extinguish.

Halacha 4 – Oils and Wicks

"All oils and all wicks are valid for the Chanukah candle, even though the oils don't draw well after the wick and the flame doesn't attach well to those wicks... And even on the Shabbat nights within the days of Chanukah, it's permitted to light with oils and wicks that are forbidden to light with for the Shabbat candle, because it's forbidden to use the light of Chanukah whether on Shabbat or on a weekday."

Explanation: All types of oil and wicks are valid for Chanukah candles, even those that one may not use for Shabbat candles. The reason: with Shabbat candles there is a concern of "lest he tilt" (one will come to fix the wick), because one uses the light. But with Chanukah candles, one may not use the light at all, therefore one won't come to fix the wick.

Novel Points:

1. **The distinction between Shabbat and Chanukah:** With Shabbat candles, the light is made for use – to illuminate the meal, to read by it. Therefore if the light doesn't burn well, one will come to make it better (lest he tilt), which is desecration of Shabbat. But with Chanukah candles, it's forbidden to use – one may not use the light at all for any practical purposes. Therefore there is no concern of lest he tilt, because one has nothing to do with the light. Therefore one may even on Shabbat Chanukah use oils and wicks that are forbidden for Shabbat candles.

2. **If one wants to eat by the meal:** If one wants to eat the meal, one must set up extra candles – one cannot rely on the Chanukah candles for illumination.

Prohibition of Benefit from Chanukah Candles

"Because it's forbidden to use the light of Chanukah whether on Shabbat or on a weekday... And even to check coins or count them by its light is forbidden."

Explanation: One may not use the light of Chanukah candles – not on Shabbat and not on a weekday. Even a small use like checking money or counting coins by the light is forbidden.

Novel Points:

1. **"Whether on Shabbat or on a weekday" – what is the novelty?** The novelty of "on a weekday" is that even when there is no Shabbat prohibition, the prohibition of benefit from Chanukah candles remains in essence. The novelty of "Shabbat" is that one doesn't need to worry about lest he tilt because the prohibition of benefit eliminates that concern.

2. **"To check coins or count them" – practical context:** Why does one speak specifically of counting money by Chanukah candles? Because one gives charity by Chanukah candles (Chanukah gelt), and one might think one may count the coins by the light – the Rambam comes and says that even this is forbidden.

Halacha 5 – Where One Places Chanukah Candles

"The Chanukah candle – the mitzvah is to place it at the entrance of the house from outside, within a tefach adjacent to the entrance, on the left of one entering the house, so that the mezuzah will be on the right and the Chanukah candle on the left. And if he lived in an upper story, he places it in the window adjacent to the public domain."

Explanation: The mitzvah is to place the Chanukah candle at the door from outside, within a tefach of the entrance, on the left side of one entering – so that the mezuzah will be on the right and the Chanukah candle on the left. One who lives on an upper floor places it by the window that is adjacent to the public domain.

Novel Points:

1. **"Mitzvah" – enhancement or essence?** The language "the mitzvah is to place it" means the essential manner of fulfilling the mitzvah, similar to the previous language of "mitzvah" that the Rambam uses.

2. **"Within a tefach adjacent to the entrance" – why close to the door?** So it will be connected to your house, not too far away.

3. **Mezuzah on the right and Chanukah candle on the left – the deeper meaning:** It's beautiful that the house should be surrounded with mitzvot from both sides. According to the Rambam, mezuzah is a "testimony" to the Almighty, and the Chanukah candle is also a testimony to the miracles – both are testimonies. There's also a practical reason: the right side already has a mitzvah (mezuzah), therefore one places the Chanukah candle on the left side.

4. **[Digression: Meiri – tzitzit, mezuzah, Chanukah candle:]** The Meiri (a student of Ramban) says that the head of household is "wrapped in tzitzit" when he lights the Chanukah candle. The idea is that all three – tzitzit, mezuzah, Chanukah candle – are things that remind one of the Almighty. The Ramban says that mezuzah and tzitzit are a "reminder" that reminds the person of the existence of God, like angels that guard the person. This isn't just "bundles of mitzvot" – the person is surrounded with things that remind him.

5. **"Window adjacent to the public domain" – what does "public domain" mean here?** "Public domain" here doesn't necessarily mean public domain from the laws of Shabbat. It means simply a place where people move about – as opposed to a back window that no one sees.

6. **Rashi vs. Tosafot:** Rashi says one places the Chanukah candle at the door of the house in the courtyard (not at the courtyard's door to the public domain). Tosafot says one places it at the courtyard next to the public domain. Rashi's position is more straightforward.

7. **"Adjacent" – most adjacent:** "Adjacent to the public domain" perhaps doesn't mean literally by the public domain, but rather the closest window one has – "most adjacent" – perhaps someone will see it.

8. **Practical implication today:** One lights in the front window, not in the back window. "Adjacent to the public domain" means as opposed to a back window. Chassidic Jews light at a door inside the home.

Higher Than Twenty Amot

"And a Chanukah candle that he placed higher than twenty amot – he has done nothing, because it's not recognizable."

Explanation: If one placed the Chanukah candle higher than twenty amot, he hasn't fulfilled the mitzvah, because one doesn't see it.

Novel Points:

1. **Upper story vs. higher than twenty amot:** The Rambam places the law of upper story (second floor – one places it by the window) right next to the law of higher than twenty amot. The explanation is that an upper story is generally less than twenty amot, therefore it's valid. Only higher than twenty amot is invalid.

2. **[Digression: Candle vs. menorah – an important novelty:]** All the laws in the Gemara and Rambam speak of a "candle" (a simple lamp with oil), not of a special Chanukah menorah. A menorah with eight branches is a later custom – the first who speaks of it is perhaps the Pri Chadash (a later authority). All the laws of "recognizable" and "adjacent to the entrance" speak when one lights a regular candle – one must make a special place so it will be recognizable that this is Chanukah. But when one lights a menorah, it's already recognizable in itself that this is Chanukah, therefore one can place it anywhere.

Practical implication: The large Chabad menorahs that are higher than twenty amot – the law of higher than twenty amot speaks of the candle (the flame), not of the menorah's structure. If the menorah stands on the floor and is a hundred amot high, but the flame is below twenty amot – it's valid.

3. **Question on the novelty:** With mehadrin min hamehadrin, when one lights according to the number of nights (two, three, four candles), it's already recognizable that this is Chanukah even without a menorah – because one sees a group of candles in one place. Answer: Perhaps all the laws of recognizable speak only to one who is not mehadrin (who lights only one candle every night).

Halacha 6 – In Times of Danger

"In times of danger, he places the Chanukah candle inside his house from within, and even if he placed it on his table, it's sufficient."

Explanation: In times of danger (when gentile governments make decrees against Jews), one may place the Chanukah candle inside the house, even on the table, and one fulfills the obligation.

Novel Points:

1. **"Sufficient" – only in danger:** The language "sufficient" stands specifically in times of danger. The Rambam doesn't say that in every pressing situation one can place it on the table. This means that one who doesn't have a window but it's not danger – it's not clear that he can simply place it on the table.

2. **Essentially exempt, but one can fulfill:** In danger one is essentially exempt from Chanukah candles – it's only a rabbinic mitzvah. But the Rambam says there is a way to fulfill the mitzvah even inside on the table. This is a legitimate fulfillment of the mitzvah, just on a lower level.

3. **Time vs. place – what is indispensable?** The time of lighting is indispensable (because there must be people in the street for publicizing the miracle), but the place (outside vs. inside) is not indispensable after the fact.

4. **Publicizing the miracle is a condition, not the essence of the mitzvah:** From the fact that one can light inside (in times of danger), we see that publicizing the miracle is not the entire essence of the mitzvah, but rather a condition in the mitzvah. The mitzvah itself is lighting the Chanukah candle, and publicizing the miracle is a condition that one must fulfill when possible. Publicizing doesn't necessarily mean that the street should see – also inside is a kind of publicizing (publicizing in the house, for the household members). But in normal times, Chanukah candles are outside, not inside the home.

5. **"Danger" – what does the concept mean?** In **Megillat Taanit** the language is "and he fears the scoffers" – one is afraid of scoffers (litzanim), not necessarily of actual mortal danger. This shows that "danger" in this context doesn't mean only life-threatening danger, but also situations where it's difficult or uncomfortable to light outside. With this one can justify all the Jews who light inside even when it's not truly danger. Danger doesn't mean life-threatening – because if it were life-threatening, one wouldn't seek any solution at all (one would simply be exempt). "Scoffers" can mean a broader category of situations where it's simply difficult to light outside.

Halacha 7 – Another Candle to Use for Its Light

"And there must be another candle in the house to use for its light. And if there was a bonfire there, he

doesn't need another candle. And if he is an important person whose way is not to use a bonfire, he needs another candle."

Explanation: When one lights inside, one must have another candle in the house so that one won't come to use the Chanukah candle. If there is a bonfire (fire in the house), one doesn't need an extra candle, because one can use the bonfire. But an important person – whose manner is not to use a bonfire for light (he always has a separate candle, it shows breadth) – does need another candle, because he will come to use the Chanukah candle.

Novel Points:

1. **Why is this relevant specifically when inside:** Earlier when we spoke of lighting outside, the law of another candle isn't so relevant – he's not there by the Chanukah candle. Now that one lights inside, he sits at home by the Chanukah candle, and there's a real concern that he will use it.

2. **Two possible reasons for another candle:** (a) So he won't transgress the prohibition of benefit – he needs a practical light source. (b) So it will be recognizable (noticeable) that the Chanukah candle is a special candle for a mitzvah, not just a regular light. The Rambam's language doesn't clearly state the word "recognizable," but it's possible that this is also a factor.

3. **Important person – why does he need another candle:** With an important person, although there is technically a bonfire, he doesn't use the bonfire for light (it's not his manner). Therefore he will come to use the Chanukah candle. Or, alternatively: with an important person who always has a separate candle besides the bonfire, the Chanukah candle is not recognizable as a special mitzvah-candle if he doesn't have his regular candle also.

"On His Table" – Where Exactly Does One Light Inside?

Novel Points:

1. **The Rambam's position – "on his table" means by the table:** According to the Rambam, when one lights inside (in times of danger), one lights by the table – the same place where one always lights candles at night (like Shabbat candles). The Rambam didn't conceive at all the idea that one should light at a door from inside.

2. **The Tur and Rema's custom – lighting at the door from inside:** The Rema says one should light at a door from inside. In the Rema's time there wasn't truly danger, but it was difficult to light outside (cold, uncomfortable, etc.). Therefore one lit inside at the door – when one opens the door one can see a bit, it's not truly outside but it's "there is some recognition." This is the custom that stands in the poskim.

3. **"From within" and "on his table" – two levels:** The Rambam's language "places the Chanukah candle inside his house from within" means the first level – instead of outside, one lights inside (perhaps at the door, where one can control). "And even if he placed it on his table" is another level of leniency – when it's even more difficult, one lights truly by the table. This is how the Tur understood the custom.

4. **Sharp criticism of lighting at a kitchen door:** The custom where people light at their kitchen door or at an innermost door is sharply criticized:

- This is "Purim in the weeks" (a joke/foolishness).

- There is no halachic matter at all to light at a regular door inside.

- The custom has devolved from an error: people saw that one lights at a door (which originally means at the door of the house to the public domain), and falsely applied this to every door.

5. **[Digression: Kabbalah and lighting at a door:]** In Kabbalah there are great secrets and hints about "the entrance of the house" (the door of the house). The kabbalists interpreted the Gemara, and their hints refer to the original halacha – lighting at the door of the house to the public domain, where there is a matter of mezuzah on one side and Chanukah candle on the other side. But people who are ignoramuses took the kabbalistic hints and applied them to a regular door inside – this is an error both in halacha and in kabbalah. "The hint is on that door where one lights according to halacha" – not on a kitchen door. "I want to defend the Torah" – to protect the truth of Torah, not to defend customs that come from ignorance.

6. **Defending lighting at an inside door:** Perhaps the matter is that it's recognizable that this is a special candle – it doesn't lie simply on the counter, but rather at an unusual place where one doesn't usually light, and this reminds that it's an extra kind of candle. But this is not accepted.

Halacha 8 – A Deaf-Mute, Imbecile, Minor / A Gentile Lit

"A Chanukah candle that was lit by a deaf-mute, imbecile, minor, or gentile – he has done nothing, until one who is obligated in the lighting lights it."

Explanation: If a deaf-mute, imbecile, minor, or gentile lit the Chanukah candle, one has not fulfilled the obligation. One must have someone who is obligated in the mitzvah light it.

Novel Points:

1. **Publicizing the miracle alone is not enough:** If the entire mitzvah were only publicizing the miracle, it should work even when a gentile or minor lights – because in practice everyone sees by the door a burning menorah, and the publicizing is there. The novelty is that there is a law of **the act of the mitzvah** – the lighting itself is a mitzvah, and therefore it must be one obligated who does it.

2. **Connection to "lighting performs the mitzvah":** Because the act of lighting itself is the mitzvah (not only the result that it burns), the one who lights must be someone who is obligated. This is parallel to every mitzvah that requires one who is obligated.

3. **All the laws stem from one principle:** The Rambam combined several laws that all come out from the same foundation – **lighting performs the mitzvah**.

Halacha 8 (Continued) – Lit Inside and Took It Out

"If he lit it inside and took it out – he has done nothing, until he lights it in its place."

Explanation: If one lit the Chanukah candle inside the house and then carried it out to the entrance – one has not fulfilled the obligation. One must light in the place where it should stand.

Novel Points:

1. **Place is indeed indispensable:** Here we see **another proof** that place is indeed indispensable – in a time when it's **not** danger, one cannot say "I lit inside" – it doesn't work. This is another proof for the novelty that in times of freedom one must light at the entrance of one's house, and inside is not good.

