YCT Chanukkah Halakha Reader

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Introduction

Rabbi Dov Linzer

President & Rosh HaYeshiva, Norman & Tova Bulow Chair, YCT

The act of lighting candles on Chanukkah is understood in halakha to be an act of *pirsumei nissa*, publicizing the miracle. If the candles are not able to be seen, then one does not fulfill the mitzvah. Through our lighting, we proclaim: The Maccabees had pride in their faith and were willing to stand up for it. It is for that reason that Judaism survived. We are proud to be Jewish and we want everyone to know it.

Except, not always. Already the Talmud states that at times of danger, the candles are to be lit indoors, away from the sight of the Gentiles. Due to perhaps justified fear, the mitzvah and the expression of one's Jewishness must be kept private and hidden away.

For many centuries when Jews lived in hostile surroundings, candles were indeed lit indoors, visible only to the family. But for a long time that has not been the case in this country – at least as far back as I can remember. While candles are often lit indoors in America due to practical concerns of wind and the like, they are also intentionally lit in the window so that they will be visible to all, both Jews and non-Jews. We have been proud to declare our Jewish identity and felt safe doing so.

Tragically, that is changing. Already last year we saw a rapid growth of hate groups and hate speech, and more and more murderous anti-Semitic attacks on synagogues and Jewish locations. As a result, we heightened security and placed guards at our synagogues and schools. We have pulled a little bit indoors, where it is safe. But since October 7, anti-Semitism has truly gone mainstream – on college campuses, on the streets, it is everywhere around us. Many people are now even afraid to have their mezuzot on their doors for fear of their homes being targeted by anti-Semites, and my heart goes out to them.

In response to a question that I received from one of our rabbis in the field about whether it is permitted to take one's mezuzah down in such a case, and what my general religious guidance would be, I wrote as follows:

> Thank you for your heartfelt and anguished question. There is no question that as a matter of halakha, if there is a real concern for safety, obviously that overrides other mandates and the mezuzah may be removed.

But if you are asking me my advice here, then I would say that my religious response at a moment like this is that we should not give in to bullying and intimidation tactics. Doing such only emboldens those who would terrorize us or seek to make us into victims. We live in a country in which the government is mandated to protect us, in which there is recourse - civil and criminal - if we are attacked or our homes are vandalized, and in which we can organize ourselves in neighborhood watches and the like to protect ourselves. We need to have faith, and we need inner strength, courage and pride at a time like this. Otherwise, we lose and they win, and the problem only grows greater. To cite a Midrash that gives some expression to this (Midrash Rabbah, Shemot Ki Tisa, no. 42):

> ויאמר ה' אל משה ראיתי את העם הזה, מהו והנה עם קשה עורף הוא,, אמר רב יקים ג' חצופים הם, חצוף בחיה כלב, בעוף תרנגול, ובאומות ישראל, אמר ר' יצחק בר רדיפא בשם ר' אמי אתה סבור שהוא לגנאי ואינו אלא לשבחן או יהודי או צלוב

And God said to Moshe: "I have seen this nation and they are a stiff-necked people." (Shemot 32:9). What is meant by 'a stiff-necked people'? Said Rav Yakim: "There are 3 who are brazen *(chatzufim*, have *chutzpah*): the *chatzuf* among the animals is the dog, among the birds is the chicken, and among the nations is Israel."

> Said Rav Yitzchak bar Radifa in the name of Rav Ami: "You might think that this is a disgrace, but it is in what makes them praiseworthy – 'Either a Jew or death!'"

So while people must take necessary precautions in all matters, this Chanukkah, I ask us all to move outside. To reaffirm our Jewish pride, channel the Maccabees courage and say: "We will be safe, but we will not be afraid." Let us not forget the message of *pirsumei nissa*, let us say, we will not be deterred. We are going to light those candles for everyone to see!

We hope you will enjoy the halakhic articles collected in this Chanukkah Reader covering the topics of where one is to light (where you sleep or where you eat?); using electric lights for Chanukkah and being careful not to create fire hazards; public lightings, such as done by Chabad, both in and out of shul; and issues relating to the intended audience of *pirsumei nissa* – those indoors or outdoors? Jews or also non-Jews? Of particular interest in this section are questions that arose during the COVID period about achieving *pirsumei nissa* through Zoom.

May this Chanukkah bring with it a true *yeshua* that will lead us out of these dark times and bring us to a world filled with light and goodness.

Chag Samayach!

Dorm Room or School Cafeteria?

Where Do Travelers, Guests, and College Students Light Chanukkah Candles?

Rabbi Dov Linzer

President & Rosh HaYeshiva, Norman & Tova Bulow Chair, YCT

Originally published on the Rosh Yeshiva Responds website (psak.yctorah.org), December 2017.

Many of us fondly remember precious moments with our families during Chanukkah – lighting candles, singing songs, eating latkes, and playing *dreidel*. The family-oriented strand of this holiday is actually deeply woven into its *mitzvot* and *halakhic* requirements. The obligation rests not on the individual, as is the case with almost all other mitzvot, but on the household as a unit, *ner ish u'veito*, a candle for the person and his household. As long as one person lights in the house, even just one candle, everyone fulfills his or her basic obligation.

The concept of house or household is also central to where the candles are lit and for whom. Originally, the lighting was supposed to be done at the opening of a person's doorway or the entrance to the courtyard, not only publicizing the miracle to passersby but also, like the *mezuzah*, marking the identity of the house. Nowadays we light indoors, and while we no longer mark our homes in the same fashion, the audience for the lighting becomes the *benei bayit*, the members of our household.

In *parshat Miketz* which we read immediately following Chanukkah, the word *bayit* echoes throughout the Torah's story of Yosef's brothers returning to Egypt to return the money found in their sacks. Yosef tells his servant to bring the people into his *bayit.* They are brought into the house and become fearful. Yosef then returns to the house, and they bring their present to him in his house. In fact, excluding the two mentions of the "servant over his household," the word *bayit* appears seven times, a number which underscores its significance in the story.

The Torah seems to highlight how foreign Yosef's brothers feel. They are strangers in a strange land, fearful of the fact that they have money which is not theirs, concerned for their safety and their future. They are away from home, and Yosef's home is not theirs. Yosef, for his part, tries to alleviate their fears and anxiety and invites them in, and has them eat with him for the midday meal. A degree of foreignness still remains: the brothers eat at their own table, separate from Yosef's table and separate from the Egyptians' table. To eat with someone is to be welcome in their home; to share a table is to become part of the family. In fact, a central way that *halakhah* determines if a person is a member of a household is whether or not he or she is *someikh al*

shulhan ba'al ha'bayit, is fed by – literally, "is supported by the table of" – the homeowner.

The place where one eats is also a central factor in defining a person's house when it comes to lighting Chanukkah candles. But there is another factor to consider – the place where a person sleeps. When it comes to "living" in a sukkah, for example, a person is supposed to both eat and sleep in a sukkah (although in practice, for the most part we only eat in a sukkah, and do not sleep there). But which of these is more central? In the laws of *eruv*, the Talmud debates whether a person's primary domicile is defined as the house in which he sleeps or the one in which he eats. We rule that a person's home is defined as the place where he takes his meals (Eruvin 72-73, SA OH 370:5).

So what is the law when it comes to Chanukkah? What matters more: where one eats or where one sleeps?

Consider a couple of common scenarios:

- A person eats with friends and goes home to sleep – where does he light?
- A person lives in a dorm and eats in her college's cafeteria – where does she light, in her room or in the cafeteria?
- A person shares an apartment suite with apartment mates, and will be traveling and not be able to light. Can he fulfill his obligation through the lighting of his apartment mates?

Let's look at these scenarios one by one:

Eating at a friend's house. When a person eats dinner at a friend's house, it would often be much easier to light Chanukkah candles there. However, since a person is not sleeping there and doesn't eat there regularly, he is seen as a guest and not as someone who is living in his host's house, even temporarily. The solution to "contribute towards the Chanukkah candles" as a way of being part of the host's lighting only works when a guest is sleeping over and is thus already somewhat part of the household. When someone is only coming over for dinner, he would have to light when he gets home, or he can fulfill his obligation through the lighting done by his family members at home (Magen Avraham 677:7; Taz 677:2; Mishneh Brurah 677:12).

Dorm room or cafeteria? If a guest sleeps in a room with its own entrance from the outside street and eats at his host's table, Shulkhan Arukh and Rema disagree whether he should light in the doorway of his host's house or the doorway to where he is sleeping (OH 677:1). The opinion to light at the entrance of one's bedroom is based on a concern that passersby will see the person going in and out of the entrance and not lighting in his doorway, and suspect him of not doing the mitzvah. When these concerns are not present, and certainly nowadays when the lighting is primarily for the members of the household, all would agree that the guest should light in his host's home (Mishneh Brurah 677:11). This is both because "the place of eating is primary" – that is, defines more where a person is living than the place where he is sleeping, as is the case regarding *eruv* (Taz 677:2) – and also because that is where people congregate and will see the lights.

When someone is living in a dorm, it would seem that it would be preferable to light in the cafeteria, the place where a person eats.