2. **Why place is indispensable – because lighting performs the mitzvah:** Because the mitzvah is performed **at the time of** lighting, the candle must already be in the correct place at the time of the act. One cannot light somewhere else and then carry it over.

Halacha 8 (Continued) – Held the Chanukah Candle in His Hand and Stood

"If he held the Chanukah candle in his hand and stood – he has done nothing, because one who sees him says he is standing for his own need."

Explanation: If a person stands and holds the Chanukah candle in his hands (instead of putting it down), he has not fulfilled the obligation, because whoever sees him will think that he is holding the light for his own purposes (he's going somewhere), not for the sake of a mitzvah.

Novel Points:

1. **The person doesn't become an object of the mitzvah:** Even if a person wants to himself become the "object of the mitzvah" and stand like a menorah, it doesn't work, because the recognition of the mitzvah is lacking.

2. **Practical implication:** There can be a practical implication if someone is in a place where he has nowhere to put down the menorah.

3. **Modern times:** Perhaps today, when no one walks around with a candle (there are flashlights), it would perhaps be different – if someone stands with a burning menorah, it's perhaps indeed recognizable that it's for the sake of a mitzvah. But the Rambam rules the law as it is.

Halacha 8 (Continued

Halacha 8 (Continued) – A Lamp That Was Burning All Day / Saturday Night Chanukah

"A lamp that was burning the entire day – on Saturday night he extinguishes it, blesses, and lights it. For the lighting is the mitzvah, not the placement."

Explanation: A lamp (with glass) that burned the entire Shabbat – on Saturday night one must extinguish it, make a blessing, and relight it. Because **lighting is the mitzvah** – the act of lighting is the mitzvah, not just that it stands and burns (placement).

Novel Points:

1. **All three laws – one foundation:** All three laws (deaf-mute/imbecile/minor, lit inside and took it out, lamp) come out from the same principle: **lighting performs the mitzvah**.

2. **[Digression: Connection to sukkah – you shall make and not from what is made:]** With sukkah there is a law of **you shall make and not from what is made** – one must actively make the sukkah, not that it should already be finished. This is similar to the principle of lighting performs the mitzvah – both require an act. This is a reason why one studies Laws of Chanukah on the eve of Sukkot – because there is a connection between the two foundations. **Mitzvot require doing, not that it should be done.**

Halacha 9 – It Is Permitted to Light One Chanukah Candle from Another

"And it is permitted to light one Chanukah candle from another Chanukah candle."

Explanation: One may light one Chanukah candle from another Chanukah candle. Although one may not use Chanukah candles for one's own needs, lighting another Chanukah candle is permitted, because this is itself a matter of the mitzvah of Chanukah candles.

Novel Points:

1. **Why this is permitted – "using" vs. mitzvah:** "Using" means for your own needs, but lighting another Chanukah candle is **from the matter of the mitzvah** – it's not any use for oneself.

2. **Connection to lighting performs the mitzvah:** If not for lighting performs the mitzvah, the lighting would only be a **technical** thing (a way for it to burn), and then lighting from a Chanukah candle would perhaps be a use. But because lighting performs the mitzvah – the moment of lighting is itself the mitzvah – lighting from a Chanukah candle is a **mitzvah act**, not a use.

3. **Question: Learning by the light of Chanukah candles:** If lighting another Chanukah candle is permitted because it's a mitzvah, what about other mitzvot? May one **learn** by the light of Chanukah candles (because learning is also a mitzvah)? Learning, although it's a beautiful thing, has **no connection** to lighting Chanukah candles – it's not from the matter of the mitzvah. But singing or saying prayers of Chanukah would perhaps indeed be from the matter.

4. **Rema's position – lighting a candle to learn:** The **Rema** says that one may even light a **regular candle** (to learn by it) from a Chanukah candle, because learning is also a mitzvah. This is an interesting leniency.

5. **Rema about second candles from first:** The **Rema** says that one should **not** light the second candles from the first candles. The reason: it goes back to the reasoning of **mehadrin** – the second candle is only an enhancement, and the first is truly the mitzvah, therefore the enhancement-candle is weaker and one shouldn't use the essential mitzvah for it.

6. **Raavad – even by means of a wood chip:** The **Raavad** says that "lights a candle from a candle" means even **by means of a wood chip** – one doesn't need to directly light one candle from the other, but rather one can take a stick, light it from the Chanukah candle, and with it light the second. The Raavad was concerned about this because when lighting the wood chip one doesn't do a mitzvah – it's only a **preparation** for the next mitzvah.

7. **Maggid Mishneh's understanding:** The **Maggid Mishneh** says that even by means of a wood chip is permitted, because lighting the wood chip is not itself a mitzvah act – it's only a preparation, and a preparation is not forbidden.

8. **Implication against the Rema:** From the fact that the Rambam connects the permission of lighting candle from

candle with lighting performs the mitzvah, it is **implied not like the Rema** (who permits lighting a regular candle to learn). Because even if lighting performs the mitzvah, one does a mitzvah act when one lights a Shabbat candle or a candle for a sick person – but this is not **from the matter** of Chanukah candles.

Halacha 10 – A Courtyard That Has Two Entrances on Two Sides

"A courtyard that has two entrances on two sides – requires two candles, so that those passing on this side won't say they didn't place a Chanukah candle."

Explanation: A courtyard (yard) that has two doors on two different sides requires two Chanukah candles – one at each door. The reason: so that people who pass by on one side won't say "here they didn't light a Chanukah candle."

Novel Points:

1. **"Two sides" – not every courtyard:** The Rambam says "two entrances **on two sides**" – not every courtyard with two doors, but when they are on **two different sides**, so that someone who passes by on one side cannot see the candle on the other side.

2. **Novelty – publicizing the miracle also has a "negative" / prohibition side:** Until now we've seen that publicizing the miracle is a **positive** matter – one must publicize the miracle. But here we see that there is also a **negative** side – it's a **disgrace** / problem when one doesn't see a Chanukah candle. This means that publicizing the miracle also contains a **prohibition** of nullifying the publicizing of the miracle. The mitzvah is much stronger than one thought.

3. **Connection to suspicion / appearance of evil:** This is comparable to the matter of **passing before the study hall at the time of prayer** – when all Jews are doing something, it's a big thing, and one must know. So too with Chanukah: when every Jewish house has a Chanukah candle, and at one door one doesn't see, it brings suspicion.

4. **The one who suspects vs. the one suspected:** The person who suspects also needs to work on his character traits – he should have thought that perhaps there is a candle on the other side. But **from the side of the one suspected** one must see to it that there won't be any suspicion – this is the halacha's requirement.

5. **Practical implication: Multiple houses:** A person who has **multiple houses** (in the mountains, Florida, Israel) – he doesn't need to light Chanukah candles in every house, because people know that the house is empty. The Rambam speaks of a **courtyard** where one sees that there is bustling (one sees that people live there), but at the door one doesn't see a Chanukah candle – **then** there is suspicion.

6. **Time-factor in suspicion:** The suspicion is also dependent on there being a **specific time** (half hour, three quarters of an hour) when everyone lights. If at that time it's not burning, it's obvious that he didn't light.

7. **The matter of candles at every Jewish door:** There is a matter that **every Jewish door** should have a candle – this is more than just suspicion, it's a positive matter of publicizing the miracle.

8. **Connection to "scoffers" and slight danger:** Because one was easily accepting of danger (to light inside), a person will easily think that the other is not meticulous about the mitzvah of lighting at the entrance of his house. Therefore the suspicion is more real.

Halacha 11 – One Who Is Not in His House / A Guest

"One who was not in his house – they light for him in his house. He doesn't need to light for himself in the place where he is staying as a guest. If he has no house – he partners with them in oil. And if he had a house by itself – even though they light for him in his house, he must light in the place where he is staying as a guest because of those passing by."

Explanation: A person who is not at home – his household members light for him at home, and he doesn't need to light where he is staying. If he has no house (no one lights for him) – he partners in oil with the host where he is staying. But if he has a separate house where he is staying (not in the host's house, but a separate apartment) – he must also light there, even though they already light for him at home, because of those passing by (suspicion).

Novel Points:

1. **"They light for him" – what does it mean?** "They light for him in his house" doesn't mean the enhancement of lighting a separate candle for each household member. It means the essential law: when one lights candles in the house, everyone must as it were fulfill the obligation – it must belong to the entire household. In a normal house, where one takes oil from the house and lights, every household member is automatically a part of the lighting.

2. **A guest doesn't belong to the household:** The guest cannot fulfill the obligation with the host's lighting, because he doesn't belong to the house. Therefore there is a solution – "he partners with them in oil" – he gives a coin, buys a bit of oil, and through this he becomes a part of the lighting.

3. **Enhancement for a guest:** Even if the host lights one for each household member (according to the enhancement), the guest is not from the household members – it's not his candle. He is "partnering in oil" – not extra lighting, but rather he becomes a partner in the lighting. According to the Rambam, even the mehadrin – the host lights for each person, and the guest gives a coin for oil, and with this he becomes a part of the lighting.

4. **"A house by itself" – the matter of suspicion:** If the guest has rented a separate house in the place where he is now, he must also light there "because of those passing by" – people will see that here is a Jew who doesn't light any Chanukah candles, and they don't know that they light for him in his house. This is further the matter of suspicion – two houses, he already lit at home, but here he also lives, people will say "he didn't light Chanukah candles."

5. **[Digression: Suspicion – why are people so suspicious?]** In Laws of Character Traits it says that one shouldn't suspect people. Perhaps in a certain time Jews were lax in the mitzvah, and therefore they made the decree because of suspicion. But because of suspicion appears in several places in halacha (like with Shabbat – hanging a towel because of suspicion or appearance of evil), it's not specific to Chanukah.

Halacha 12 – The Mitzvah of Chanukah Candles Is Very Beloved / Order of Priorities

a) Belovedness of the Mitzvah

"The mitzvah of Chanukah candles is a very beloved mitzvah, and a person must be careful with it in order to make known the miracle and to add praise of God and thanksgiving to Him for the miracles He performed. Even if he has nothing to eat except from charity – he should borrow or sell his garment and buy oil and candles and light."

Explanation: Chanukah candles are a very important mitzvah. One must be careful with it, to publicize the miracle and to add praise to the Almighty. Even a person who lives from charity – he should borrow or sell something and buy oil and candles.

Novel Points:

1. **"A person must be careful with it" – what does it mean?** Several explanations: (a) It stems from the Gemara "one who is regular with candles" / "one who is careful with candles." (b) Perhaps it means one should do the mitzvah in the most choice manner – the enhancement that the Rambam began with. (c) Perhaps it simply means one shouldn't forget and shouldn't be lax in it.

2. **"To make known the miracle and to add praise of God":** "To make known the miracle" – other people have already made known the miracle, but "to add praise of God" – every person who lights extra, or every enhancement one does, adds praise of God. It's similar to "whoever elaborates in telling is praiseworthy" – always when one praises the Almighty, increasing is a virtue.

3. **"Borrows or sells his garment" – how far does this go?** "Sells his garment" doesn't mean he sells his last shirt – he has something to give away, even a poor person has something. "Borrows" – does it mean borrowing (a loan), or asking for a favor / a donation?

4. **[Digression: Charity fund and Chanukah candles:]** With the four cups it says that the charity fund must provide. With Chanukah candles it doesn't say that the charity fund must provide – the obligation is on the person himself. A solution: sell your garment for Chanukah candles, and the charity fund, which must provide basics (clothing, food), will buy you a new garment. Thus it comes out that the person gets both – Chanukah candles and clothing. In laws of charity fund, one should ideally give all Jews comfort – Chanukah candles, clothing, kiddush, everything.

b) Chanukah Candles vs. Kiddush of the Day

"If he has only one coin and before him is kiddush of Shabbat and lighting Chanukah candles – he gives precedence to oil to light Chanukah candles over wine for kiddush of the day, since both are rabbinic, it's better to give precedence to Chanukah candles because it has remembrance of the miracle."

Explanation: If a person has only one coin and he faces a choice between kiddush of Shabbat (wine) and Chanukah candles – Chanukah candles take precedence, because both are rabbinic, and Chanukah candles have remembrance of the miracle.

Novel Points:

1. **Why both are "rabbinic":** Kiddush itself is biblical, but kiddush **over wine** is rabbinic – one can make kiddush over bread. The enhancement of making it over wine specifically is only rabbinic. Therefore, when one compares Chanukah candles (rabbinic) with kiddush over wine (the enhancement is rabbinic), Chanukah candles take precedence because "it has remembrance of the miracle."

2. **Kiddush over bread – a point:** The Rambam himself said that if bread is "beloved to him" one makes kiddush over bread. When a person doesn't have wine, certainly bread is beloved to him – "what one has is more beloved than what one doesn't have." Therefore he can make kiddush over bread, and the coin goes for Chanukah candles.

3. **Kiddush also has remembrance – but not through wine:** Kiddush is also publicizing the work of creation / remembrance of the exodus from Egypt? That remembrance can be done over bread – it's not specifically the wine that publicizes. When one makes kiddush over bread, one doesn't see so clearly that there is an extra act of kiddush – he just says a blessing. But Chanukah candles – the publicizing of the miracle is only through the lighting, there is no alternative.

c) Household Candle vs. Chanukah Candle / Kiddush

"If before him was his household candle and Chanukah candle, or his household candle and kiddush of the day – his household candle comes first because of peace of his household, for the Name is erased to make peace between a man and his wife."

Explanation: If one must choose between illuminating the house (household candle) and Chanukah candles, or between household candle and kiddush – household candle takes precedence, because peace of the home is so important that even God's Name is erased for peace between a man and his wife (with sotah).

Novel Points:

1. **"Peace of his household" – practically:** In a house where it's dark, his wife will scream at him – "You wise one, you gave away the candles for our house because you need a Chanukah candle? Choke on your Chanukah candle!" The Torah comes and says: sell the Chanukah candles and buy candles for the house.

2. **Question – why not "place it on his table"?** The person can do a simple thing – he can say that this is a time of danger (he has no money), and "place it on his table" – he places the Chanukah candle on the table, and this also illuminates the house! Thus he has both – Chanukah candles and peace of the home! Answer: "Time of danger" is a "real thing" – one cannot declare every difficult situation as a time of danger. This is a specific historical situation, not a personal financial need. Moreover: even if one places it on the table, it's **forbidden to use its light** – one may not use the light of Chanukah candles for practical purposes. Therefore it doesn't help for peace of the home.

3. **Order of priorities according to the Rambam:** From the entire halacha comes out a clear order: (1) Household candle (peace of the home) – most important; (2) Chanukah candle (remembrance of the miracle) – more important than kiddush over wine; (3) Kiddush over wine – one can after the fact make it over bread. The entire introduction of "very beloved" is demonstrated through this – one sees that Chanukah candles are more beloved than kiddush. But so one

won't think it's the most important thing, the Rambam immediately brings that household candle (peace of the home) is even more important.

4. **The novelty of "the Name is erased" – Chanukah is sanctification of God's Name:** Chanukah is sanctification of God's Name – and the Almighty forgoes His honor (that is, one sets aside Chanukah candles) in order to make peace between a man and his wife. **This is the secret of the halacha.**

5. **Household candle – not only Shabbat, also the whole week:** In the Gemara (Rashi) it says that "household candle" means Shabbat candle, but the Rambam doesn't write that he speaks specifically of Shabbat. "Household candle" can mean the whole week as well. From this one can learn for other questions: if someone must choose between providing something in the house or buying a beautiful etrog – he must know that the Name is erased to make peace between a man and his wife.

6. **Why not nullify only the prohibition to use its light?** Instead of nullifying the entire mitzvah of Chanukah candles, why not only nullify the small section of the prohibition to use its light – one should light Chanukah candles and *also* use the light for peace of the home? Answer: **It may be that the essence of the mitzvah of Chanukah candles is that it's an extra candle – a candle that one doesn't use for any practical purposes. Once it's a candle that you use for peace of the home, it's not a Chanukah candle at all.** It's not just a flaw in the prohibition to use its light – it's that the entire name "special candle for Chanukah" falls away.

d) Conclusion – Great Is Peace

"Great is peace, for the entire Torah was given to make peace in the world, as it says: 'Its ways are ways of pleasantness and all its paths are peace.'"

Explanation: The Rambam concludes: household candle comes first because great is peace – the entire Torah was given to make peace in the world.

Novel Points:

1. **"Peace in the world" – virtue of character traits (Rambam's Eight Chapters):** "Peace in the world" doesn't mean simply that one shouldn't fight. As the Rambam says in Eight Chapters: peace means **virtue of character traits** – all matters of settling the world, that people should have good character traits, should get along with one another. This is the purpose of Torah in this world ("in the world"). Certainly Torah has another purpose – truth, intellectual virtue – but this is already a higher level (the world to come).

2. **In this specific act (household candle comes first) the peace is an even greater peace:** It's also a level in character traits – **that my wife should be comfortable is no less important than my mitzvah.** This is the peace that the Rambam speaks of.

3. **The Rambam's manner of concluding with beautiful words:** The Rambam very much likes to conclude a halacha, especially an entire book, with beautiful words, with aggadic statements. But here he also has halachic content – it's not only a beautiful conclusion, but also practical laws of order of priorities.

4. **[Digression: Parallel to Laws of Prayer – blessing against heretics:]** The Rambam also says regarding the blessing against heretics (in Laws of Prayer) that this is "greater than all the needs of people." The last blessing of the Eighteen Benedictions is Sim Shalom (Grant Peace) – which fits with the theme.

Conclusion of Sefer Zemanim

This is the conclusion of Sefer Zemanim – the third book of the Rambam (after Knowledge, Love, Times). It's already a **chazakah** (three books). The next book will be **Women** – and this connects nicely: Sefer Zemanim ends with peace of the home, between a man and his wife, and Sefer Nashim continues with that theme.

Full Transcript

Rambam Laws of Chanukah Chapter 4 – How Many Candles Does One Light on Chanukah

Introduction – Structure of the Book and Structure of the Mitzvot of Chanukah

R' Yitzchak: A good one, we're learning today, it's erev Sukkot, I don't know when this shiur will arrive, but we're learning today Laws of Chanukah Chapter 4.

R' Yoel Asher: The last chapter of Laws of Chanukah, and also the last chapter of Sefer Zmanim. In the previous chapter, the Rambam told us the essential mitzvah of Chanukah, that there is such a day called Chanukah and why, and afterwards he spoke about Hallel of Chanukah. That means that by the Rambam, Hallel v'hoda'ah is the first thing of Chanukah, and afterwards comes the mitzvah of lighting the Chanukah candle.

R' Yitzchak: Not just Chanukah, but the Hallel of all the Yamim Tovim. Right.

R' Yoel Asher: Once he's already discussed Hallel, he's already discussed the Hallel of the Yamim Tovim.

R' Yitzchak: Now we're going to learn the details of lighting the Chanukah candle, what is the mitzvah, how does one do it, how much, when, where.

R' Yoel Asher: What happens, etc. I said that Chanukah and Purim have the essential mitzvah, just as every Yom Tov has simchat Yom Tov with festive meals, and afterwards there are, every Pesach, Sukkot have special mitzvot, blowing shofar, shaking lulav. Also Chanukah and Purim have, they are forbidden in eulogizing and fasting, it's a joyous day, and afterwards there are special mitzvot which are to commemorate the particular miracle, either the Chanukah candle or the reading of the Megillah.

R' Yitzchak: Yes, okay.

R' Yoel Asher: Niton lomar? Okay.

R' Yitzchak: Okay. Yes, one can say. I just saw that he says that he has some kind of problem, I just don't know what it is. I just don't know what it means.

R' Yoel Asher: We'll stop the recording.

R' Yitzchak: I think we can go. Okay. So... yes? Yes. Let's learn about the details of the law. Yes. Says the Rambam.

Law 1 – How Many Candles Does One Light on Chanukah

The Essential Mitzvah – One Candle for Each House

R' Yoel Asher: The Rambam says this. **How many candles does one light on Chanukah.** He already said earlier that there is a mitzvah of the Chanukah candle, he didn't say which blessing one makes. He didn't speak about the Chanukah candle. Now he says the details of it. **How many candles does one light on Chanukah.** The Rambam says, **its mitzvah,** the essential mitzvah, **is that each and every house should light one candle.** The minimum, the minimum mitzvah is one candle, one Chanukah candle. **Whether the members of the household are many or there is only one person.** There should be one light is the basic.

Mehadrin – A Candle for Each Person

And one who beautifies the mitzvah, one who wants to make the mitzvah more beautiful, **lights candles according to the number of people in the house, a candle for each and every one, both men and women.** He lights candles according to how many people there are in the house. He lights for each person a candle. It means as if each person lights a candle. He lights on behalf of each person a candle.

Discussion: Why is the Hiddur According to the Members of the Household?

R' Yitzchak: It appears, as is well known there is much about understanding the mehadrin of Chanukah. It appears that the Rambam understood that the hiddur is simply that one lights more candles. Not that, one could have understood that ner l'chol echad is not that one is ultimately fulfilling through the head of household, and one learned that it's perhaps for the one who sees, how it comes out. Not that the Rambam doesn't learn, the Rambam doesn't say that each one lights, right? He says in total that one lights more candles.

R' Yoel Asher: I could ask this way: hiddur mitzvah usually means that there is one essential mitzvah, and one makes it more beautiful with beautifications. One makes a sukkah, and one puts on it noy sukkah, that's a hiddur of the mitzvah. So I could have said that the one candle, that remains the essential mitzvah, all other candles beautify the one candle. But I wouldn't say that, I would say that the hiddur mitzvah is that instead of one candle one lights multiple candles, and each one of them is the Chanukah candle. It's not like one candle is the essential mitzvah and all others are additions.

R' Yitzchak: I don't know what difference exactly it makes to say that.

R' Yoel Asher: It doesn't make a difference, but a mehadrin et hamitzvah, one who wants to perform the mitzvah beautifully, why does it have to do with the amount of people in the room? It's not that you're lighting it for that person.

R' Yitzchak: That's just a measure.

R' Yoel Asher: There are more people, there should be more pirsumei nisa?

R' Yitzchak: There are more people, it's good to have more of that. Yes. The Rambam says further.

Mehadrin Min HaMehadrin – Adding Each Night

R' Yoel Asher: And one who beautifies more than this and performs the mitzvah in the most choice manner, one who wants to beautify more than this, he wants to perform the mitzvah in the best way, not only lights a candle for each person, but actually starts that way, but adds to it that one adds each night another candle. **lights a candle for each person on the first night,** on the first night does plainly the first type of hiddur, but the other nights one adds the greater hiddur that one adds another candle. Also for each night.

R' Yitzchak: Not that he adds a greater hiddur, but afterwards.

R' Yoel Asher: That's the hiddur, that one does it according to the number of days, that one goes up with the amount of candles that one lights.

R' Yitzchak: That means, the Rambam says afterwards, besides that, what does that mean, it can't be less than the plain mehadrin, besides that which he lights as many as the people, he lights additionally, he adds each day one candle.

R' Yoel Asher: According to the Rambam one cannot skip the middle and go for example to make each night adding, but make only one for the entire family.

R' Yitzchak: Right.

R' Yoel Asher: And the Rambam makes it very clear. **If there were ten members of the household,** there are ten people in the house, one lights the first night ten candles, **and the second night twenty,** when one adds for each person another one, **and on the third night thirty.** Interesting that the Rambam, when he makes a simple calculation, he says it exactly.

Discussion: The Rambam Against Tosafot

R' Yitzchak: No, because if he can calculate that, as Tosafot argued, that one cannot do the mehadrin min hamehadrin plus the mehadrin, because then one won't know as it were which night it is, one can know that there are more people or fewer people. The Rambam makes it very clear that it means exactly that, one lights ten and then twenty. And also that one can say it just like that, one can say differently. You can say that mosif v'echad means one makes eleven the second night.

R' Yoel Asher: So Tosafot means that the hiddur of adding is that one should know which night of Chanukah it is, the hiddur won't match with the other hiddur of l'chol echad v'echad. The Rambam doesn't worry about that. He says that the essential is the kol echad v'echad, that essentially one adds to that adding each night.

R' Yitzchak: Because it appears that the Rambam didn't take seriously the thing that one doesn't say which night it is, as there are perhaps hints. But the essential, the Rambam apparently understood that the essential is that one lights more candles, more candles as more Yom Tov.

R' Yoel Asher: Goes up with the excitement as it were.

The Common Custom in Spain – Different from the Most Choice Mitzvah

That's what the Rambam said what the mitzvah of the most choice is. But what does one do in practice? What is the custom? The Rambam says this, **the common custom in all our cities in Spain.** The custom that spread in Spain in the places where the Rambam knew, is this: **that all the members of the house light one candle on the first night, and add and continue a candle each and every night, until one finds oneself lighting on the eighth night eight candles.**

R' Yitzchak: That means, the custom is not like the Rambam. The Rambam held that what it says in the Gemara what one must do is that one must take both.

R' Yoel Asher: Ner l'chol echad v'echad, and to add each day one.

R' Yitzchak: He says, but the custom is not so. The custom is yes like as it were what I argued in the name of Tosafot, that one doesn't need to, or I don't know if the custom had that reasoning, but the custom was not to make against all the members of the household and on that double each day. The custom is to make one menorah, all the members of the household together light only one, not any menorah, one candle, and are mosif v'holech, and it's only eight, and it's not eighty if there are ten people.

R' Yoel Asher: So one leaves out the beautifications of the mitzvah, one goes from its mitzvah to...

R' Yitzchak: No difference, one always does this. So that's the custom. The custom is not as the Rambam understood, but the custom is a bit different.

Discussion: Our Custom Against the Rambam

But what yes? There are two main differences between what the Rambam understands and what we understand. We understand that the hiddur is that... That means, I've almost never seen a person who lights two menorot because there are two people in his house. Although we do conduct ourselves to make...

R' Yoel Asher: Adult men, if there are adults in the home, adult men, okay. But according to the Rambam it's not relevant, because according to the people it's both men and women.

R' Yitzchak: That's another question. I already spoke about this, why don't the women conduct themselves by us or the mothers? I don't know, why don't they conduct themselves? It's also the menorah. Because according to how we understand they should yes. There are other answers why there are those who don't conduct themselves this way. In my house one conducts oneself yes, I don't know. But the one who doesn't conduct himself this way, there are other answers why.

And when theoretically, what we understand is that the ner l'chol echad. The mitzvah that each should light. Then becomes a question, the Rambam speaks that there's a problem. Tosafot says that there's a problem, you can't do it, one won't know which night it is. We found a solution, one lights an extra menorah, an extra place, one makes some kind of heker that each person lights his mosif oleh, his mehadrin ben mehadrin. One found, one solved the problem.

But the Rambam is either, there's no such thing that each person should light, the head of household must light for each person, if one wants to do the first hiddur, and either, the Rambam says that the custom is, that one doesn't do the middle level at all, simply he does only one.

R' Yoel Asher: What the Rambam himself did, he says, that he couldn't have been that he did the mitzvah min hamuvchar. He says that the custom in Spain, that he learned that that's how...

R' Yitzchak: The mitzvah min hamuvchar, maybe he did so. He just says that the people don't conduct themselves this way. Okay, we know, I don't know. He doesn't say, it's very rare that he says what he conducts himself. But in Laws of Tishah B'Av he says what he conducts himself. He doesn't say what he does, he says what the custom is. Okay. Until here is the question of how many candles one must light, or how many candles one lights. Yes?

R' Yoel Asher: It appears the Rema would have wanted that one should do like the Rambam.