That being said, most *poskim* advise lighting in one's dorm room, preferably in the window where it can be seen by others (see, for example, Iggrot Moshe OH 4:70.3). They argue that in this case, the public nature of the cafeteria makes it difficult to consider it to be a person's domicile. To this we can add that a person will often eat in her dorm room or elsewhere on campus, which is another reason to consider her room as the place where she lives. So, if it is possible, a person should light in her room, but if there are fire hazard concerns, or if the university will not allow her to light in her room, she should light in the cafeteria with a *brakhah*. In such a case, it would be advisable that she also light in her room with electric lights without a *brakhah*. See the two articles in this Reader on the use of electric lights for Chanukkah for more on this topic.

Sharing an apartment. If two or more people share an apartment suite with separate bedrooms for each person and a shared kitchen, are they considered one household for Chanukkah lighting? This is a relevant question in a case where one person is traveling and it will be difficult for him to light. Can he fulfill his obligation through the lighting of his apartment mates? Here *poskim* disagree. The sticky point is that while they share the same kitchen, and they might in practice eat at the same time, they are each individually responsible for buying their own food. Because they are "not unified in their bread," some *poskim* take it for granted that they are not one household and that each person must do his or her own lighting (Maggid Mishneh, Laws of Chanukkah, 4:4; Pri Hadash 677:1). Others assume exactly the opposite: if they share an apartment, they are one household (Levush OH 677:3). Pri Megadim (Eshel Avraham, 677:3) quotes both sides and concludes that "the matter requires greater investigation."

It should seem that even those who consider them to not be one household should permit the traveling person to contribute to the cost of the candles and fulfill his obligation that way. We allow a guest who is sleeping at his or her host's house to do this even if he or she is not eating with the host, and our case seems to be exactly parallel. Nevertheless, Pri Megadim states that the device of "contributing to the candles" might be a special dispensation given for a guest that would not apply to a person living in his own home. Even if we grant that distinction, our case of the traveling person would also call for a similar dispensation, since the person is not at home and does not have the ability to light candles on his own. In my opinion, if a person will not be in a place where he can light, or won't come home until everyone is asleep, he should contribute to the cost of the candles for that night, and he will be considered part of his apartment mates' lighting. That being said, he should also light where he is with an electric light, but without making a *brakhah*.

This Chanukkah, let's take a moment to appreciate the ways in which we come together in our homes as a family, and the different types of families and home welcome in. s that we form. Let it be a Chanukkah that we bring into all our homes a warmth and light that is felt throughout the home, to all who live there and to all whom we welcome in.

Where to Light for a Friday Night Dinner at Shul

Rabbi Zachary Truboff (YCT '10)

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It is not uncommon during Chanukah for synagogues to hold Friday night dinners during Chanukah, as it can be a good way to bring people together, and especially so for young families due to the early start time of Shabbat. However, doing so raises the question about where and when Chanukah candles should be lit by those eating their at the shul.

As is well known, Chanukah candles are lit at the home after sunset and contain enough oil or wax so they remain lit for at least 30 minutes after nightfall. If someone is not able to light at this time, say for example they do not come home from work until late, the general rule is that they can still light whenever they return home. (See *Mishneh Berurah, Shaar HaTziyun* 672:17) Eating out on Friday night, though, presents a problem, for one obviously cannot light after returning home from Shabbat dinner at the shul. Some make the assumption that those who attend the dinner should light Chanukah at the shul because that is where they will be eating, but this point is heavily debated.

The Tur (*Orech Chaim* 677) cites a *teshuvah* of his father, the Rosh, that one who eats with another but has a home of their own where they sleep must light at their home. The reason is because people regularly walk by their home and if they don't see Chanukah candles lit, they will assume the person who lives there didn't light at all. The Rashba in a *teshuvah* (1:542) describes a similar case, however, he appears to rule in the opposite way.

> גם מי שאוכל על שלחן בעל הבית אפילו שוכב בבית בפני עצמו אינו צריך להדליק. אבל מכל מקום צריך להשתתף או שיקנה לו בעל הבית חלק בשמן ופתילות. ולא דמי לאכסנאי שמדליק בתוך ביתו דהתם כבר הדליקו עליו. אבל זה צריך הוא להדליק כאכסנאי שאין לו בית במקום אחר דצריך לאשתתופי בפריטי /בפרוטה/.
>
> One who eats at the table of another, even if they sleep at a different house, does not need to light [where they sleep]. But nevertheless, he needs to join in [with the owner of the home he eats at] or the owner will grant him a portion of the oil and the wicks. This case is not similar to the guest [who eats away from home and] whose family lights in his home [even though he is not there], for in that case they have lit for him [and therefore he has fulfilled the mitzvah]. But [in our case] he needs to light as a guest who does not have a home in another place and therefore must join [in with the lighting] with a *perutah*.

The Rashba appears to say that one who eats in a different location from where one sleeps can, in fact, join in with the lighting of their hosts, as would be the case when one sleeps at the home of another during Chanukah. The Rashba's position is cited by Rema (*Orech Chaim* 677:1), who also alludes to the concern of the Rosh, and adds that because Ashkenazi custom is for candles to be lit inside the home, people outside can't see them, and therefore one need not be concerned to light in one's home to alleviate the problem of *marit ayin*.

The Taz, however, disagrees and argues that the Rashba's ruling and the Rema's application of it is much more limited than how it appears at first glance.

ונראה דגם רמ"א לא מיירי אלא במי שיש לו תמיד חדר מיוחד לאכילה וחדר אחר לשכיבה אך העיקר הוא חדר האכילה וכנדון דהרשב"א שזכרתי משא"כ במי שיש לו דירה בעיר והולך פעם א' חוץ לביתו וסועד אצל חבירו פשיטא שלא יניח ביתו וידליק בבית שהוא אוכל שם פ"א אצל חבירו אלא צריך לילך לביתו ולהדליק שם...ואפי' למ"ש בסמוך דאכסנאי רשאי להדליק גם במקום שהוא שם היינו שעכשיו תהיה גם שכיבתו שם משא"כ בזה שיאכל כאן שעה או שתים וישוב למקומו... דזה הוה כאלו עומד בשעת הדלק' על רחוב העיר... הגם שראיתי קצת בני אדם בשע' שאוכלי' בסעוד' אצל אדם אחר שולחים אחר נרותיהם ודולקים שם וסומכים על הג"ה זו וטעות הוא

It appears that Rema's ruling only applies in a case where one has a designated room for eating and a different room designated for sleeping. [In these circumstances] The room where one eats is primary as discussed by the Rashba in the *teshuvah* that was mentioned. His case is not of one who has an apartment in the city and goes one time outside of his home and eats with his friend. [In this example,] It is obvious that he should not set aside his home and light in his friend's home that he only eats at one time. Rather, he must go to his home and light there… and even what is written that a guest may light in the place that they are eating only applies if they are sleeping there, which is not the case if he will only eat there for an hour or two and return home… To do so would be like standing in the street while seeing people light in their homes…Also, I have seen some people who when they eat with another, they light there and rely on the comment of Rema and this is an error.

According to the Taz's reading, the Rashba's position would only apply in a case where one eats and sleeps in different locations each night of Chanukah, such as would be the case for yeshivah or university students who typically light Chanukah candles in their dining hall and not in the dorms. (That being said, some poskim rule that it is better for yeshivah students to light in their dorms if possible because the dining hall is a communal space and not their personal space. See *Iggerot Moshe Yoreh Deah* 3:14) The Taz's ruling is affirmed by his father in-law, the Bach (677:3), *Magen Avraham* (677:7), *Mishneh Berurah* (677:12), and *Aruch HaSchulchan* (677:3).

Even if one wanted to argue for a more expansive reading of the Rashba's *teshuvah* and the Rema's application of it, it is not clear that it would apply in a situation where one is eating at a synagogue. Though there is some disagreement among the poskim, the obligation to light Chanukah candles rests

primarily on the home, or at the very least, in a defined space where one will be spending the night. As a result, Rav Moshe Feinstein rules (*Iggerot Moshe Yoreh Deah* 3:14) that if one is traveling the entire night and does not go to sleep, they would not be obligated to light Chanukah candles. Based on all this, we can draw the conclusion that the only one who might be able to fulfill their personal obligation by lighting candles in a synagogue is one who is spending the night there.

How then should one proceed with lighting candles on Friday night? Because it is extremely dangerous to leave an unattended fire burning in one's house, this leaves one with the following options:

1. Candles could be lit at home before going to shul as long as someone can remain with them the entire time they are lit to ensure there is no problem. They minimally need to remain lit for 30 minutes after nightfall. In this situation one could rely on the approach of the Vilna Gaon (*Biur HaGra* on SA OH 261:2; MB ad. loc., no. 23) that nightfall begins 14 minutes after sunset. If one lights Chanukah candles at the time designated for lighting shabbat candles (18 minutes before sunset) one would need candles that can last 62 minutes.
2. While many poskim argue that one cannot fulfill their obligation with electric lights, some rule that it is permissible if one is unable to fulfill the mitzvah in any other way. Rav Shlomo Zalman Auerbach (*Halichot Shlomo* 15:3) and Rav Haim David HaLevi (*Aseih Lecha Rav* 6:57) allow the use of electric candles, like a flashlight, that have their own battery power. This is to ensure that they contain own fuel, like a candle, rather than drawing power from an external source. Rabbi Linzer, however disagrees with the use of a flashlights because when a flashlight is on, the light it gives off can be seen, but the bulb, that would be considered the "flame," is not visible. He rules that battery powered LED lights, such as electronic tea candles, could be used and a *berakha* recited upon them. Even though many poskim consider only incandescent lights to be a "flame", there is no strict halakhic requirement for fire. What the Gemara emphasize is the importance of a "clean flame", something LEDs provide well. The only requirement is that the light have sufficient battery power to last until 30 minutes after nightfall. (For more on Rabbi Linzer's position see *Less Fire, More Light* on page 12).
3. If one is unable to light in their home, another possibility would be that they can at the very least recite the blessing of "*sheasa nisim*" when they see the candles that are lit in the synagogue for the purposes of *pirsumei nissa*. While Rav Moshe Feinstein (*Iggerot Moshe* 1:190) disagrees with this because the lighting in shul is only a custom, others rule that it is permissible (See *Hitorerut Teshuvah* 1:103 and *Minchat Elazar* 2:68).