R' Yitzchak: And in place of adding the stringency that one should...

R' Yoel Asher: Each person should light in a different corner.

R' Yitzchak: That one should see how many the night is. But the Rambam doesn't say that each person should light. Okay, the Rambam says one should light according to the members of the household. I don't know if the Rambam is specifically precise. It's a whole other thing, he doesn't speak about... Certainly, whoever lights, no difference who lights, the mother can light. But what I'm saying is a completely different understanding in the hiddur. The Rambam doesn't have at all the idea...

R' Yoel Asher: That each person should light. Okay.

A Candle That Has Two Wicks

Okay, the Rambam says further. Okay, the Rambam says this: The count of candles is to add each night another candle. It appears that there's some concept that one should know how much one lights. So, it's like this: **A candle that has two wicks.** A little lamp, an old-fashioned candle, was such a bowl that had from the place where one inserted a wick. If there is such a lamp where there are two wicks, **it counts for two people** for the first night, but for those who are not specifically mehadrin, two people can light each one with his corner.

R' Yitzchak: That means, two people doesn't make sense. Two people... We're talking about the mehadrin who makes against two people, so this is for two. Or perhaps the second night, if the Rambam doesn't say perhaps the second night, but he says it that two people. Two different people with two different houses cannot light in the same place. Each one must light in his house.

R' Yoel Asher: Right? An extra head of household who doesn't want to fulfill with the...

R' Yitzchak: There's no such thing, have you ever found such a thing in the Rema? There are only two people. Apparently one speaks about the mehadrin, and he can light two. How can two people in the same place if not light in the houses?

R' Yoel Asher: What is the meaning? Okay. You mean to say for a second night?

R' Yitzchak: The first night. Two people. It doesn't say the second night.

R' Yoel Asher: Ah, you mean according to the hiddur?

R' Yitzchak: Yes. Whatever.

R' Yoel Asher: And also it's the same thing the second night, if one wants to light two candles. Yes. No, he says even neighbors. Okay. But if one did differently, **filled a bowl with oil and surrounded it with wicks**, one surrounded wicks, not that there's such a special lamp that has two places for wicks.

R' Yitzchak: It has like a hole that it's closed, and it has like a mouth, an opening. Simply you have a plate, you put in it a bunch of wicks.

Discussion: What Does "Covered It With a Vessel" Mean – A Cover or a Vessel With Holes?

R' Yoel Asher: So it's like this, **if he covered it with a vessel**, if he placed also some vessel from above, it looks like one big... The vessel takes together all the lights and it's considered as one candle.

R' Yitzchak: No, that's the opposite. The vessel is like a base, it has a bunch of holes.

R' Yoel Asher: And it makes separate. And so it comes out that for each wick there is some kind of separate cover as it were.

R' Yitzchak: Like a hole, not a cover. Kafah alehah kli means he has a vessel that in the vessel there isn't any...

R' Yoel Asher: Like mouths, like mouths such a...

R' Yitzchak: Exactly, not mouths that he built into the lamp, but he makes provisional mouths.

R' Yoel Asher: It's essentially like our menorot that make for each one a separate...

R' Yitzchak: Our menorot are not any... separate vessels.

R' Yoel Asher: Exactly. But kafah alehah kli, therefore the vessel makes each wick into a separate thing by itself, so **each and every wick is considered as one candle**, and one can in such a bowl for example light according to the number of members of the household. But **if he didn't cover it with a vessel**, there isn't something that makes each flame into a separate thing. What then does it become? It becomes like a bonfire, it becomes like a torch that also has separate wicks in the torch, but it's still, it looks like a bonfire.

Discussion: What is a Bonfire and Why is it Invalid?

R' Yitzchak: A bonfire means simply a fire, not a candle, not a havdalah. A havdalah candle is a large candle. A bonfire means that there is as it were what one lights for the fireplace, like a fire. A torch, yes. I don't know a torch, I don't know the plain meaning of the word torch. A bonfire is not a torch. The problem with a bonfire is, we'll learn later, a bonfire is not something that one lights for honor, for beauty. It's something that one lights to warm oneself. It's large, it looks like a bonfire. It's not a bonfire, it's like a bonfire. Therefore it's not even one candle.

R' Yoel Asher: Even one candle is not considered significant. It doesn't mean a candle.

R' Yitzchak: I mean, that's why it says "even with one candle"? Interesting. Good, that means it's not...

R' Yoel Asher: But it does say "even with one candle," it doesn't say it's a bonfire.

R' Yitzchak: Yes, but we're going with the proper bonfire, and it says... as the Maor says.

R' Yoel Asher: That a bonfire is not something of honor, yes? Where do I remember such a thing from?

R' Yitzchak: We'll see later in the halacha.

Halacha 2 – The Time of Lighting

R' Yoel Asher: The Rambam says further...

R' Yitzchak: This is the problem with a bonfire. Now we're going to learn when one lights.

R' Yoel Asher: Yes, when is the time. The Rambam says: **"One does not light Chanukah candles before the sun sets"** – one doesn't light Chanukah candles before the sun goes down. Because during the day candles are not noticeable, the point of candles is when it's already dark. **But at sunset**, when the sun goes down, at the shkiah, when it starts to become dark. **Not delaying and not advancing**, one doesn't do it later than the shkiah either, but one also doesn't do it earlier than the shkiah. I mean the point is, I don't know if the Rambam says it clearly, but that during the day one doesn't see any candle, and at night it's not noticeable that it's for a mitzvah, because at night people light candles in the house just to dispel the darkness. At shkiah it's noticeable that one is lighting it for the sake of the mitzvah.

R' Yitzchak: No, the Rambam, it says so in the Gemara, that's where the Rambam took it from.

R' Yoel Asher: That's the simple meaning.

R' Yitzchak: I understand, but I mean that's the point, no? No, I haven't heard of such an idea. The Rambam looked at it.

Forgot or Deliberately – Until the Foot Ceases from the Marketplace

R' Yoel Asher: Look further and you'll see. **If one forgot or deliberately did not light at sunset**, if someone forgot, or he didn't forget, and just didn't bother, he didn't light at sunset, he still has a short chance: **he lights continuously, until the time called tichle regel min hashuk**, when people no longer move about in the street, when it becomes dark everyone goes home, until then one can light candles. How long is this time? The Rambam says, **like half an hour or more**, approximately half an hour, or a bit more.

R' Yitzchak: After this time, one does not light.

R' Yoel Asher: He no longer lights.

Discussion: Why Must One Light Precisely at Sunset?

R' Yitzchak: So the Rambam, the reason why the Rambam said that one must light at sunset is because of this. That means lechatchila, because then it must be for the people. People move about in the street still a bit right after sunset, one is still in the middle of going home, whatever it is, then one still moves about, and at night there's no one in the street. So you have no one to light for, one lights outside, one will soon see it. So it must be at shkiah, before that you say it's not interesting, after that there's also no one for whom, it must be precisely at shkiah. The extension can be until tichle regel, but lechatchila it should burn the whole time, then it begins that this is the time of the mitzvah as it were. Do you understand?

R' Yoel Asher: In the Shulchan Aruch it already says more, no? In today's custom that one does permit oneself later.

R' Yitzchak: There we'll see. Okay. According to the Rambam and also according to the others one must...

R' Yoel Asher: Be very strict.

R' Yitzchak: We don't light for the street anyway, so the whole thing changes.

R' Yoel Asher: The Rambam doesn't mention such a possibility at all?

R' Yitzchak: The Rambam hasn't yet said where one lights, we'll soon see.

Halacha 3 – The Measure of Oil

R' Yoel Asher: The Rambam says further, how much oil, how big must the candle be?

R' Yitzchak: It's apparently a continuation of this, since the main thing, you see that the original, the ideal lighting is that it should burn the whole time from shkiah until tichle regel, the half hour let's say. So...

R' Yoel Asher: "And one must put oil in the candle so that it will be burning continuously until the foot ceases from the marketplace." That means the time of tichle regel min hashuk, the extra half hour is still the time of lighting the Chanukah candle, it should burn during that time.

R' Yitzchak: No...

R' Yoel Asher: Because that's what he's saying.

R' Yitzchak: There should be enough oil for that time.

R' Yoel Asher: The whole time there should be a candle.

R' Yitzchak: But bedieved, yes?

Lit and It Went Out

R' Yoel Asher: Yes. **"If one lit and it went out, one is not obligated to light it again."** If one lit and it went out, one doesn't need to light it again. The lighting, once one has already lit, one has fulfilled the obligation.

R' Yitzchak: Although, that means, although in essence it's better, one would want it to burn the whole time, but one doesn't need to stand there the whole time making sure it burns. As we see earlier, one can say a simple thing, because it's as if lechatchila, as originally, it should have been so. But bedieved, even one minute one has fulfilled, even one second. You see that one can light until tichle regel, even for one second. So your candle burned for one second, not for the whole time. So it's enough?

R' Yoel Asher: Simple. He now says more, not only if it went out one doesn't need more, but... ah, no, here he's speaking. Okay. **"If it remained burning after the foot ceased from the marketplace"**, after the time of tichle regel min hashuk has already passed...

R' Yitzchak: Then...

R' Yoel Asher: Even if it's burning, you shouldn't think that something becomes muktzeh lemitzvato or what. **"If one wants to extinguish it or remove it, one may do so."** One can extinguish it, one can remove it, one can extinguish or remove oil from there. Because once the time has passed, one can remove the menorah.

R' Yitzchak: About the oil we haven't yet spoken, we'll soon speak about that. What he's saying is simply that the mitzvah is only then, and after that there's no point at all, you can already extinguish. Simply what he's saying. It's not... yes. Okay. The Rambam doesn't say about benefit from the oil. In other places it says.

R' Yoel Asher: Say what you mean that you keep talking about something.

R' Yitzchak: Okay. Perhaps soon one can speak about that, because here it doesn't say. Yes. Now one can speak about what one must light with.

Halacha 4 – Oils and Wicks

R' Yoel Asher: What are the types of oils and wicks? The Rambam says, **"All oils and all wicks are kosher for the Chanukah candle."** Any oil or wick is kosher for the Chanukah candle. The Rambam says, **"And even though the oils are not drawn after the wick"**, even such types of oils that don't draw well into the wick, and often it sputters or goes out, **"and the flame does not catch well on those wicks"**, or the oils or the wicks are not good, **"and the flame does not catch well on those wicks"**, it's also kosher. Even regarding Shabbos we learned about these types of things that one should not light with them on Shabbos. Regarding Shabbos there's a concern of shema yiteh, because it won't be good one will come to desecrate Shabbos. But with Chanukah there isn't this problem, so since it's "double," one can light it, sometimes one just needs to fix it, it's kosher.

Even on Shabbos Nights – It's Forbidden to Use Chanukah Light

The Rambam says an interesting chiddush: **"And even on Shabbos nights that fall during the days of Chanukah, it's permitted to light with oils and wicks that are forbidden to light with for Shabbos candles."**

R' Yoel Asher: Even Shabbos night that is in Chanukah, one may light the Chanukah candles. Although the Shabbos candles one may not light with this, but the Chanukah candles one may light with this even on Shabbos. We don't say that the concern of shema yiteh will also apply to the Chanukah candles. Why? The Rambam says, **"Because it's forbidden to use the Chanukah light whether on Shabbos or on weekdays."** On Shabbos the candles are indeed made that one should use the mitzvah, it should illuminate the meal, so there's a concern of shema yiteh. But with Chanukah there's no mitzvah of... one may not use the candles anyway for one's own benefit. It's not made, for example, if one wants to eat the meal one must set up extra candles.

Halacha 2 (Continued) – Prohibition of Benefit from Chanukah Candle / Shema Yiteh

Why Is There No "Shema Yiteh" with Chanukah Candles?

R' Yoel Asher: Why? The Rambam says, **"Because it's forbidden to use the Chanukah light whether on Shabbos or on weekdays"**. On Shabbos the candles are indeed made that one should use the mitzvah, it should illuminate the meal, so there's a concern of "shema yiteh". But Chanukah there's no mitzvah of... one may not use the candles anyway for one's own benefit, it's not made. For example, if one wants to eat the meal, one must set up extra candles to make light. The Chanukah candle is only made for the mitzvah itself, so there's no concern of "shema yiteh".

R' Yitzchak: And even on weekdays, that means whether Shabbos, so on Shabbos there's no concern of "shema yiteh", and whether on weekdays. He just says the halacha, and he explains, "and even,"

R' Yoel Asher: He says, one may not even do any use, **"and even to check coins or count them by its light is forbidden"**. Even to check money or count money near the Chanukah candles is also forbidden, so there's no concern of "shema yiteh".

R' Yitzchak: Right, but this is however the halacha of the weekdays. On Shabbos money becomes an issue of muktzeh. He's already saying the halacha of the weekdays, that one may not use the Chanukah candles for any use, even a small use. Apparently this means even not to eat the meal there, a small thing, he's counting a dollar, he doesn't know the coins, whatever one counts, is also not a problem.

R' Yoel Asher: Yes. One counts money, because one gives charity by the Chanukah candle, one may not count by the...

R' Yitzchak: Okay.

Halacha 3 – Where One Places the Chanukah Candle

The Mitzvah to Place It at the Entrance of the House on the Outside

R' Yitzchak: The Rambam says, where does one place it?

R' Yoel Asher: The Rambam says, **"The Chanukah candle, it's a mitzvah..."** When the Rambam says "mitzvah," does it mean it's an extra hiddur? Or this is the enactment of the mitzvah?

R' Yitzchak: As he said earlier,

R' Yoel Asher: "It's a mitzvah to place it at the entrance of the house on the outside". The mitzvah where one places the Chanukah candle is at the door of the house from outside, **"within a tefach adjacent to the entrance"**, by the tefach close to the entrance, not far from the entrance.

R' Yitzchak: Apparently, this is simply because it should be connected with your house, you won't place it too far.

Mezuzah on the Right and Chanukah Candle on the Left

R' Yoel Asher: "On the left of one entering the house", the left side of the one who comes into the house. Why? Because the mitzvah of mezuzah is always that the mezuzah one places

R' Yitzchak: On the right

R' Yoel Asher: side of where one enters the house, so this one places on the left side, **"so that the mezuzah will be on the right and the Chanukah candle on the left"**. It's nice that the house should be surrounded

R' Yitzchak: With both mitzvos from the two sides.

R' Yoel Asher: It could be that the mezuzah, the Rambam said so that the mezuzah is a testimony, yes? The mezuzah is a testimony on... a testimony on the Almighty, yes? A remembrance. And the Chanukah candle is also something of a testimony on the miracles that the Almighty did for him.

R' Yitzchak: They are both testimonies. The front simply is already there. Basically, you've already fulfilled. The right side has already received such a mitzvah. Why should you place it on the left side? It's something of a simply, something of a hint,

R' Yoel Asher: Such a thing.

And If One Lives Upstairs – By a Window

R' Yoel Asher: "And if one lives upstairs, one places it in the window adjacent to the public domain". If he lives on a second floor, he doesn't have to... he can't,

R' Yitzchak: He doesn't have a door that is close to the public domain.

R' Yoel Asher: He does similar things, one places it in the window adjacent to the public domain. One puts it by the window that is open to the public domain, that is close to the public domain.

R' Yitzchak: Very good. Yes. Very good.

Discussion: What Does "Public Domain" Mean Here?

R' Yitzchak: Chanukah candle... that means, apparently the Rambam understands, the halacha speaks about this. The person who lives in a... there is,

R' Yoel Asher: People had windows close to the public domain, according to what they learned. That means, many people lived inside in a courtyard or in a mavoi. It seems like... this is the advice. Whoever can't can't light the mitzvos. He doesn't have any mitzvos of Chanukah candle. He'll already say that there is danger for me. It's interesting as it is or by the Chanukah candle there's a weakness. It's public or it's danger. It's public can mean also courtyard. Anything where the public may move about, he doesn't mean the

R' Yitzchak: Not the actual public domain. There are investigations about this, there are those who say, if I remember, simply, the Rambam doesn't go into this, but simply, Chanukah lights one places by the door of the house, not by the door of the courtyard. And there are places, there are expressions where the expression appears, you see? There's a dispute, there's Rashi and Tosafos. Rashi says that one places by the house in the courtyard. Tosafos says no, one places by the courtyard next to the public domain. In the public it doesn't say, but I mean it's more simple like Rashi. That means, as you say, public, although perhaps by the courtyard one does move about, it says tichle regel min hashuk, perhaps it does speak of the marketplace, but not necessarily that one moves about in the courtyards.

R' Yoel Asher: And on the way in from the marketplace one goes through the courtyards. I mean to say, some people move about.

R' Yitzchak: Anyway, it's clear to me here that the word public domain

R' Yoel Asher: Doesn't have to be the same public domain as on Shabbos.

R' Yitzchak: Right, it only speaks of the place where people move about, not your personal out. That it could be that certainly public domain means here to say courtyard. Not clear. It could also be that this speaks of a different type of building of houses. The laws of eruv were given in a certain type of city, and later in the times when Chanukah was made there were already other cities, I don't know.

R' Yoel Asher: It could also be that when it says "window adjacent to the public domain," he means the closest that you have. Perhaps one can... it's not actually by the public domain, but the closest,

R' Yitzchak: As close as possible. Place it already by the table, I mean, for the money.

R' Yoel Asher: As close as possible, perhaps a person will see it. It's not actually exposed that everyone sees it, but it's doable to see. And today it's very common, one lights in the back window that is only open to... if the neighbor looks out also from his back yard...

R' Yitzchak: Well, one doesn't do that.

R' Yoel Asher: One doesn't light in the back window,

R' Yitzchak: One lights in the front window. What are you thinking? Plenty of people, it comes out practically that he lights by the back window. I don't agree.

R' Yoel Asher: One lights in the front window. That means, I only said with him.

R' Yitzchak: You can at home. There are Chassidic Jews who do by a door at home.

R' Yoel Asher: True, but... but that's the question to...

R' Yitzchak: Okay. "Adjacent to the public domain" means to exclude the back window. Exactly that. If someone doesn't have anything, you can ask a question, what is there by Leib? What is, he doesn't have any windows in his house?

R' Yoel Asher: He's upstairs. He's placed on his table,

R' Yitzchak: As you mean it doesn't say, but you can have it, he doesn't know. Yes. Here the Rambam says a halacha of Chanukah candle, yes?

Above Twenty Amos – One Has Done Nothing

R' Yoel Asher: "And a Chanukah candle that one placed above twenty amos", that one placed higher than twenty amos, **"one has done nothing"**, one has done nothing at all. That means not lit a Chanukah candle, **"because it's not noticeable"**. One doesn't see it. It means differently than by an upper story.

R' Yitzchak: Upper story means it's less than twenty, apparently that's what the Rambam means. Therefore he doesn't place it here, so I understand. An upper story is not twenty amos high,

R' Yoel Asher: It's twenty amos high. One says one upper story, and if there are two floors, okay.

R' Yitzchak: How many floors are there already? There are investigations about this among the poskim, but simply, higher than twenty even, I see that from the proximity of the Rambam it seems to me that he's speaking of the halacha, but if not, what is at all relevant like a house? How does he place it outside? It could also be that he places it precisely on a very high ladder, I don't know what,

R' Yoel Asher: But simply this is the word.

Digression: Candle vs. Menorah – An Important Innovation

R' Yitzchak: You have to remember that all these halachos aren't talking about a menorah. "Ner" means the vessel, yes? Ner is the vessel that was once made of pottery, in which one would put oil or something. A menorah, specifically for Chanukah, is apparently a later custom. I remember, I once researched this, the first one who talks about it is perhaps the Pri Chadash. The Acharonim, perhaps already a bit, you see that it became a custom that one lights a special vessel, such a menorah with eight branches in honor of Chanukah. But most of the halachos assume that one lights just a regular lamp.

So I think, I've already written in my sefer on Chanukah, that all these halachos of nikar and samuch l'pesach, all of this is talking about when it's just a regular lamp, you need to make some special place so that it should be Chanukah. But when you light a menorah you can already place it anywhere, because everyone knows that this is a Chanukah menorah. Therefore, for example, in Lubavitch there's someone who has the biggest menorah, he made it completely twenty amos and higher, but it's not correct, because the law of menorah is not that the fire shouldn't be higher than twenty amos, it's the ner. If you have a menorah below from the floor, you can make a hundred amos high also if you want.

R' Yoel Asher: But we learned that way by s'chach, no? That it begins at twenty.

R' Yitzchak: Okay, because there are different, one can think the l'mados are the same. It actually says, the Gemara compares it because of sholt bah ayin, but in short, one can investigate, yes.

R' Yoel Asher: I don't know, the question is whether you're right, because for example, perhaps you're right on the first night, but once one begins lighting according to the number of nights, even without a menorah, one needs to see, ah, he placed in one place three, four. Once there was, apparently one lit one lamp, one doesn't need any recognition. One won't go place two lamps because it's a waste.

R' Yitzchak: No, it's even more light. What's the problem? Something that makes light.

R' Yoel Asher: Yes, but I'm saying, if one wants to make light distributed, one doesn't place one next to the other. On the contrary,

R' Yitzchak: One places one here and one there. Okay, that makes to make light,

R' Yoel Asher: You illuminate. It's forbidden to use the light. One only makes it... No, but I'm saying, the number itself does approximately like the same as in the menorah. You're right for the first night,

R' Yitzchak: But... in short, I don't understand. Ah, you're saying it's nikar because one places two?

R' Yoel Asher: Well, it's the same nikar as a menorah. Okay, but in general,

R' Yitzchak: Perhaps indeed all these halachos are talking to the one who is not mehadrin, and that's the whole time, no, it doesn't say neiros. Perhaps indeed, let's add this to make a chiddush.

R' Yoel Asher: Perhaps that's what the hiddur does. It could be that it makes

R' Yitzchak: Yes, sometimes people two lamps. I don't know. This is that there is... I don't know. This is indeed a good observation, I don't know.

Digression: Meiri – Tzitzis, Mezuzah, Ner Chanukah

R' Yoel Asher: I'm going down here a bit. I saw an interesting Meiri. The Meiri was indeed a student of the Ramban. The Meiri is the one who says that inside the baal habayis is wrapped in tzitzis.

R' Yitzchak: It says on the page. Okay,

R' Yoel Asher: Come.

R' Yitzchak: I don't know where you want it to be.

R' Yoel Asher: Well, well, well, here.

R' Yitzchak: It's brought from She'iltos.

R' Yoel Asher: No, I'm thinking perhaps for the Meiri who is indeed a student of the Ramban, whether all three things are somehow testimony to the Almighty's...

R' Yitzchak: Not testimony,

R' Yoel Asher: Not testimony, not testimony,

R' Yitzchak: Rather it says that it's a zecher. The Ramban didn't want testimony, we learned everything as mezuzah. The Ramban says that this is malachim, a tzitzis for that, and malachim have shomrim es adam, because it reminds him of the existence of Hashem.

R' Yoel Asher: Well, it's very similar to mezuzah. No, I think that it's not just like someone has mitzvos chavilos chavilos, because on the side there's already a mitzvah. Because one is surrounded with things that... Okay, already further. The Rambam says further.

Halacha 4 – In Times of Danger

R' Yitzchak: He's in the middle now learning where to place the menorah.

R' Yoel Asher: The Rambam says, what happens in yemei haskanah? When there's danger to place menorahs by the window, because it happened sometimes in the days of the rabbis who made decrees against Jews, **one places the Chanukah lamp inside his house, inside**, one places it inside. **"And even if he placed it on his table, it's sufficient"**, even if one places it on the table, it's sufficient.

Interestingly, the language is specifically in yemei haskanah, he doesn't say that in every time of difficulty. Does it mean, when a person doesn't have a window, it's not yemei haskanah,

R' Yitzchak: But he also doesn't have any way to light by the window.

R' Yoel Asher: So what does it mean ner Chanukah inside his house, the simple meaning is that with this one can also fulfill the mitzvah. One is actually exempt, yes? It means this way, in times of danger one is exempt, it's only a mitzvah d'rabbanan, one is completely exempt. But there is a way to do the mitzvah inside on the table, it's not like taking a lemon instead of an esrog. It's a mitzvah,

R' Yitzchak: You're doing the mitzvah.

Halacha 4 (continued) – Time of Lighting, Place of Lighting Inside, and "In Times of Danger"

Time vs. Place – What is Me'akev?

R' Yitzchak: The time is me'akev, because there must be people, but the place is not me'akev.

R' Yoel Asher: Yes, but if he does it already inside his house, isn't that the same as when it's already after people have left the marketplace, no one will see it. Do you want to say perhaps that... after all, what is the time, that time is an external thing.

R' Yitzchak: For this Tosafos said that...

R' Yoel Asher: If he lit later,

R' Yitzchak: One cannot light later. The Rambam didn't say this, but it could be that...

R' Yoel Asher: But there is then like it said shuv eino madlik, it meant like you missed the mitzvah outside.

R' Yitzchak: What will one do for today? Someone will go light inside because it's already too late,

R' Yoel Asher: I didn't light. Do you see that there's still a mitzvah of lighting? No, what I mean to say, what we see here is that the mitzvah of lighting is not the pirsumei nisa, is the whole mitzvah. Rather the pirsumei nisa is a condition in the mitzvah. No, no,

R' Yitzchak: Pirsumei doesn't necessarily mean that the street should see. A Chanukah lamp comes originally outside. If it's a day, a time when one cannot, one will do it inside also. It's both such a pirsumei,

R' Yoel Asher: It's pirsumei in the books. Pirsumei is books in the books instead of people. But if one takes also needs the time,

R' Yitzchak: Because this way you at least utilized, because that's what we do. But when the time... because in the normal time there is no Chanukah lamp at home, there is a Chanukah lamp outside. Chanukah lamp is there where one lights, once its time has passed there is no more. What will one go make some new thing? Make a new thing, when one cannot outside one makes a new thing. You cannot make that every year should tell him, because... do you understand what I'm saying? There is a normal time.

"Sakanah" – What Does the Concept Mean?

R' Yitzchak: He brings

R' Yoel Asher: An interesting proof that sakanah doesn't mean really a great danger, and for this indeed one can be lenient just like when one doesn't have a window near the table. He brings that in Megillas Ta'anis it says u'misyarei min haletzim. It doesn't mean one is afraid of Nazis. One is afraid, I don't know, goyim will laugh at you, I don't know what, whatever it is.

R' Yitzchak: All these things, no difference,

R' Yoel Asher: But in short, sakanah doesn't mean really danger danger. Therefore one can justify all the Jews who light inside just like that.

R' Yitzchak: Sakanah doesn't mean pikuach nefesh. If it's pikuach nefesh, one wouldn't seek any solution.

R' Yoel Asher: Interesting the language "misyarei min ha'akum".

R' Yitzchak: It's not a good proof. Okay, let's go further, it's not a good proof. Because on the other hand it could be that one wrote a nice language, it means yes Nazis, you can't know.

R' Yoel Asher: It's that even if the word Nazis isn't matched up, but "leitzim" can mean that it's a time when it's hard for him to light outside, it's not real danger. Okay, further.

Halacha 8 – "And There Must Be in the House Another Lamp to Use for Its Light"

The Rambam's Language and Meaning

R' Yoel Asher: The Rambam says further, **"And there must be in the house another lamp to use for its light"**. He told us earlier that it's forbidden to use from the Chanukah lamp, therefore one should have another lamp, it should be clear.

R' Yitzchak: Now, earlier we spoke when one lights outside, so it's not so relevant,

R' Yoel Asher: He's not there,

R' Yitzchak: He's not there. Now the Rambam says, now that one lights inside, one always lights a lamp in the house at night.