One final point: At a communal meal on Friday night, there remains an additional question about where Shabbat candles should be lit. Unlike Chanukah candles, which are primarily connected to one's home, Shabbat candles are connected more so to where one eats (See *Mishnah Berura* 263:39), and therefore they can be lit in shul, ideally in the same room where the dinner will be eaten.

Lighting Chanukkah Candles with Electric Lights

A Teshuvah from Rav Yaakov Moshe Toledano

Introduction by Rabbi Dov Linzer

Translation by Rabbi Avi Schwartz(YCT '17)

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Originally published on The Lindenbaum Center for Halakhic Studies, December 2018.

Rabbi Yaakov Moshe Toledano (1880-1960), author of Responsa Yam HaGadol, was a Sepharadi rabbi and posek. He served Jewish communities in his hometown of Tiberias, in Tangier, Cairo, and finally Tel Aviv, where he served as the Sepharadi chief rabbi. In 1958, he was appointed the Minister of Religions. He was active in religious leadership throughout his life, setting up schools and batei din, including one in Tel Aviv dedicated to resolving problems of agunot.

In this responsum, Rav Toledano deals with the permissibility of lighting Chanukkah candles with electric lights. This has ramifications for those in hospitals or college dorms who are not permitted to have open flames in their rooms. In addition, for safety concerns we should never leave burning candles without anyone at home (far too often we here of homes burning down due to Chanukkah or Shabbat candles). Being able to use electric lights would be extremely helpful in such cases.

Central to the halakhic question is whether an electric light, specifically an incandescent light, is considered halakhically to be *eish*, fire. There is a pretty strong consensus among the poskim that it is fire, and that to turn on an incandescent light on Shabbat would constitute a Biblical violation of making a fire on Shabbat. If so, it would seem that electric lights could be used for Chanukkah, but in fact this is a matter of debate.

Some poskim argue that one needs to have all the oil in the lamp at the moment of lighting, and here the "oil," i.e., the electricity, that will be needed for the duration of the candles' burning will only be generated and delivered through the outlet after the lighting. A battery-run menorah would solve this problem, but, more to the point, many other poskim rule that when you plug into a system that will reliably provide the fuel, then fuel is considered to be present at the time of lighting.

Rav Toledano focuses on another concern: if lighting Chanukkah candles requires a formal act of kindling, then perhaps flipping a switch

does not constitute such an act. In the end, he rules that he believes that electric lights may be used, although he states that he cannot prove it conclusively.

My ruling would be that in situations where a person may not have an open flame, or if someone has to leave them unattended (and can't blow them out a half-hour after lighting), then she may use incandescent lights and make a brakha over them. The use of LEDs is somewhat more questionable. When it comes to Shabbat candles, electric lights and LEDs are certainly permissible. If there are any safety concerns, such as leaving Shabbat candles unattended when invited out for Friday night dinner, one should use electric candles or just turn on the electric lights in their dining room. See my longer discussion on this issue in my essay "Less Fire, More Light" immediately following this teshuva.

Let this coming Chanukkah bring light to our world, and help us see God's presence in our lives and in all our successes.

Rabbi Dov Linzer

שו"ת ים הגדול, ס' ל"ב

Responsa Yam HaGadol, no. 32

נשאלתי אם מותר להדליק נרות חנוכה בנרות חשמליות אלקטריק שיעשה שמונה מנורות כאלה ולהדליקם ע"י הנעת הכפתור כידוע

I was asked if it is permissible to use electric lights as Chanukkah candles by setting up eight electric lamps and lighting them by flipping the switch.

עי' לעיל סי' כ"ג שכתבתי דדוקא בנר הבדלה צריך שלא יהיה האור סגור תוך פנס אבל בנר חנוכה וכן נר שבת מותר

... ומשום הך דשבת כ"ג דשמן זית מן המובחר ופסקה מור"ם בסי' תרע"ג ס"א אין זה לעיכובא כלל ובפרט דאם יש אור שצלול ומאיר יותר הו"ל כשמן זית... וא"כ אם ליופי אין לך יפה מאור החשמל.

What it says on Shabbat 23a that olive oil is the preferred fuel, and this is ruled in Shulkhan Arukh OH 673:1 – this does not mean that not using olive oil prevents one from fulfilling the mitzvah. Moreover, if one has a light that gives off a clear and bright light, this is just as good as olive oil…The sources indicate that the key consideration is the quality of the light, and if it is the quality that we are concerned about, then nothing is as beautiful as electric light.

ואי משום דמנורות החשמל הן עגולים כידוע ונתלים ואין להם תורת כלי... גם מנורות התשמל שעשוים לכך וזו מלאכתן הוו כלי

If the concern is that electric bulbs are round and they hang from the ceiling, and therefore don't meet the technical definition of a vessel…since electric lights are made for this purpose, they are by this measure considered a vessel [citing Kelim 4:3].

ושו"ר שכנד"ד הביא בשדי תמד במע' חנוכה אות ו' משו"ת בית יצחק שנשאל על נרות המדליקין בשמן בלי פתילה והכשיר, ורק דלמצוה מן המובחר כתב דבעי בשמן זית ופתילות דדמו למנורה וכו' ע"ש. וכנראה שכוונתו על נרות שנותנין בהם תמצית שמן הגאז שנדלקין ע"י צינורות של האד בלי פתילות.

I saw in the Sdei Hemed (under the heading for Chanukkah, no.6) that he cites a responsum of the Beit Yitzhak, who was asked about lamps in which the oil is lit without wicks. He permitted these lamps, adding only that it is preferable for the purposes of the mitzvah to use olive oil with

wicks, similarly to the menorah. It is likely that he was referring to gas lamps, where the gas enters through a pipe and is lit without a wick.

אלא דיש לחלק בין הנך ובין נרות החשמל דנד"ד, דהתם בצינורות תמצית הגאז איכא הדלקה מיהא שמדליקין אותם באש אבל בנרות החשמל אין בהם הדלקה כי אם מניעים ולוחצים את הכפתור והאור יוצא. וכיון דקי"ל בחנוכה הדלקה עושה מצוה ומטעם זה פסלינן התם בשבת כ"א הדלקת חש"ו... א"כ גם נר החשמל שהוא כבר כמוס וגנוז בחוטים הנמשכים ממרכז בית החרושת ורק מתנוצץ או נכבה ע"י דפיקת הכפתור, אין בזה הדלקה גמורה. ועמ"ש לעיל סי' כ"ו.

There is, however, a distinction to be drawn between such lamps and the electric lights under discussion. In the case of the gas lamps, the gas is still lit at the [end of] the pipe, for there is an act of lighting done with a fire, whereas in the case of the electric lights, there is no act of lighting. One merely flips a switch and the light comes out. Since we hold that with regard to Chanukkah candles, the kindling itself accomplishes the mitzvah, and thus lighting done by a minor…

is invalid [Shabbat 23a, OH 675:3], it should follow that with the electric light, where the electricity already exists within the wires flowing from the power plant, and the light begins shining at the flip of the switch, there is no actual act of lighting the fire.

ואולם י"ל דמ"ש הדלקה עושה מצוה דברו בהוה שכל הנרות היו נדלקין באש בזמנם, אבל הוא הדין ג"כ כשמנוצץ האש הסגור ומאיר אותו, כבכה"ג של החשמל, דפיקת הכפתור מקרי הדלקה, דהא ההארה הוא העיקר ולא ההדלקה, כמ"ש ולהאיר ביום ובלילה. וכך נראה בעיני הגם שאין לי לע"ע הוכחה ברורה ע"ז.

However, one can say that when the Sages said "kindling accomplishes the mitzvah," they were speaking about what was commonplace, as all lights were lit with fire in their times. So with regard to a light which is hidden and then shines like electric light, flipping the switch is defined as "kindling," for the key is the illumination that is created, and not the act of lighting per se, as it is said "to shine… by day and by night" (comp. Gen. 1:17-18). So it appears to me, although I do not have a clear proof for this at this time.

Less Fire, More Light

Lighting Chanukkah Candles Without Burning Your House Down

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The story of Yosef and his brothers has, on the face of it, nothing to do with Chanukkah. But as it is often read right around Chanukkah time, it is not surprising that attempts have been made to find connections to Chanukkah. Perhaps the most famous one is based on the *gemara* in *Shabbat* (22a). Immediately preceding the discussion of the mitzvah of lighting the Chanukkah lights, the *gemara* references a verse from our *parashah*: "'And the pit was empty; there was no water in it' (*Bereishit* 37:24) – there was no water in it, but there were snakes and scorpions in it." *Torah Temimah* comments that this passage is connected to Chanukkah lighting in the following way: Yosef's brothers would not have thrown him into the pit had they known it contained snakes and scorpions; but because the pit was so deep (20 *amot,* according to one source), the snakes and scorpions were not visible. This becomes the basis for lighting Chanukkah lights within 20 *amot* of street level. If something is too high or too deep, people will not be able to see it properly.

Other connections may also be made. Yosef is as a model for resisting the temptations of assimilation when he resists the advances of Potiphar's wife by invoking God's name and putting his own life at risk. And then, of course, there is Yehudah's signet ring (*hotemet*) and his cord *(petilim*) which evoke the flask of oil that was found with the seal (*hotem*) of the Kohen Gadol, and the Chanukkah lights which are lit with oil and wicks (*petilim*). And, in that story, Tamar's presentation of Yehudah's signet ring and cord saves her from death by fire.

The lights of Chanukkah carry dangers as well. There are too many stories of people whose houses have burned down because they left Chanukkah candles burning unattended. This happens most frequently on Shabbat, when a family goes out to have their Friday night meal at the house of friends or at *shul*. Since it is Shabbat, the candles can't be blown out after they have burned the requisite amount of time, and people usually do not opt to stay behind to watch them until they burn down. But to leave the candles burning is not just a risk to property, it is often a risk to life as well, and the Torah teaches us that safety must always be our first priority.

So what – other than never going out on Friday night Chanukkah – can a family do in such a situation?

First, there are some obvious practical precautions they can take. Since the core mitzvah is fulfilled by one candle per household, they should fill a bowl with water, put it in the sink, put the candle in the bowl and light it (see SA OH 265:4 and Piskei Teshuvot, 265:6, at footnote 54). This reduces the risk considerably, although it does not fully eliminate it.

Another option is to light candles that will last only a half hour. In general, on Friday we make sure that at least one of our candles will burn until 30 minutes after *tzeit hakokhavim*, approximately 1 hour, 15 minutes after sunset (see Mishneh Brurah, 679:2). However, in this case, one can rely on the rule that 30 minutes suffices, especially given that nowadays we are primarily lighting for those in the house, which alleviates some of the need to ensure that the lights are burning when passersby will be on the street (SA OH 672:2). A person could then stay at home until all the lights have burned out without having to be late for dinner.

Two other solutions are possible:

(1) to go to their friends' house or shul before Shabbat and light there and

(2) to light at home with electric candles

Lighting at one's friends' house is probably impractical in most cases, since the family will usually not arrive there before Shabbat begins. However, when one's *shul* is hosting a dinner on Friday night, it is possible to go to *shul* for *mincha* and light at *shul*. Does this count according to halakhah?

The prime obligation of lighting rests on the household, and one must light in one's house, or by one's front door, or by the opening to the courtyard leading to one's house. There are cases where a person can light in a place that is not his house, but that is only because he is living there, at least to some degree (SA OH 677:1). If a person is a guest sleeping in someone's house, or staying at a hotel, or a patient in a hospital, then that becomes the person's domicile, and he lights where he is (see Piskei Teshuvot 677:1). A guest can also contribute to the cost of the candles of his host. This is an alternative to lighting himself and allows him to fulfill his obligation through his host's lighting. But either way, this only applies when he is living – that is, sleeping – there. Students living in a dorm will often light in their cafeteria, but that is because they are living on campus, so even the cafeteria is a place connected to their "home" (see SA OH 667:1). For a person who lives at home and is only at *shul* for the Friday night meal, lighting in the *shul* would not be an option.

That being said, there are some *poskim* who would allow a family to light in *shul* before sunset, provided that they were all present at the time of the lighting. This is based on the fact that nowadays we light primarily for the members of the household, and not for the passersby in the street. Thus, these poskim argue, if the entire family is not at home, there is no longer an obligation to light there and one can light where the family is currently (*Shut Kinyan Torah* 5:72; see Piskei Teshuvot 677:4, fn. 29). This solution would not work if one parent went to *shul* for *mincha*, and the other arrived with the kids after the sun had already set. When the mitzvah could be done – before sunset on

Friday – some of the family was still at home and the obligation would be to light there and not at *shul*.

Which brings us to our second solution: lighting with electric lights. There are no halakhic requirements regarding which wicks and fuels can be used for the Chanukkah lights. What is stressed is that it is preferable to use candles that will give off a clean light (SA OH 673:1). Based on this, it would seem that electric lights should be fine. Nevertheless, and perhaps not surprisingly, the use of electric lights for Chanukkah is debated by the *poskim*. Perhaps the strongest objection is that the "fuel" is not present at the time of lighting, and when the necessary fuel is added after the candles are lit, the act of lighting is not valid. This can easily be addressed, however, by using battery-powered lights.

Are electric lights fire? When it comes to Shabbat, there is almost total consensus that incandescent lights are fire: they generate heat, give off light, and burn something (the filament) in the process. Thus, while using electric lights for Chanukkah remains a debate between the *poskim*, it would seem to me that, when necessary, battery-powered incandescent lights can be used and a *brakhah* can be recited (see Yabia Omer, OH 3:35, who surveys the *poskim* on both sides of this debate. In that *teshuvah*, Rav Ovadia Yosef concludes that because the matter is debated one should not make a *brakhah*, but it is reported that in practice he advised people to make a *brakhah*). That being said, when there are no concerns regarding fire safety, it would be preferable, even on the eighth night, to use a single candle over an electric menorah.

Another convenient option would be to use electric tea lights, which are LEDs and not incandescent. We do not consider LEDs to be fire – they don't burn anything, and they give off only a very trivial amount of heat. But they are light. There is a preference to use oil and make the lights similar to those of the menorah, which were of course lit with fire (SA OH 673:1). But this preference does not translate into a requirement to use fire. It is hard to see why, as a matter of halakhah, the lights must be defined as fire; any light should, in theory, be fine.

In my opinion it would be acceptable, when there are no other options, to use LEDs. I believe that a *brakhah* can be made in this case as well, although a person might want to "play it safe" and light without a *brakhah* when using LEDs.

A person should not use a flashlight. When a flashlight is on, the light it gives off can be seen, but the bulb, that is, the "flame," is not visible. I do not believe that one could use a Chanukkah light which gives off visible light but which is not itself visible. One also should not use the standard lights in the home, or even a lamp purchased for this purpose. Not only are these lights not battery-powered, but they will also not accomplish *pirsumei nissa*, publicizing of the miracle, since there will be nothing to distinguish them as Chanukkah lights.

The use of electric lights for Chanukkah is quite important for those who are in hospitals, dorms, or elsewhere where they cannot light with an open flame. It also solves our problem of how to eliminate any

fire risk when leaving one's home for a Friday night dinner elsewhere. Just use electric Chanukkah lights.

As a midrashic conclusion to this halakhic discussion, we note that Rav Shlomo Yosef Zeven, in *LaTorah u'la'Moadim*, explains that the debate of Beit Hillel and Beit Shammai whether we go up or down in the number of candles we light, is a debate whether the Chanukkah candles represent fire or light. As fire, they symbolize destroying the evil in the world, which we wish to decrease with each passing day. As light, they symbolize spreading holiness and good, which we want to increase in the world. We rule like Beit Hillel both religiously – we should focus on increasing the good in this world – and halakhically, we start with one candle and go up to eight. For Rav Zevin, Chanukkah is about light, not about fire. This Chanukkah, let us all take special care when it comes to fire safety, and do everything we can to spread Torah and light throughout the world.

Lighting Chanukah Candles in Public Without a Shul

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Question—Baltimore, MD

We are building a 16 foot menorah in the *shul* parking lot in front of the *shul*. I was told it is potentially a problem to say the *berakhot*. My thought was that since it's the *shul* lighting, and *berakhot* are recited at *shul* lightings, that the parking lot is considered part of the *shul*.

Answer

Yes, I think that having the public lighting in the *shul* parking lot would work according to all *poskim*. For context, there is a debate in the *poskim* regarding whether a brakha can be recited when the menorah is lit *berabim*, in public, but not in shul. One way of framing this debate is whether the practice to light in shul and, along with it, the allowance to recite the blessing, is based on *zeikher limikdash,* to commemorate how the menorah was lit in the Beit Hamikdash, with the shul serving as a Beit Hamikdash in miniature, or – alternatively – on the value of *pirsum haneis berabim*, publicizing the miracle in a large, public setting. If the former, then a public lighting outside of shul would not allow for a *brakha* to be recited, whereas the latter approach would allow for it. Yabia Omer concludes that those who do it in public and not in a shul context, have authorities on whom to rely. While I am not eager to embrace that position (see my following teshuvot), in your case, the argument can definitely be made that lighting it in the shul parking lot constitutes a lighting in – or connected to – the shul, and a *brakha* may be recited.