R' Yoel Asher: No, no, no. When you light inside, you will come to use it. Now, there one uses normally. Not right, I already lit a lamp today, I don't need to light another lamp for my Shabbos lamp and the like.

R' Yitzchak: He's saying a special halacha. No, one must, not because it's not nikar, because he will confuse us. It doesn't say this, because he's not at home. He is at home, he'll sit there,

R' Yoel Asher: He won't go out, so that the other Chanukah lamp should be only for Chanukah.

R' Yitzchak: Right.

R' Yoel Asher: It doesn't clearly say the word nikar, but it's very possible.

R' Yitzchak: It doesn't say nikar here. It says that he shouldn't transgress the prohibition, if not he will by default transgress the prohibition, and it's light in the house. But here you see the medura, right?

Medura and Adam Chashuv

R' Yoel Asher: "And if there was there a medura", if there is there a fire in the house, **"he doesn't need another lamp"**, because he already has enough to use for its light.

"And if he is an adam chashuv who is not accustomed to use the medura", if there is an adam chashuv that he tends to light a lamp, it shows a certain breadth, a certain expansion, that one lights a lamp when one needs, not one goes by the medura to check things. Then he needs another lamp, because then there is still the concern that he will go use the Chanukah lamp.

R' Yitzchak: As if by him, even though there is technically a medura, he is such a person who doesn't use the medura.

R' Yoel Asher: Because he will go use the Chanukah lamp.

R' Yitzchak: Or perhaps he uses it, it means that he uses himself there, he uses it.

R' Yoel Asher: Or like I said, perhaps for him it's not nikar, because he is the kind of person who always also has a lamp besides the medura.

R' Yitzchak: Why did it occur to

R' Yoel Asher: Say nikar if you understand because it's forbidden to use for its light?

"On His Table" – Where Exactly Does One Light Inside?

R' Yitzchak: And you sit at home. It's on his table, remember. The Rambam didn't have the idea that at home a person should place by a door. This is a kind of Purim thing that... by a window... no, by a window is...

R' Yoel Asher: We're talking in times of danger one cannot

R' Yitzchak: Place by a window also not. Again, a back porch? I don't know what you're saying. By a window means... what the... this one cannot do by a person also not, for the same reasons that one cannot in the street. So today one can yes, I'm not talking about the danger that the Gemara talks about. Not recognized. So, therefore he lights how? On his table. On his table means that it's part of his meal, that there where he lights lamps every night, Shabbos he lights the same place. It occurred to people later that one can light at home by a door.

R' Yoel Asher: What is the Rema? No,

R' Yitzchak: The Rema says one should light by a door from inside, because the Rema's time wasn't really any danger, it was just harder, whatever, it was cold,

R' Yoel Asher: Whatever the reasons that it's not suitable outside.

R' Yitzchak: Certainly, when one opens the door one can see, it's not really outside. According to halacha one needs to light outside, he lights from inside. Okay. But what people do, he lights just by the door of his kitchen is Purim in the weeks, no one should do it.

Two Levels of Kula – "Inside" and "On His Table"

R' Yoel Asher: So already, do you mean to say that the language of the Rambam, one places the Chanukah lamp inside his house, inside, means this, instead of lighting outside light inside. And afterwards, and even if he placed it on his table is another level of kula.

R' Yitzchak: Could be, this is how the Tur understood, the custom that one lit.

R' Yoel Asher: But one can hear it in the words, because it's obvious that inside his house always means inside.

R' Yitzchak: Perhaps even on his table means that he lights exactly there where one lights every day, he lights also now. But on the other hand, let him place in another place, he places it on some shelf, there where one doesn't light normally.

R' Yoel Asher: Even in you on his table means when it's another greater, or it's another greater danger, or when it's even harder the inside. So the first thing is like light in a place where you can control. If a goy passes by, you'll quickly extinguish.

R' Yitzchak: Perhaps. But this way was certainly the custom. The custom of Tur and Rema was the custom. Yes.

Discussion: The Matter of Lighting Inside by a Door

R' Yoel Asher: What is indeed the matter of lighting inside by a door?

R' Yitzchak: There is no matter. It's Purim from people who are amei ha'aretz who

R' Yoel Asher: Support themselves with themselves. I'm not completely cutting off everyone except you. Presumably there are those who have written some explanations. But the mekubalim said that

R' Yitzchak: There's a hint on the door. The wise one, the hint is on that door that one lights according to halacha.

R' Yoel Asher: This is an am ha'aratzus that one has some matter of the mezuzah, so perhaps one also wants to place there next to the mezuzah. The matter is there the mezuzah when one comes in,

R' Yitzchak: There is no matter that lights by a mezuzah in the world. Because there is a door,

R' Yoel Asher: I understand. No,

The Source of This Custom – Kabbalah and Am Ha'aratzus

R' Yitzchak: Not true. It came from people who learned in kavanos, kabbalah, it says in the kabbalah... I want to tell you from where it comes realistically in history. It comes from people who are amei ha'aretz. One says like many things that one does according to kabbalah, which comes from not understanding, not the halacha and not the kabbalah. In kabbalah it says great secrets and hints on the entrance of the house. Why? Because the kabbalah explains the Gemara, and also the mekubalim conducted themselves like the custom of the hints they lit by the door, but inside, but when one lit by a door, there is still the matter of a door. He says, simple meanings, secrets on the door. Very nice. Thank you. But you who don't do this, and you do just something inside, and you say that according to kabbalah there is a hint, the hint is not on... don't say this, you understand, just am ha'aratzus. The hint doesn't say that therefore one should do. The hint says that when... the hint is on the halacha of the door that affects the public domain. The hint is not on a door in your kitchen, or a rebbe, he lights in the beis medrash, but he places on some gate. He makes Purim in the weeks, with all due respect he shouldn't do it.

R' Yoel Asher: The rebbe is indeed fulfilling properly, because he does it with great

R' Yitzchak: From Pesachim and nachas. No problem, very nice, like one lights in the beis medrash, one can light on a table. No problem. Why does he make Purim of Judaism?

Being Dan L'Kaf Zechus – Nikar and Zecher of the Original Mitzvah

R' Yoel Asher: It's reminding that the original halacha is by the door, and now it's only the servant of in times of danger or in times of need, therefore one does it similar to the original

mitzvah, so that one should remember the mitzvah of placing by the door.

R' Yitzchak: I think it makes Purim of Judaism. It teaches people that everything is random magic, light some door in the world. He doesn't hold of it. I think it's a plain error. It became derived from what one lights by the door of the house. People didn't grasp that the door of the house is a place that one can see a bit, first it's public, or it's actually by the door, and you light just by the door of your kitchen. It's a plain error in his opinion.

R' Yoel Asher: When you light from inside, also, when you make it practical, you say like this: what danger, you're afraid non-Jews will pass by, and you light from inside, and this way you can control the door. Because when you see Jews passing by, you open the door. When non-Jews pass by, you go and close the door. It makes sense. But if you light from inside, and there's no open door, and there's no difference whether you light by the door or... so what's his obligation?

R' Yitzchak: He lights at a front door.

R' Yoel Asher: What's the question? It doesn't change much regarding what danger. So... the what danger... I understood that there is indeed a door. One can close and open the door.

R' Yitzchak: Rebbi, during a time of danger one doesn't light at all. And they're still talking about the...

R' Yoel Asher: Like what danger,

R' Yitzchak: Not during a time of danger.

R' Yoel Asher: Like what danger, not during a time of danger. The what danger means times when one is afraid of dangers.

R' Yitzchak: The danger that appears in the Gemara we're not talking about now. We're talking now about the danger that the minhag Yisrael... the last thousand years that one lights inside, even when it's not the danger of the Gemara. And some Jews conducted themselves to light by the door inside, not because non-Jews are going to come and need to do something, but rather because one doesn't light outside, because that's already the custom, for whatever reasons, if he still wants to light at least a little bit, he lights by the door. Although according to halacha one must light outside, next to the door, he lights inside next to the door, but next to the door of the public domain. This appears in the poskim, there is some recognition, some, the door is certainly open, not the door is closed. Perhaps it doesn't stay open the whole time, perhaps it's a bit open, whatever. This is the custom of the poskim, but there's no custom at all to light by a door.

R' Yoel Asher: It could be that this also helps the door, so it's very noticeable that it's not just a candle lying on the counter. It's something unusual, it's in a place where one doesn't usually light, it doesn't make sense to light by the door. So one remembers that it's an extra type of candle. Nu nu. It can be explained if one wants to judge Jews favorably.

R' Yitzchak: Fine. But I don't want to.

R' Yoel Asher: I want to judge favorably

R' Yitzchak: On the Torah. I want to judge the Torah favorably. It's not a Jewish matter.

R' Yoel Asher: It's become that everything is some random magic, it doesn't make sense anymore. I don't like this. Fine.

Halacha 9 – The Head of Household Lights for Everyone

R' Yoel Asher: The Rambam says further, halacha 9. The Rambam says like this: The Rambam previously stated that the head of household is the one who lights for everyone.

Halacha 9 (Continued) – A Deaf-Mute, Imbecile, or Minor / A Non-Jew Lit

R' Yoel Asher: Or... a Chanukah candle that a deaf-mute, imbecile, or minor, or a non-Jew lit, he has done nothing, because he is not obligated in it. And one who is not obligated, and one is not fulfilled, it's not called a Chanukah candle. Until someone who is obligated in the lighting lights it.

The novelty here is apparently that even... perhaps the pirsumei nisa (publicizing the miracle) is not... if the whole thing were pirsumei nisa, it wouldn't matter who lights it. In practice, everyone sees by the door there's a lit menorah.

R' Yitzchak: That means the Gemara says hadlaka oseh mitzvah (the lighting performs the mitzvah). There is a mitzvah, the lighting itself is a mitzvah, therefore it must be

R' Yoel Asher: Just like every mitzvah must be a bar chiyuva (one who is obligated) who does the lighting. The same thing,

R' Yitzchak: From the same halacha. All the halachos come out from the same principle, from what the Rebbe compiled.

R' Yoel Asher: We already had earlier hadlaka oseh mitzvah, that if it goes out one cannot relight it.

R' Yitzchak: It's not clear that it's actually dependent on this,

Halacha 9 (Continued) – Lit Inside and Took It Out

R' Yoel Asher: But yes. If he lit the Chanukah candle inside in the house, and took it out, he carried it out,

R' Yitzchak: He dragged it out, lit,

R' Yoel Asher: That means he placed it at the entrance of his house, and placed it at the entrance of his house, he has done nothing until he lights it in its place, because the whole point is that one should light it where the mitzvah is.

R' Yitzchak: Because the mitzvah is done at the time of the action of lighting as it were, therefore it must already be in the right place, because that's where the... Here we see further that the place is essential, and in a time when there's no danger you can't say to me, I lit inside. It doesn't work, understand? Another proof for the freedom of freedom.

Halacha 9 (Continued) – A Person Who Stood with a Chanukah Candle in His Hand

R' Yoel Asher: The Rambam says, if it happens to a person that he's going to be very enthusiastic, he himself will be the menorah, he stands with the candles in his hands, he wants to become the object of the mitzvah, he has done nothing. What? Because a person who sees someone standing with a candle doesn't think he's lighting, rather he thinks he's going somewhere and taking a candle with him, for the one who sees says he's standing for his own needs.

R' Yitzchak: It could be a practical difference if someone is in some place where he has nowhere to put the menorah, in short.

R' Yoel Asher: It could be that nowadays there's no, no one walks around anymore with a candle, there are flashlights, and perhaps today it will be different. But the Rambam says the halacha that when one sees someone with a candle it's not noticeable that it's for the sake of a mitzvah.

Halacha 9 (Continued) – A Lamp That Was Burning All Day / Motzaei Shabbos Chanukah

This is the Rambam further, esheshis, esheshis, this is a lamp, surrounded with glass. That was burning all day long.

R' Yitzchak: In short, it was Shabbos, and he lit a candle to be his Shabbos light in the house,

R' Yoel Asher: Also various things. So on motzaei Shabbos... motzaei Shabbos Chanukah one must now light new candles for the night of motzaei Shabbos Chanukah, motzaei Shabbos he extinguishes. Can he extinguish it?

R' Yitzchak: Not he can leave it, he cannot say.

R' Yoel Asher: He cannot take the candles and place them in the place.

R' Yitzchak: Or just that perhaps it's already lying in the right place, say it's already standing and it's already good. No, he must extinguish it,

R' Yoel Asher: And recite the blessing and light it. Why? Because the lighting is the mitzvah, not the placement. The lighting is the mitzvah and not the placement.

R' Yitzchak: This is the reason I think for all three halachos,

Connection to Sukkah – Ta'aseh V'lo Min Ha'asuy

R' Yoel Asher: Not only from the halacha. Here I have why we learn the laws of Chanukah on Erev Sukkos, because here by a sukkah such a thing would be ta'aseh v'lo min ha'asuy (you shall make and not from what is already made). Here it's a different thing of hadlaka oseh mitzvah.

R' Yitzchak: Yes, but it's actually similar, one must make. All mitzvos, many things are needed. Mitzvos need to be done,

R' Yoel Asher: Not that it should be done.

Halacha 10 – It Is Permitted to Light One Chanukah Candle from Another Chanukah Candle

And it is permitted to light one Chanukah candle from another Chanukah candle. One may indeed light one Chanukah candle from the other. Although we learned earlier that one may not use the Chanukah candle, using means for your needs, but lighting the other Chanukah candle is indeed part of the mitzvah of the Chanukah candle.

R' Yitzchak: Right. And this also has something to do with the topic of hadlaka oseh mitzvah? Not clear why, but that's what it says in the Gemara, yes.