שו"ת יביע אומר חלק ז – אורח חיים סימן נז

ו) והנה ראיתי מלכים מדיינים מרבני דורינו הי"ו אודות מסיבות הנערכות באולמי שמחות וכיו"ב בלילי חנוכה, עם המון חוגג, ומשמיעים בהם דברי תורה ומוסר לקרב את ישראל אל צור מחצבתם, האם רשאים להדליק שם נרות חנוכה בברכות, משום פרסומי ניסא, לברך את השם במקהלות, וכמו שפשט המנהג הזה בבית הכנסת, או שמא נאמר הבו דלא להוסיף עלה, ודי לנו לברך על הדלקת נ"ח בבהכ"נ, שהוא מקדש מעט, ויש בו דמיון לנס שאירע בבית המקדש, ורוב רבני דורנו סוברים כסברא אחרונה דשב ואל תעשה עדיף. וכן כתב בשו"ת שבט הלוי ח"ד (סימן סה), שלדעתו אין לברך בכיו"ב, מכיון שעצם המנהג שנהגו לברך על הדלקת נ"ח בבהכ"נ דנו בו האחרונים, לפי מ"ש בש"ע (סי' תכב) שאין לברך על ההלל בר"ח, מפני שאינו אלא מנהג, והטעם שכתבו כדי להוציא את מי שאין לו דירה, חולק על זה הריב"ש שהוא אביר הפוסקים, וס"ל שאין אדם יוצא בזה י"ח, וע"

should not extend the custom beyond this, and it is enough just to make the blessings on the candles lit in a synagogue, which is a microcosm of the Temple, and there is an allusion to the miracle that took place in the Temple. The majority of the rabbis in our generation rule like the latter opinion that it is preferable not to do this. Such is written in the responsa Shevet HaLevi 4:65, according to whom one should not make the blessing in these situations, since the essence of the practice to bless and light in synagogue is discussed by the later authorities. According to the Shulchan Aruch (422) one should not make the blessing over Hallel on Rosh Chodesh because it [reciting Hallel on that day] is only a custom. The reason they provide to light Chanukah candles in synagogue is to fulfill the obligation for one who does not have an apartment, however the Rivash disagrees with this, and he is the prince of the poskim. He says that one cannot fulfill their obligation [of Chanukah candles] with the lighting in the synagogue. Therefore, one must say the reason for the practice of lighting in synagogue is, as the Kol Bo writes, to publicize the miracle and bless God's name among the Jewish people, and to commemorate the Temple. If so, then why should one add to this custom [by lighting at parties] in a place where the miracle did not occur? Even though I know the practice exists to light and bless at parties like this in many places, who knows if the rabbis in those locales were happy with this practice.

So too it was written in Oz Nidabru (6:75) in the name of our distinguished friend, the gaon, Rabbi Shlomo Zalman Auerbach that

כ צ"ל שהטעם כמ"ש הכל בו, שהוא משום פרסום הנס ולברך את ה' במקהלות, וזכר למקדש, וא"כ מנ"ל להוסיף במה שאינו דומה לבית המקדש שאירע בו הנס. ואף שידעתי שבכמה מדינות היו נוהגות להדליק נ"ח ולברך במסיבות כאלה, מי יודע אם רוח חכמים היתה נוחה מהם. עכת"ד. וכ"כ בספר אז נדברו חלק ו (סי' עה) בשם ידידנו הדגול הגאון רבי שלמה זלמן אוירבך שליט"א, שאין לברך, שמכיון שמבואר בתשובת הריב"ש (סי' קיא) שמקור הברכות במנהג זה על יסוד דברי רבינו תם לברך על מנהג קריאת ההלל בר"ח, והדבר שנוי במחלוקת, והרמב"ם והש"ע ס"ל שאין לברך, לכן די לנו במה שנהגו, ואין להוסיף על כך. ע"כ. וכ"כ בשו"ת מנחת יצחק ח"ו (סי' סה אות ג). ע"ש. וכ"כ ידידנו הדגול הגרא"י ולדינברג שליט"א בשו"ת ציץ אליעזר חט"ו (סימן ל). ע"ש. אולם בספר משנת יעקב להגר"י רוזינטל נר"ו (בהל' חנוכה עמוד ר"ס) כתב לברך, כי פעמים רבות הפרסום במסיבות אלה גדול ביותר, אפי' מן הפרסום של בהכ"נ, מהקהל הרב הנוהר לשם. ע"ש. ואחרי הודיע ה' אותנו את כל הנ"ל ביישוב דברי מרן הש"ע בזה, נראה שהנוהגים לברך על הדלקת נרות חנוכה במסיבות כאלה, יש להם על מה שיסמוכו, כיון שיש בזה משום פרסומי ניסא. ומה טוב להתפלל שם תפילת ערבית בצבור מיד לאחר ההדלקה, וכפי שנוהגים בבתי הכנסת. וע' בשו"ת בנין שלמה (סי' נג). ודו"ק.

Responsa, Yabia Omer, Orech Haim 7:57

I have seen many discussions by rabbis of our generation about parties arranged in wedding halls and the like for the nights of Chanukah. If a large number are celebrating and words of Torah will be recited to bring the Jewish people closer to God, is it permissible to light Chanukah candles there with the blessings in order to publicize the miracle, to bless God's name amongst the Jewish people, in a similar way to the practice which spread to do so in the synagogue. Or perhaps we say that one

one should not make the blessing since it was explained in the responsa of the Rivash (111) that the source for making the blessing over a custom is founded in the words of Rabbeinu Tam that one can bless even on the custom of reciting Hallel on Rosh Chodesh, but the matter is subject to debate. Rambam and Shulchan Aruch rule that one should not recite the blessing, therefore, it is sufficient in what we have done, and one should not add to it. So too it is written in Minchat Yitzchak (6:65:3) and by our distinguished friend, the gaon, Rabbi Eliezer Waldenberg in [his responsa] Tzitz Eliezer (15:30). However, in Mishnat Yakov by the gaon, Rabbi Yakov Rosenthal (Laws of Chanukah, p. 260), he writes that one makes the blessing because many times the publicizing of the miracle in these parties is so great, even more than in the synagogue, because so many people attend these parties. After God has shown us all of the above in resolving the words of the Shulchan Aruch, it appears that those who have the practice to make the blessing on the Chanukah candles in parties like this have what to rely upon since there is a publicizing of the miracle. It would be good to pray [in these parties] maariv immediately after the lighting, as is the practice in the synagogue. See Binyan Shlomo 53.

Follow up Question

I am being asked to officiate at the lighting of a large electric *Chanukiyah* on Rikers Island. This is the first time since I started when it will take place on Chanukah itself. There will be other Jews present. Would it be permissible to say the *berakhot* with *sheim umalkhut*, with reciting God's name. (I'll obviously light when I get home as well).

Answer

There are definitely positions on whom to rely when it is in public and not in a *shul*. In general, I am more inclined to follow those who connect the practice to when the lighting is done specifically in a shul. Nevertheless, in your case, there is a significant *pirsumei nissa* to be achieved by people who otherwise would not be connecting to any Chanukkah lighting at all, and there is a huge *chinukh* benefit here (much more, I imagine, than a standard Chabad lighting where many people will have electric menorahs in their homes). In addition, this lighting is being done in the "home" of the inmates - the jail – and might be an actual fulfillment of the mitzvah for them (one lighting for the "household"). This last point requires greater analysis. For all those reasons, I think you definitely may and should light with a *brakha*. As to the use of electric lights – see my teshuvot earlier in this Reader.

Follow up Question

We are davening in my backyard. If I light as the Rabbi of the *minyan* between Mincha and Ma'ariv, does the fact that it is at my home affect whether I can light with my family and make a *berakhah*?

Answer

Even if you are davening pretty regularly at your home, I don't think it counts as a beit kenesset unless you are really designating it

and using it that way on an regular and ongoing basis. Thus, given that I am inclined towards the approach that limits this practice to a shul, in your case I would light without a brakha. This lighting does not fulfill your personal mitzvah, as it is taking place in your backyard. As a rule, the lighting must be done by your door or in the entrance to the front yard which faces the street or – as is our practice – inside the house. A lighting in the backyard does not accomplish *pirsumei nissa*, a publicizing of the miracle, neither to passersby or to the members of the household, and thus does not count towards the mitzvah. It therefore does not affect your ability to light with your family with a brakha. (It also wouldn't hurt to have intent when lighting for the minyan to specifically not fulfill your obligation).

Public Chanukkah Candle-lightings

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Question—Chicago IL

What is the most appropriate way to handle public Chanukkah candle-lighting, that is not in a shul, and that does not fulfill anyone's obligation? Should we participate in Chabad public lightings? Should we have lightings at a shul Chanukkah party?

Answer

I agree with the assumption of your question—that the practice to light in shul with a berakha is itself a *chiddush*, and *ein lecha bo ela chidusho* (i.e. the ruling here cannot be extended to other cases) and there is good reason to assume that the practice to light with a brakha in the shul is a way of commemorating the lighting of the menorah in the Beit HaMikdash. As such, it would be limited specifically to shuls, which are considered a Beit HaMikdrash in miniature. Thus, a public Chabad lighting in the street or at a shul Chanukah party should not be done with a *berakha*. That being said, I see no problem with attending the Chabad lighting or lighting candles without a *berakha* at the shul party, singing *Maoz Tzur*, etc. There definitely is the benefit of *pirsumei nissa* (although not anchored in a *maaseh mitzvah*).

As to answering "amen" at the Chabad lighting and the problem of an answering amen to a a *berakha sheino tzrikha*, an unnecessary brakha, or a *brakha li'vatalah*, a brakha for naught (OH 215:4), I would say that we should nevertheless say "amen" and rely on those opinions cited in *Piskei Teshuvot* (OH 671:15, ft. 66) who say that when there is a huge gathering in the public space that one can make the *berakhot* (and see also Yabia Omer 7 OH 57).

ויש אומרים שבעצרות עם גדולות במקומות שמן הסתם נמצאים שם יהודים אשר לא הדליקו ולא שמעו הדלקת נר חנוכה מותר להדליק בברכה ובפרט אם הוא ברחובה של עיר שאין לך פירסום הנס גדול מזה.

There are those who say that at large gatherings with many people in places where it can be assumed that there are many Jews who will not light and have not heard about lighting Chanukah candles, it is permitted to light with a blessing and especially if it is done in the streets of the city, for there is no greater publicizing of the miracle than this.

66. שו"ת אז נדברו שם ובח"ה סי' ל"ז וחי"א סי' ל"ב (ועיין סי' תרפ"ט אות ג' שאין יוצאים י"ח בשמיעת

without a loudspeaker.) In Yalkut Yosef (p. 204), he writes to permit in halls and the like when one prays minchah and maariv there. However, in Divrei Yatziv (2:286), he questions if in a synagogue that does not have a minyan every day except occasionally whether one should light for just one of the nights, for the practice is to light every night. He also questions whether in a synagogue where there are multiple minyanim according to the need, one should light in each room. All this requires further investigation.

The reason to rely on this position is: (a) not to be implicitly stating that all Chabad lightings around the world are just so many thousands of *brakhot li'vatalah* and (b) I think not saying amen in this context can be a *hakpadah* on halakha (when there are other opinions to rely on) at the expense of real religious feeling / *poresh min hatzibur*.

הברכות ע"י רמקול, לכן אלו המארגנים עצרות אלו יראו שיעמדו כמה מאלו שעדיין לא הדליקו נרות חנוכה ליד המברך באופן שיוכלו לשמוע הברכות מפיו גם ללא הרמקול). ובילקוט יוסף עמ' ר"ד כותב להתיר באולמות וכדו' כשמתפללים שם מנחה וערבית. אך בשו"ת דברי יציב שם מסתפק גם בביכ"נ שאין מנין בכל יום אלא לפרקים אם יש מקום להדליק בלילה מן הלילות, שהמנהג היה להדליק בכל לילה, מוסיף והולך, וכן יש להסתפק בביהכ"נ שיש כמה חדרים וקיימים שם מנינים לפי הצורך אם ידליקו בכל החדרים וצ"ע בכ"ז.

66. Responsa Oz Nidabru (6:75) and (5:37) and (11:32). (See Piskei Teshuvot 689:3 that one does not fulfill their obligation by hearing the blessings over a loudspeaker, therefore those who organize these gatherings should make certain there are people who have not yet lit Chanukah candles beside those who are making the blessing in a manner that they are able to hear the blessings from them

Urban Living: Where to Light Your Menorah

Introduction by Rabbi Dov Linzer

Translation by Rabbi Avi Schwartz(YCT ’17)

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Originally published on The Lindenbaum Center for Halakhic Studies, December 2017.

Rabbi Shmuel Ha’levi Wosner z”l (born in Vienna, 1913-2015) was a rosh yeshiva and posek in Bnei Brak since before the founding of the State of Israel. He was brought to Bnei Brak by Hazon Ish and became its rabbi. R. Wosner is recognized as a major posek in the Haredi world in both Hasidic and yeshivish communities, and his 11 volume responsa, Shevet Ha’levi, are widely cited.

In this teshuvah, Rav Wosner addresses a problem common to many apartment dwellers: Lighting the Chanukkah lights more than 20 amot (approximately 30 feet) above the ground renders the act invalid. What should you do when the apartment is itself above that height? Is the lighting for the people in the house or for those on the street?

This practical halakhic question also serves as a metaphor for thinking about our religious observance when we live in a secular society. Our observance, at the individual and even communal level, is primarily pointed inward; it is for the “members of the household.” But should it not, at least to some degree, be pointed outwards as well? Shouldn’t we be trying to bring our religious values into the larger societal discourse? This Chanukkah, when we light our candles, let’s think of the best ways to balance these central aspects of Chanukkah – the lighting for the household together with proclaiming the miracle in the public sphere (*pirsumei nissa*).

Chanukkah Sameah!

Rabbi Dov Linzer

Shevet Ha’levi 4:65

ואשר שאל במי שדר בקומה העליונה למעלה מכ’ אמה מרה”ר דאין פרסומא לעוברים ושבים האם ידליק בפתח ביתו מבפנים או שמא בפתח הכניסה לכל הבנין (כשיש בו עוד דיירים) וירד מדירתו וידליק, או דידליק ליד החלון כרגיל דיהי’ פרסומא ניסא כלפי אלה הדרים ממול בבנינים השכנים בקומות העליונות.

As to your question regarding one who lives on a high floor [of an apartment building], 20 amot above the public domain (i.e., the street below). In such a case, the [lighting of the candles] does not publicize the miracle to the passersby. Should that person light in the doorway of his apartment? Perhaps he should light in the doorway to the building and go

downstairs to light? Alternatively, should he light by the window [in his apartment], as is the custom, such that [the lighting] will publicize the miracle to those who live on high floors in the building across from his?

הנה כפי המנהג להניח משום פרסומא ניסא בחלון הבית גם בזה יעשה כן דעיקר השאלה של למעלה מכ' אמה של נדון דידן אינו דומה ללמעלה מכ' בש"ס ובשו"ע סי' תרע"א דאין יוצאים דיעבד בזה אייריי שלכולם גם לבני בית הוא למעלה מכ', משא"כ הכא דמדליקין בפנים, ובפנים איכא למטה מכ' בזה יוצאים עכ"פ מעיקר דין המצוה כמבואר בש"ס ובשו"ע סו"ס תרע"א, כיון דאיכא היכירא לבני בית, וגם בזה משמע בפמ"ג במ"ז שם סוס"ק הי' דידליק בחלון אפי' למעלה מכ' דמ"מ איכא היכרא קצת לרה"ר...

One should follow the custom to place the Chanukkah lights in the window of the house in order to publicize the miracle. The essential question here of lighting above 20 amot is not the same as that of "above 20 amot" discussed in the Gemara and Shulhan Arukh (Orah Hayyim, 671), where one does not fulfill their obligation, even bi'dieved (post facto). In that case, the candles are placed 20 amot above everyone including the members of the household (e.g., the candles are placed on the roof). That is not true when the lighting is done inside and the candles are lower than 20 amot [from the point of view of those living in the apartment]. In this case, one fulfills his basic obligation, according to the Gemara and Shulhan Arukh (OH, 671:7-8) since it is visible to those who live in the house. In such a case, [although one is primarily lighting for the members of the household,] it seems from Pri Megadim (Mishbetzot Zahav, no. 5) that one should still light in the window, even when it is more than 20 amot above ground level, since people in the street will notice the lights to some degree.

ומ"מ מעיקר התקנה תקנו חז"ל שידליק סמוך לר"ה דאיכא פרסומא ניסא גם בחוץ ופליגי רש"י ותוס' והפוסקים במקום ההנחה אם פתח הבית או פתח החצר, ובדר בעליה בפתח החלון, וכיון דהאמת הוא דאיכא שכנים מכמה צדדים שיכולים להביט בנ"ח, שלהם הוא תוך כ' אמה, נוסף למש"כ הפמ"ג דגם למעלה מכ' איכא היכרא קצת, מלבד היכר גמור לב"ב בפנים איני רואה סיבה לשנות המנהג מכבר להדליק בכה"ג על פתח החלון.

[Although nowadays we primarily light for those inside the house,] the original enactment of the Sages was that one should light near the public thoroughfare in order to publicize the miracle outside as well. Rashi, Tosafot and other authorities disagree as to where one should place the lights (whether in one's doorway or in the entrance to the courtyard); for someone who lives on an upper floor [the original enactment is that] the lights should be placed in the window (SA OH 671:5). In our case, the fact of the matter is that there are neighbors on a number of sides [of the building] who can see the Chanukkah candles which are within 20 amot from their line of sight. Additionally, according to Pri Megadim the candles are also somewhat visible [to those in the street below]. And finally, the candles are fully visible to the members of the household. Thus, I see no reason to change the established custom to light the candles in the window.

ובשיעור מרחק של השכנים ממול לא קבלנו דבר אלא העיקר שאפשר להסתכל עוד בראיה רגילה דדוקא

ממטה למעלה השיעור כ׳ אמה דאין אדם משליך ראשו לאחריו להביט למעלה כמש״כ המאירי ריש סוכה.

Now, we have no tradition regarding the [horizontal] distance from one’s neighbors [to the candles]. The key factor is that the neighbors be able to see the candles by looking [out the window] in a normal way. It is only for looking up that the limit is 20 amot, since no one throws their head back so far to see higher than that as Meiri, Tractate Sukkah points out. [So even if the facing building is more than 20 amot away, as long as the candles can be seen by those living in that building, the goal of publicizing the miracle to those outside one’s house is achieved.]

Pirsumei Nissa over Zoom

Rabbi Dov Linzer

President & Rosh HaYeshiva, Norman & Tova Bulow Chair, YCT

Originally published on the Rosh Yeshiva Responds website (psak.yctorah.org), December 2020, in the midst of the COVID pandemic.

Question—Chicago IL

Can I light with a *berakhah* in the *shul* following Havdalah on Motza'ei Shabbat without anyone else present (we have been saying Mincha/Ma'ariv at *Shekiah* on Shabbat since June)?

Answer

Whether you can make a brakha for the shul lighting in this context depends on a number of factors: (1) if the lighting in shul with a brakha is based on the lighting of the menorah in the Beit HaMikdash, then we have to ask if this would still be considered to be a shul / Mikdash-in-miniature even when it is not actively functioning as such. (2) If the lighting in shul is based on the idea of publicizing the miracle *berabim*, in a public gathering, then we have to ask if many people Zooming in would count as a public gathering.