R' Yoel Asher: Ah, because if it weren't hadlaka oseh mitzvah, but rather still oseh mitzvah, the lighting would only be a technical thing of how it should be lit. But if hadlaka oseh mitzvah, it's simple that when the lighting is

R' Yitzchak: Then it performs the mitzvah.

Discussion: Learning by the Light of the Chanukah Candle

R' Yoel Asher: So the question is here, is this a law apparently only regarding a Chanukah candle? That means, learning by the light of the Chanukah candle will be forbidden, because it's not simple that because one may do a mitzvah. It could be for example singing or saying the prayers of Chanukah will indeed mean, because it's relevant, one can learn... what?

R' Yitzchak: A good question. I hear. I don't know. No, perhaps a mitzvah itself, not clear.

R' Yoel Asher: I'm saying just learning, anything that one learns is a nice thing, but it has no connection with lighting the Chanukah candle.

R' Yitzchak: But for example saying the blessing by the light of the candle,

R' Yoel Asher: Will be that itself on the...

R' Yitzchak: The blessing one cannot, because one must make it before the lighting. No, not, for the next,

R' Yoel Asher: Whatever, light the next one.

Rema's Opinion – Lighting a Candle to Learn

R' Yitzchak: He brings that there's a dispute among the Rishonim whether one may light a

R' Yoel Asher: Shabbos candle from a Chanukah candle,

R' Yitzchak: Also a mitzvah. So the question is whether it must be a mitzvah or must it be that mitzvah? He brings that the Rema says that one should not light the second candle from the first candle, it goes back to the concept of mehadrin, because the second candle is only a beautification, and the first candle is truly the mitzvah, therefore it's weaker. And there's more, he brings what he said earlier, and the Rema says indeed, even... okay, here we're not talking about using its light, here we're talking about using the candle, lighting from it a second one.

R' Yoel Asher: The Rema says that one may even light just a candle to learn from the Chanukah candle, because this is also a mitzvah. Interesting. But the Rambam...

Ra'avad – Even Through a Sliver

R' Yitzchak: Okay, the Rambam doesn't say more. There's an interesting thing, that the Ra'avad goes and says that what it means "lights a candle from a candle" means even through a sliver. That means, not that one lights directly,

R' Yoel Asher: Rather one takes a... on this he was concerned, because it's simple that you're not doing a mitzvah now with the lighting.

R' Yitzchak: When you take the new flame... The Rambam is not clear whether he agrees with all these cases. In the Gemara one sees that it's dependent on how one understands this,

R' Yoel Asher: So it could be that it's not. But from the fact that this also has to do with hadlaka oseh mitzvah, it's implied not like the Rema. Because even if I'm doing a mitzvah, you're still doing the act of the mitzvah,

R' Yitzchak: No less when you light a Shabbos candle or a candle for a sick person. Not clear. Right. So about this the Maggid Mishneh says that

R' Yoel Asher: Through a sliver also is not good,

R' Yitzchak: Because lighting the sliver is not itself an act of mitzvah. It's only a preparation for the next mitzvah,

R' Yoel Asher: For the next candle, whatever.

Halacha 11 – A Courtyard That Has Two Openings in Two Directions

R' Yitzchak: The Rambam says further. A very interesting inquiry. One must learn more about this regarding Chanukah,

R' Yoel Asher: But we learned what the Rambam says. The Rambam says,

R' Yitzchak: "A courtyard that has two openings in two directions." Ah, the Rambam doesn't say by us,

R' Yoel Asher: "That has two openings." Interesting. Not every courtyard is open to an alley.

R' Yitzchak: It could be that this is a courtyard that is open to the public domain. Yes, I'm saying, but we asked him earlier

whether one lights by the courtyard and by the alley.

R' Yoel Asher: This is one of the fundamentals that one lights by the courtyard. "A courtyard that has two openings in two directions."

R' Yitzchak: Requires two candles, why? So that passersby in this direction won't say they didn't place a Chanukah candle. That means, a person will go, he'll see here lives a Jew and there's no Chanukah candle. He won't think, "Oh, he lit on the other side." Perhaps he doesn't know there's another side, and so on.

R' Yoel Asher: And there's even a verse on this, "And the passersby won't say, 'The blessing of Hashem be upon you, we bless you in the name of Hashem.'" It's not relevant.

R' Yitzchak: He says a verse in Tehillim,

R' Yoel Asher: "And the passersby won't say, 'The blessing of Hashem be upon you.'" I don't know, I don't remember.

Novelty – Pirsumei Nisa Also Has a "Negative" / Prohibition Side

But what's the meaning? It's very interesting, because this is a new thing that they haven't seen until now. They saw now that there's a mitzvah of pirsumei nisa in a positive manner. But to say also that it's a disgrace that one doesn't see a Chanukah candle, is very interesting. Here we see that pirsumei nisa is much stronger. Pirsumei nisa also contains a prohibition as it were, understand what I'm saying? What is not pirsumei nisa is only positive,

R' Yitzchak: And if there's no pirsumei nisa it's not valid.

R' Yoel Asher: I didn't think about this that it has pirsumei nisa, I didn't think about this that it has pirsumei nisa. I thought about suspicion, I said that the mitzvah is pirsumei nisa, and in this there's also a prohibition of nullifying pirsumei nisa.

Connection to Suspicion / Appearance

But I'm saying simply, one learns that one has pirsumei nisa like passing by a beis midrash during prayer time. All Jews are doing something, it's a great matter, they must know. For example, I must think, many times I go into the beis midrash and I'm not holding by davening then,

R' Yitzchak: So I'm not davening. It's a problem. No, people aren't suspicious,

R' Yoel Asher: People aren't sure that you're engaged in matters of the world.

R' Yitzchak: You should make a preparation for prayer, after prayer, whatever, I don't care. But, it could be that there's

R' Yoel Asher: A topic of avoiding suspicion, and one must make sure that there shouldn't be such a thing. The same thing, a person goes on Chanukah and he sees, ah, every house has a Chanukah, he says, ah, and probably there's a Chassidic Jew

R' Yitzchak: Who doesn't know that one must light outside, he lights inside by a door. Okay,

R' Yoel Asher: Perhaps today it's actually not relevant.

Discussion: The Suspect vs. The Suspected

R' Yitzchak: Because also here, the person who suspects, he needs to work on his character traits, he needs to do teshuvah, yes? Because he sees that it's a house that has sides. He could have seen that the other side is there. But he's judging here. One direction is not a problem. Okay, because one sees immediately. But the person should have thought, there are more doors. He sees here a large house,

R' Yoel Asher: Why does he judge this quickly?

R' Yitzchak: True, but here we see that it's true, from the side of the suspect one should indeed do this, but from the side of the suspected one must see to make it so there won't be any suspicion.

Practical Difference: Multiple Houses

R' Yoel Asher: It's very interesting, also in general the halacha is very interesting, because what happens if a person has multiple houses? Yes, today is one reality, a person has multiple houses. Will we say that in every house he has, he must light Chanukah candles because of suspicion?

R' Yitzchak: Perhaps indeed. It can't be.

R' Yoel Asher: Okay, a great stringency. Rabbosai, there's a time to say that all these Jews... I hope that more of my listeners have houses in the mountains and in Florida and in Eretz Yisrael and so on throughout the world, because of suspicion.

R' Yitzchak: No,

R' Yoel Asher: It comes to an end. People know it's empty.

R' Yitzchak: A courtyard means a place where people live.

R' Yoel Asher: Ah, right. One sees the courtyard is bustling, one sees that things are happening inside, but by the door one doesn't see a Chanukah candle.

R' Yitzchak: Okay. But anyway, one may think that it does look like it.

Time Factor in Suspicion

R' Yoel Asher: I have here that suspicions are also dependent on the fact that there's a certain specific half hour or three quarters of an hour when everyone lights. Once there's the leniency of today that because the marketplace empties later, he can think he's going to light later, he already lit earlier. If there's a certain half hour, that if then it's not burning, it's simple that it's not burning.

Matter of Candles by Every Jewish Door

R' Yitzchak: I think regarding Chanukah, it could be not everything one sees is done with suspicions. More candles. You know, should one light another candle on the other side too? There's indeed a matter that every Jewish house, every Jewish door should have a candle,

Connection to "Scoffers" and Minor Danger

R' Yoel Asher: Understand? It could be that there's the language he brought from scoffers, that since it's something that one was easily lenient about from not a great danger, but just when there are critics, when it's not the problem, one shouldn't think, I don't know, understand what I'm saying? Because the suspicion is real. Because one was so easily accepting of a danger, a person will easily think that the person is not meticulous about the mitzvah of lighting at the entrance of his house. Okay, further, what's happening now?

Halacha 10 (continued) – One Who Is Not in His Home / A Guest

R' Yitzchak: Ah, look what he says.

R' Yoel Asher: A person is not at home, he's traveling. And at home his household members are at home.

R' Yitzchak: They light. **Madlikin alav betoch beito**. His household lights for him.

R' Yoel Asher: They light for him. **Eino tzarich lehadlik alav bemakom shenisarach bo**, one doesn't need to light for him in the place where he is staying. It's interesting. What does this mean? That even the hiddur that the Rambam mentioned, that one lights for each member of the household, only means for the people who belong there.

R' Yitzchak: No.

R' Yoel Asher: The Rambam didn't have.

Explanation of "Madlikin Alav"

R' Yitzchak: Madlikin alav doesn't mean that. Madlikin alav means that...

R' Yoel Asher: Bechol echad ve'echad.

R' Yitzchak: Yes, but that doesn't mean madlikin alav. Madlikin alav doesn't mean the hiddur, it means the basic law. Madlikin alav means, somehow, that when one lights candles, each person must be yotzei, it must belong to the entire household. How exactly is each member of the household dependent on me? I don't know, soon we'll see with a guest, but a normal household is one household, it's one home, because when one lights, one takes candles, one takes oil from the home, everyone lights. So, at your place, it's already done, your oil is already burning, at your place, there's no need.

But look what he says, **ein lo bayit lehadlik alav bo**.

R' Yoel Asher: If... ein lo bayit lehadlik alav bo, no one is lighting, he has no one left at home, he is a guest.

The Law of Mishtateif BeShemen

R' Yitzchak: He doesn't belong to the household. How can you be yotzei with the household? Therefore there is a solution, **umishtateif imahem beshemen**. You give them a perutah, he is somehow yotzei with their oil, because you don't belong to the household.

R' Yoel Asher: So the household where he is staying, even let's say the person lights there for each member of the household, but the guest is not from the household members. It's not his candle, and for that one needs to light extra with his money.

R' Yitzchak: He is mishtateif beshemen, he is mishtateif, not lighting extra. Perhaps if he is mehadder he needs to light extra candles, but now we're talking about the basic law. The answer is, or according to the Rambam, that even the mehadder, the host lights for each person, he gives him a perutah, he buys a little oil, so with that he becomes part of the lighting.

A Separate House – Mipnei Ha'Ovrim

R' Yoel Asher: What happens? **"Ve'im haya lo bayit bifnei atzmo"**, if the guest, the place where he is now, he has rented a house, he's not staying with someone, rather he has a bayit bifnei atzmo, **"af al pi shemedlikin alav betoch beito"**, even if his household where he usually lives has lit for him, he must still light in the house where he is currently staying, **"mipnei ha'ovrim"**. For the same reason, as we learned about the ovrim, about suspicion, people should see that there's a Jew here, he's not lighting any Chanukah candles, and people don't know that they're lighting for him betoch beito.

R' Yitzchak: Right. So it's still chashad. Here you see indeed two houses, this is the example of two houses, he already lit at home, but here he's living. Ah, you see, if he just has a house or not, but here he's also living, people will say, "See, he didn't light Chanukah candles?" He must light Chanukah candles.

Digression: Why Are People So Suspicious?

R' Yoel Asher: How does it work with the halachos that people shouldn't be so judgmental and not so suspicious? In Hilchos Deos, I know, it says somewhere, one shouldn't be so suspicious of people. It seems like people were very quick to suspect others. And I think there's something more here. Also the language that in times of danger (bimei haskanah) appears in various sources to mean more than just danger from gentiles. Perhaps something more was happening, perhaps there was a certain time when Jews were lax in the mitzvah. Therefore they made the decree of mipnei hachashad.

R' Yitzchak: I don't know. There are other places where it says mipnei chashad, no? It's not the only thing.

R' Yoel Asher: Yes, there is by Shabbos hanging a towel mipnei chashad or maris ayin.

Halacha 12 – The Mitzvah of Ner Chanukah Is Very Beloved

R' Yoel Asher: The Rambam says further, **"Mitzvas ner Chanukah..."**

R' Yitzchak: Here we come to the end approximately.

R' Yoel Asher: The Rambam very much likes to end a halacha, especially an entire sefer, with beautiful words, with divrei aggadah.

R' Yitzchak: Here he also has the halacha that relates to it.

The Importance of Ner Chanukah

R' Yoel Asher: Halacha also, yes. The Rambam says, **"Mitzvas ner Chanukah mitzvah chavivah hi ad me'od"**. A very beloved mitzvah. Chavivah to the Almighty, to people, important.

R' Yitzchak: The Rambam explains.

R' Yoel Asher: "Vetzarich adam lehizaher bah". A person must be careful with ner Chanukah. Seemingly this was from zahir bener, ragil bener, from that thing. Perhaps one can say "tzarich adam lehizaher bah" means one should do the mitzvah min hamuvchar that he began with. Why? Just so, "lehizaher bah", one shouldn't forget it, one shouldn't be lax in it. Why? This shouldn't mean that it's just some custom, one must be. **"Kedei lehodi'a hanes"**. Isn't it so important? No, it's very important. **"Kedei lehodi'a hanes"**, to make known and publicize the miracle. **Ulehosif beshevach Ha'el vehodayah lo al hanisim she'asah**.

R' Yitzchak: That's why it's so important, seemingly.