My inclination is to say "no" to (1) – that if it is based on the shul/Beit HaMikdash model, then without a minyan, you may not light in shul with a brakha. This is the general approach of the *poskim*, see Mishnah Berurah 671:47.

As to (2), I would say that a significant number of people watching over Zoom would constitute *pirsum ha'nes berabim,* publicizing the miracle among a large group of people. First, a number of poskim a prepared to consider hearing an electronic reproduction of sound as hearing the sound itself (for example, to fulfil the mitzvah of hearing the megillah over the telephone), and following this, seeing the lights over Zoom would be considered like a direct seeing of the lights. Even poskim that are reluctant to accept such a ruling by hearing the megillah, in our case, the focus is not on a halakhic act of seeing as much as on the fact that the lights brought about a *pirsum ha'nes*, publicizing of the miracle, which is the case even when they are seen over Zoom.

As I've written elsewhere, I am inclined to follow the position that lighting with a brakha outside of the home requires a shul and it does not suffice that it is done in public. Nevertheless, given the special circumstances of COVID, and given that you are lighting the candles in a shul – albeit without a minyan – I think you can light with a brakha. This is based on: (a) the fact that there are poskim who permit making a brakha in shul even

when there is no minyan and (b) there are poskim who rule that one can recite a blessing for a lighting done in a public gathering, even with no shul context, and that participation via Zoom would constitute a public gathering.

Question Part 2

Does someone on Zoom or phone count for *pirsumei nissa*, publicizing the miracle, if I am lighting at home late at night with nobody else awake or home? Does witnessing lighting over Zoom count for anything? Can one say "*She'Asah Nisim*" when witnessing a Chanukkah lighting on Zoom?

Answer

As I wrote above, I think that Zoom counts for *pirsumei nissa*. Having someone on the phone would not count, as there is no seeing of the lights. Your question assumes that if no one else is up to participate in the lighting that a brakha may not be recited. That is indeed how Mishneh Brurah (MB 672:11) and Arukh HaShulkhan (672:7) rule. However, in Shaar HaTziyon (no. 17), Mishneh Brurah cites Hemed Moshe who rules that one does make a brakha and that that is the general practice, and Mishneh Brurah concludes that while it is preferable to not recite the brakha, one may rely on Hemed Moshe and light with a brakha. I personally would rule in accordance with Hemed Moshe, namely, that if it is not possible to have anyone else present, a brakha may be recited. Thus, it definitely would be best to have someone else on Zoom while you are lighting but if in the end that is not possible, you may light with a brakha regardless.

As to the *brakhah* of *She'Asah Nisim* – you are correct that a person who sees Chanukkah lights but will not be lighting at home, recites the *brakha* of *She'asah Nissim* (SA OH 676:3). Despite the argument I made above that *pirsumei nissa* can be accomplished over Zoom, I would not be prepared to extend that argument to allow a person to recite the *She'asah Nissim brakha* without a direct witnessing of the Chanukkah lights. The basic difference between this case and the lighting in *shul*, is that the latter is a minhag based on the value of being *mefarseim berabim*, publicizing the miracle amongst the masses (and/or the model of Beit HaMikdash) – so I think that the fact that many people are experiencing it is considered that I – the one lighting – publicized the miracle to them. Similarly, if I am lighting at home late at night but someone else is witnessing it on Zoom, my lighting took place in the presence of others and accomplished a degree of *pirsumei nissa*. On the other hand, the *berakhah* of seeing the lights – *She'Asah Nisim* – focuses not on the one lighting the candles but the one observing them. It requires that I, the one making the blessing, directly experience the mitzvah lgihts. I don't think a Zoom experience is enough to be obligate me to make a *berakhah*.

Publicizing the Miracle of Chanukkah to All

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Originally published on The Lindenbaum Center for Halakhic Studies, November 2021.

According to the Talmud (Shabbat 23b), we light candles on Chanukkah to publicize the miracle of the holiday (pirsumei nissa). This goal serves to determine where and when the candles should be lit so they can be seen by the maximum number of people. One lights at the entrance of the home or a window that faces outside thereby making them easily visible to all who pass by. Furthermore, the candles are lit at night rather than during the day, even though the miracle took place then as well, in order to ensure their light will be most visible to others against the darkness. The desire to publicize the miracle of Chanukkah has even led to the creation of new customs in which Chanukkah candles are lit in places not by mandated by the Talmud, such as at synagogue and Chanukkah parties, just so they can be seen by large groups of Jews.

When the concept of pirsumei nissa is taken to an extreme, it leads to a fascinating question. Is it possible that non-Jews are included in the target audience? Other mitzvot established in commemoration of a miracle, such as the reading of the Megillah on Purim, were clearly instituted only for Jews, but is there any reason to think that the lighting of Chanukkah candles is different?

Rabbi Shimon Sofer (1850-1944), the grandson of the Chatam Sofer, rules that a Jew who finds himself alone among non-Jews must still light Chanukkah candles, for pirsumei nissa applies to non-Jews as well (Hitorerut Teshuvah 1:153). He sees this as a fulfillment of Ezekiel's prophecy (38:23): "Thus I will manifest My greatness and My holiness and make Myself known in the eyes of many nations. And they shall know that I am the Lord." This verse expresses a concern that God voices throughout the Torah, that God's name be sanctified not only among Jews but among non-Jews as well. In the context of Ezekiel's prophecy, this will be achieved through the Jewish people's return to the land of Israel, but Rabbi Sofer explains that an aspect of this mission can be achieved in the lighting of Chanukkah candles. When non-Jews see the Chanukkah candles of their Jewish neighbors, they will inevitably ask them about their meaning. Though Jews have no need to proselytize, they can still take the opportunity to share the story of Chanukkah and the miracle of the oil, and perhaps convey a greater appreciation for God, faith, and the belief in justice overcoming oppression.

To justify his ruling, he cites Rashi's interpretation of a strange word that appears in the Talmud when discussing the laws of lighting Chanukkah candles.

The observance of the Chanukkah candles is from sunset until there is no one left in the street coming back from the market… Rabbah bar bar Chana said in the name of Rabbi Yochanan that this time lasts until the Tarmudai have stopped coming back from the market.

The key word in this text is Tarmudai. Rashi explains that it is the name of a particular nation of woodcutters, who sold wood in the market and remained there until after sunset, so that those who were in need of it for fire or light could find it available for sale. If the Chanukkah candles must remain lit "until the Tarmudai have stopped coming back from the market" it appears that pirsumei nissa applies to them as well.

It should be noted that Rabbi Sofer's understanding is particularly unusual because it is a departure from the dominant mode of halachic discourse which tends to privilege Jews as a nation that dwells apart and eschews proselytizing. However, it appears that he sees the light of the Chanukkah candles as not only commemorating a past miracle but perhaps offering something miraculous in the here and now: the ability to serve as a bridge between Jews and non-Jews. At a time when it is easy to feel distant from those around us, it is important to remember that the light of the Chanukkah candles can serve as a powerful tool to bring us all closer together.

והנה הדר בין גוים נראה לי מחויב להדליק על פתח ביתו מבחוץ או בחלון הסמוכה דיתפרסם הנס בין הגוים שישאלו מאי הוא ויודע להם על ידי זה המעשה ועיקר הנס ומקרא מלא הוא "וְהִתְגַּדַּלְתִּי וְהִתְקַדַּשְׁתִּי וְנוֹדַעְתִּי לְעֵינֵי גּוֹיִם רַבִּים וְיָדְעוּ כִּי־אֲנִי השם. וכמה מקראות דמוריס על זה דהקב"ה מדקדק על חילול שמו בין הגוים ועל קידוש שמו בניהם וזכר לדבר דכל זמן עיקר הדלקמו הוא עד דכליא ריגלא דתרמודאי שמלשון רש"י יש לפרש דלכן עד אותו זמן באים הקונים לקנות עצים מהם והקונים באמת יהודים המה ומפירוש הרי"ף אין ראיה דיש לומר דתרמודאי יהודים המה ונקראים תרמודאי על שם העצים שעוסקים בתם שנקרא תרמוד עיין שם.

It appears to me that one who lives exclusively among non-Jews is still obligated to light Chanukkah candles outside the doorway of their home or in a window [facing outside] in order to publicize the miracle to non-Jews. They will ask, "What are these?" and one can use this as an opportunity to tell them about the story [of Chanukkah] and the essence of the miracle. It is a fullfilment of the verse "Thus will I manifest My greatness and My holiness, and make Myself known in the sight of many nations. And they shall know that I am the Lord," and other verses that teach that the Holy One Blessed be He is concerned about the profanement and sanctification of His name amid non-Jews. A hint to this can be found in the fact that the time for lighting [Chanukkah candles] is until there are no Tarmudians coming back from the market. From Rashi's language it can be explained that until that time one is obligated [to light Chanukkah candles], for until then customers will come to buy wood from them and the customers are Jews. [However] From the interpretation of Rif there is no proof for one can say that the Tamudians are Jews and are called Tarmudians because of the wood the sell which is called Tarmud.

Assisting Non-Jew in Performing a Mitzvah

Rabbi Dov Linzer

President & Rosh HaYeshiva, Norman & Tova Bulow Chair, YCT

Originally published on the Rosh Yeshiva Responds website (psak.yctorah.org), December 2020

Question—Canada

Are there any halakhic issues with aiding a non-Jew in performing a *mitzvah*?