R' Yoel Asher: It means lehodi'a hanes, others have already made it known, but lehosif beshevach Ha'el, each person who lights extra, or each hiddur that one does, adds to the praise of God.

R' Yitzchak: What this means, one understands better.

Even If He Has Nothing to Eat Except from Charity

R' Yoel Asher: Yes. **"Vehodayah lo al hanisim she'asah"**. It's similar to kol hamarbeh lesaper harei zeh meshubach. Always when one praises the Almighty, to increase is a virtue. The Rambam says, **"Afilu ein lo mah yochal ela min hatzedakah"**, even if a person has nothing to eat and he exists on charity, and there's no law that the charity fund must distribute Chanukah candles, like the four cups. But there's an obligation on the person himself, **"sho'el"**

he should borrow, **"o mocher kesuso"** he should sell something. I think mocher kesuso, we may have once addressed this, doesn't mean when it's his last shirt. I think he has something to give away, even if you're a poor person, you have something. **"Veloke'ach shemen veneros umadlik"**.

I don't believe, because you say there aren't really any rules in this, but there must be rules.

R' Yitzchak: A person didn't give away his...

Discussion: Sho'el – Borrow or Ask?

R' Yoel Asher: Last bite of food for a hiddur mitzvah. Sho'el also doesn't necessarily mean borrow, perhaps sho'el can mean ask a favor, ask from someone who will give a donation. Yes? Again? Sho'el. Sho'el means borrow, or sho'el can mean ask a favor?

R' Yitzchak: It means we talked about the same question in another place where it said sho'el. I don't know.

R' Yoel Asher: No, because what I mean to say is... the Rambam spoke about something regarding aseh Shabatcha chol, it's a language of the Tur, that a person shouldn't borrow to...

R' Yitzchak: Perhaps have a Shabbos meal.

R' Yoel Asher: For kiddush yes.

R' Yitzchak: For kiddush yes.

R' Yoel Asher: And certainly tzaddikim said sho'el should ask the Almighty, he should pour out his heart to the Almighty.

R' Yitzchak: He should indeed ask the Almighty, what is Shabbos a mitzvah of prayer?

Order of Priorities: Ner Chanukah vs. Kiddush HaYom

R' Yoel Asher: The Rambam says, **"Harei she'ein lo ela perutah achas"**. What happens if a person has only one perutah, and he now needs to make priorities? **Ulefanav kiddush Shabbos vehadlakas ner Chanukah**. See, as we spoke that by kiddush there's also. I think all these things relate to this, because there was a system that the very basics the charity fund provided. Ein lecha ish she'ein bo kupah shel tzedakah, as the Rambam said. The charity fund only provides shtei seudos and the like. But there are the extras that the charity fund doesn't provide. Kiddush? No, for a cup of the four cups it says the charity fund must provide. For kiddush must the charity fund provide?

R' Yitzchak: It must be, because if he needs to sell his clothes, hello, it can't be.

R' Yoel Asher: He has only one perutah, ulefanav kiddush Shabbos vehadlakas ner Chanukah. Unless, this is the point. The charity fund doesn't need to provide ner Chanukah, but clothes they do need to provide. Let's take a solution, listen to what I'm saying. The charity fund needs to provide the basics so a person can exist. Ner Chanukah they don't need to provide. So sell your clothes, and the charity fund will see you without clothes, they'll buy you clothes. Clothes they do need to give you.

R' Yitzchak: But let's be real, here, learning the laws of charity fund in all these places, it's certain that they should give all Jews comfortably, Chanukah candles, clothes, and kiddush, and everything.

Ner Chanukah Takes Precedence Over Kiddush – Explanation

R' Yoel Asher: This is the question of priority. What's more important, kiddush or hadlakas ner Chanukah? The Rambam says, **makdim shemen lehadlik ner Chanukah al hayayin lekiddush hayom**, oil for ner Chanukah is more important than wine for kiddush hayom. Why? **Ho'il ushneihem midivrei sofrim**. Since both are a mitzvah miderabanan.

R' Yitzchak: That means kiddush is mid'oraisa...

R' Yoel Asher: But kiddush al yayin, ah, very good, I immediately thought, there is a way of... okay, kiddush al hayayin can be done al hapas. Only the hiddur mitzvah of doing it specifically on wine is only miderabanan. **Mutav lehakdim ner Chanukah sheyesh bo zichron hanes**. Ner Chanukah has a zichron hanes, you remember the miracle, so it's more important, it's more significant. It means, the zichron hanes that one does by kiddush you can indeed do on the bread, the zecher liyetzias Mitzrayim, whatever it is indeed. On the bread, only the hiddur of doing wine... It's a bit interesting to me, because I was taught that if the bread is chaviv alav, the Rambam said that one does it on bread. When he doesn't have, certainly bread is chaviv alav. What one has is more chaviv than what one doesn't have.

R' Yitzchak: But it's interesting that kiddush also publicizes ma'aseh bereishis and the like. But perhaps indeed this is...

R' Yoel Asher: Not the wine publicizes, because when one doesn't do the bread one doesn't see clearly that there's something extra of kiddush. He goes to say a blessing.

R' Yitzchak: No, on the contrary, I'm saying the opposite, that hadlakas ner Chanukah takes precedence because sheyesh bo zichron hanes. True.

R' Yoel Asher: I'm saying, the kiddush also has a zecher liyetzias Mitzrayim, but this can be done on the bread. But it could be that what one does on the bread isn't a publicizing of zecher liyetzias Mitzrayim, because one doesn't see it so at the end of kiddush. True.

Order of Priorities: Ner Beiso Kodem

The Rambam says further, interestingly, here comes in priorities by Chanukah. **"Haya lefanav ner beiso vener Chanukah"** –

R' Yitzchak: I think this is all a continuation of the "chavivah ad me'od". How do we see that it's chavivah? Because we see that it's more chavivah than kiddush.

R' Yoel Asher: But because it was just said that it's more chavivah than kiddush, you'll think it's the most important thing. There are things that are more important. **"Haya lefanav ner beiso"** – he needs to light the electricity in his house, he needs to pay the electric bill – **"o ner Chanukah"**. Or another option, **"ner beiso vekiddush hayom"**. This he says incidentally, because he already mentioned Chanukah versus kiddush. Here he has a question of candles to illuminate the house, or kiddush hayom. So **"ner beiso kodem mishum shelom beiso"**, in his house there should be peace, it should be light in the house. **"Sheharei hashem nimchak la'asos shalom bein ish le'ishto"**. We see indeed by the mitzvah of sotah that one may erase the name of Hashem to make peace between husband and wife, and in a house where it's dark it will bring sadness, it will bring brokenness.

R' Yitzchak: There's no peace. I think his wife will yell at him, "You wise guy, you gave away the lights for our house

because you need a Chanukah candle? Choke on the Chanukah candle!" The Torah comes and says, "You know what? Indeed, sell the Chanukah candle and buy lights for the house."

Discussion: Why Not Manicho Al Shulchano?

R' Yoel Asher: But it's an interesting thing to me, because he can do a simple thing, he can arrange that this is a matter of sha'as hasakanah, "manicho al shulchano". He has the ner Chanukah al shulchano, and it's the shalom bayis.

R' Yitzchak: "You keep on having discussions" that we've had for the fourth time, the third shall see. It seems it doesn't work that way. One can't declare sha'as hasakanah. Sha'as hasakanah is a "real thing".

R' Yoel Asher: The danger is a wife.

R' Yitzchak: Yes? Very good. It's a wife.

Halacha 12 (continued) – Ner Beiso Kodem LeNer Chanukah

R' Yitzchak: Choke on your Chanukah candle! The Torah comes and says, you know what indeed? Sell the Chanukah candle and buy lights for the house.

Discussion: Why Can't One Make Sha'as HaSakanah and Manicho Al Shulchano?

R' Yoel Asher: This is an interesting thing to me, because he can do a simple thing. He can arrange that this is a matter of sha'as hasakanah, manicho al shulchano. He has the ner Chanukah al shulchano, it's the shalom bayis.

R' Yitzchak: But it seems it doesn't work that way, one can't declare sha'as hasakanah. Sha'as hasakanah is a real thing.

R' Yoel Asher: The danger is a wife.

R' Yitzchak: Yes? Very good. Secondly,

R' Yoel Asher: Once I learned that sha'as hasakanah doesn't mean actual danger, rather it's a kind of strong sha'as hadchak.

R' Yitzchak: It doesn't seem so, it doesn't seem from all these things. Secondly, it wouldn't help, asur lehishtamesh le'oro.

R' Yoel Asher: But you're not allowed. Ah, right.

R' Yitzchak: Right. How practically does it bother you? I don't know, but nothing comes of it.

Innovation: Chanukah Is Kiddush Hashem – Hashem Nimchak La'asos Shalom

R' Yitzchak: I thought of an innovation now. What does "hashem nimchak" mean? We just learned, Chanukah is a kiddush Hashem.

R' Yoel Asher: Ah, very good.

R' Yitzchak: And the Almighty forgoes His honor la'asos shalom. That's the secret. And we spoke about this. The world, in Rashi I think, in the Gemara it says that "ner beiso" means the candle of Shabbos, but the Rambam doesn't say he's talking about Shabbos. As we saw in the Ritva and other commentators, that it can mean the entire week as well, as you said the electric bill.

And from this one can learn other things. If someone has a question whether he should provide something in the house or buy a beautiful esrog, he needs to know that hashem nimchak la'asos shalom bein ish le'ishto. May the Almighty help that all Jews should have enough.

Discussion: Why Not Only Nullify the Prohibition of Lehishtamesh Le'oro?

R' Yoel Asher: I'm thinking something else. Why shouldn't we say that the prohibition of lehishtamesh le'oro should be nullified? There's a problem, yes? Okay, the Rambam wants to say here the...

R' Yitzchak: We're not talking with all the...

R' Yoel Asher: The Rambam doesn't want to give here the main reason, understand. But I'm saying, but practically, instead of nullifying the mitzvah of ner Chanukah, you should only nullify the small section of the mitzvah of Chanukah of asur lehishtamesh le'oro.

But it could be that the mitzvah of ner Chanukah itself is that it's an extra candle. Once it's a candle that you use for shalom bayis, it's not ner Chanukah at all.

R' Yitzchak: But technically, the real thing, here we're not talking about lighting at home, here we're talking about lighting... on the contrary, perhaps you're right. If one is already lighting at home, perhaps one can find one of the solutions. I don't know. All these halachos are when one lights outside, and one can't do both.

R' Yoel Asher: But I'm saying, once you use it for shalom bayis, perhaps it won't be called ner Chanukah. Because it won't just be a flaw in the asur lehishtamesh le'orah, rather it won't be called a ner meyuchad leChanukah. This too could be.

The Rambam's Conclusion – Gadol HaShalom

R' Yoel Asher: It comes out the Rambam,

R' Yitzchak: The Rambam ends thus:

R' Yoel Asher: The main point, ner beiso comes before ner Chanukah. The Rambam says, I said that ner Chanukah is a mitzvah chavivah, but there's a mitzvah that's even more chaviv, gadol hashalom. Peace is very great. **Shekol haTorah nitnah la'asos shalom ba'olam.** The entire Torah was given to make peace in the world.

R' Yitzchak: As it says,

R' Yoel Asher: Shene'emar deracheha darchei no'am vechol nesivoseha shalom. The Torah was given so there should be pleasantness and there should be peace in the world.

R' Yitzchak: And afterwards one knows that one doesn't call the four species the

R' Yoel Asher: species that stands,

R' Yitzchak: And that is the connection. And one sees that the entire Torah is for peace. Therefore, if that is the goal, it must override the other things. That is perhaps the connection.

Peace in the World – The Excellence of Character Traits (Rambam's Eight Chapters)

R' Yitzchak: And peace in the world doesn't just mean that one shouldn't hit each other, it means, as the Rambam said in Eight Chapters, peace means the excellence of character traits. All matters of settling the world, that people should have good character traits, that they should give to one another. That is the goal of the entire Torah.

Certainly, the Torah has another goal, which is truth? Which is intellectual excellence? But first, in this world, in the world. That is, peace is in the world. There is also the World to Come, which is another level.

R' Yoel Asher: But peace in the world... by the specific action that we held, the peace is an even much greater peace, because it's also a level in character traits. That my wife should be

comfortable is no less important than my mitzvah. That is the peace that the Rambam speaks of.

Digression: Parallel to Laws of Prayer – The Blessing of V'lamalshinim

R' Yoel Asher: The Rambam also said by the mitzvah of v'lamalshinim that this is the most important mitzvah. What did he say? Because if there isn't any... what was his language? If there isn't any peace...

R' Yitzchak: He didn't say the word peace, he said that it is greater than all the needs of people, because you're talking about the Laws of Prayer. Chapter, who remembers? Chapter? What do you think about this?

R' Yoel Asher: I don't know what comes in, but I remember that it's there such and such peace, and as if one will be exempt from the wicked.

R' Yitzchak: In the days of the heretics, it is permitted, greater than all things we take three, he doesn't say. No. There are other places where he says that...

R' Yoel Asher: The last blessing of the Shemoneh Esreh is Sim Shalom, yes.

R' Yitzchak: Okay, one should know what it means.

Conclusion of Sefer Zmanim

R' Yoel Asher: But yes. Wonderful! We have finished, hadran alach Sefer Zmanim.

R' Yitzchak: And everyone is invited to the siyum.

R' Yoel Asher: Rejoice and be happy in the joy of Torah. Yes, wonderful. Blessed is Hashem, we have finished Sefer Zmanim, we have finished the third book, we already have a chazakah: Madda, Ahavah, Zmanim. And we are going to go now further to Nashim. And this connects Zmanim to Nashim, yes, we end with shalom bayis, between a man and his wife.

R' Yitzchak: Ah, very good.

R' Yoel Asher: That is the hadran.

R' Yitzchak: We have finished, we have finished.

R' Yoel Asher: We have finished.