Someone who is not halakhically Jewish (father is Jewish), but identifies very much as Jewish, has asked for me to bring her Chanukah candles. Would there be an issues in giving her the candles, over which she will make a *berakhah*?

Answer

I will discuss this issue first in the context of someone who does NOT identify as Jewish, and then turn to your case in specific. According to Rambam, if a non-Jew does a mitzvah s/he receives reward for doing the mitzvah, but on a lower level than a person who was commanded in the mitzvah (a Jew). Provided that this is not their own religion but they are doing it in the context of the Jewish religion – he even applies this to Brit Mila!

שו"ת הרמב"ם סימן קמח

התשובה מותר לישראל למול הגוי אם רוצה הגוי לכרות הערלה ולהסירה, לפי שכל מצוה, שהגוי עושה, נותנין לו עליה שכר, אבל אינו כמי שהוא מצווה ועושה, ובלבד שיעשנה, כשהוא מודה בנבואת משה רבינו, המצווה זאת מפי א-להים יתעלה, ומאמין בזה, ולא שיעשנה (לסבה) אחרת או על פי דעה שראה לעצמו, כמו שנתבאר בבריתא של ר' אליעזר בן יעקב וכמו שבארנו אנו בסוף חבורנו הגדול.

Responsa, Rambam, 148

It is permitted for a Jew to circumcise a non-Jew if the non-Jew wants to cut the foreskin and remove it. This is because reward is given to him, for every mitzvah he does. However, he is not like one who is commanded [to perform the mitzvah] and does it. It should only be done if the non-Jew accepts Moses' prophecy that the commandment is from God and believes it. It [circumcising a non-Jew] should not be done for any other reason or according to his [the non-Jew's] thinking as was explained in the teaching of Rabbi Eliezer ben Yakov and as we explained at the conclusion of our great composition [the Mishneh Torah].

That should be read alongside the following halakha (Rambam, *Hilkhot Melachim uMilchamot* 10:9) which seems to say that it is forbidden for non-Jews to do any mitzvah, but on closer read it is clear that Rambam is only forbidding if the person is doing this mitzvah as part of inventing a new religion. To do it as a mitzvah that Jews have been commanded would not be a problem. Here is what he writes:

עכו"ם שעסק בתורה חייב מיתה, לא יעסוק אלא בשבע מצות שלהן בלבד, וכן עכו"ם ששבת אפילו ביום מימות החול, אם עשאהו לעצמו כמו שבת חייב מיתה, ואין צריך לומר אם עשה מועד לעצמו, כללו של דבר אין מניחין אותן לחדש דת ולעשות מצות לעצמן מדעתן, אלא או יהיה גר צדק ויקבל כל המצות, או יעמוד בתורתו ולא יוסיף ולא יגרע, ואם עסק בתורה, או שבת, או חדש דבר, מכין אותו ועונשין אותו, ומודיעין אותו שהוא חייב מיתה על זה אבל אינו נהרג.

A non-Jew who studies the Torah is obligated to die. They should only be involved in the study of their seven mitzvot. Similarly, a non-Jew who rests, even on a weekday, observing that day as a Sabbath, is obligated to die. Needless to say, he is obligated for that punishment if he creates a festival for himself.

The general principle governing these matters is: They are not to be allowed to originate a new religion or create mitzvot for themselves based on their own decisions. They may either become righteous converts and accept all the mitzvot or retain their statutes without adding or detracting from them. If a non-Jew studies the Torah, makes a Sabbath, or creates a religious practice, a Jewish court should beat him, punish him, and inform him that he is obligated to die. However, he is not to be executed.

By the way, I think one can question whether Rambam's requirement in the *teshuva* that he must believe in Moshe and *Torah miSinai* would be true in a context when religion is often observed more based on communal identity, etc., and that nowadays it would suffice to do it as "doing a *mitzvah* of the Jewish faith" as long as it was not inventing a new religion.

This also fits with the following Rambam, *Hilkhot Melachim uMilchamot* 10:10,

בן נח שרצה לעשות מצוה משאר מצות התורה כדי לקבל שכר, אין מונעין אותו לעשותה כהלכתה, ואם הביא עולה מקבלין ממנו, נתן צדקה מקבלין ממנו, ויראה לי שנותנין אותה לעניי ישראל, הואיל והוא ניזון מישראל ומצוה עליהם להחיותו, אבל העכו"ם שנתן צדקה מקבלין ממנו ונותנין אותה לעניי עכו"ם.

A non-Jew who has accepted the Noahide mitzvot and desires to do any of the remaining mitzvot of the Torah in order to receive reward should not be prevented from doing so. If he brings an animal to be sacrificed as a burnt offering, we should receive it. If he gives charity, we should accept it from him, and it appears to me that it should be given to the Jewish poor, a non-Jew who has accepted the Noahide mitzvot may derive his sustenance from the Jews and they are commanded to support him if necessary. In contrast, if an idolater gives charity, we should accept it from him and give it to the gentile poor.

Rav Moshe – without referencing Rambam's *teshuva* – says that this applies to *mitzvot* that are inherently meaningful religious acts, not ones whose only value comes from the fact they were commanded.

שו"ת אגרות משה יורה דעה חלק ב סימן ז

מה שהקשה כתר"ה ע"מ שכתבתי בסימן ג' דעכו"ם אין להם שוםשכרכשעושין מצות שישראל מצוים מהרמב"ם שפי' במתני' דפ"ג תרומות מ"ט בטעם שתרומתן תרומה והקדשן הקדש משום שאע"פ שאינן חייבין במצות אם עשו מהם שום דבר יש להם קצת שכר וכיון שהם משתתפין עמנו בשכר מעשיהן במצות קיימין, הנה ברור שקאי רק על אלו מצות דהקדש וצדקה וכדומה שמצינו בבלק שקבל שכר על הקרבנות שהביא ובצדקה מפורש

בנבוכדנצר בקראי דדניאל ובב"ב דף ד' ודף י' וכן בעניני מצות כהא דשכר שיחה נאה דהצעירה בבנות לוט וכהא דכבוד ה' כג' פסיעות דנבוכדנצר, אבל בשמירת שבת ויו"ט והנחת תפילין וציצית וסוכה ולולב ושופר ואכילת כשרות וזהירה משעטנז וכדומה אין להם שום שכר ע"ז דאין שייכין כלל למצות אלו כיון דליתנהו בקבלת התורה ואינם מצות לדידהו כלל כדכתבתי שם.

Responsa, Iggerot Moshe, Yoreh Deah 2:7

That which the questioner found difficult about what I wrote in Siman 3 that non-Jews receive no reward when doing a mitzvah that Jews are commanded to perform because of what the Rambam wrote in his commentary on the mishnah (Terumot, 3:9): the reason that their terumah (tithes) is terumah and their hekdesh (objects sanctified for the Temple's use) is hekdesh because even though they aren't commanded if they do any of them, they receive a small reward. Since they join with us in receiving reward, their actions are considered mitzvot. It is clear that this applies only to mitzvot such as hekdesh and charity and the like that are found with Balak who received reward for the sacrifices that he brought. Regarding charity, it is explicit with Nebuchadnezzar, as seen in the book of Daniel and Bava Batra (4 and 10), and so too in matters related to mitzvot, such as the reward that Lot's younger daughter received for using proper speech, and Nebuchadnetzer for the three steps backward he took to honor God (See Sanhedrin 96a). However, keeping shabbat and festivals, wearing tefillin and tzitzit, sukkah, lulav, shofar, only eating kosher foods, and being careful about shatnez and the like, they do not receive any reward. They have no connection to these commandments since they were given with the receiving of the Torah and do not apply to them at all.

I think Rav Moshe would probably say that this does not include Chanukah candles. Nevertheless, whether we argue there is or isn't reward, it certainly does not fall into the category of inventing a new religion, since she is doing it as a Jew and as a Jewish mitzvah. The fact that Chanukah is a rabbinic mitzvah might also be relevant.

As to a *berakha* - Non-Jews have no prohibition against reciting a *brakha li'vatalah*, a blessing in vain. As to whether a brakha is appropriate in such a case, Rambam rules that if a person – for example, a woman – does a mitzvah that she is not obligated to do, she would not recite a brakha. I believe that even for Ashkenazim, who rule that women say *berakhot* when performing mitzvot that they are not commanded to do (e.g., taking a lulav and esrog), that principle would logically not extend to the case of non-Jews performing mitzvot. That being said, I don't think there is any restriction for non-Jews to recite a brakha that doesn't "count."

So – bottom line – fine to give them candles and no concern if she makes a *berakhah*.

All of this is in regards to someone who is a non-Jew and identifies as such. In your case, the person is Jewish on his father's side and fully identifies as Jewish. In such a case, it is important to not take it upon yourself to challenge the person's self-identity as a Jew (while at the same time to be careful not to misrepresent how halakha would treat his status). This person identifies as a Jew and wants to do a mitzvah, and we should make an extra effort to help them do so.

Are Women Obligated in Hallel on Chanukah?

Rabbi Zachary Truboff (YCT '10)

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It is a well-known rule in halakha that women are exempt from positive time-bound mitzvot such as tefillin or lulav. Though this principle is established in the mishnah (Kiddushin 1:7), the Talmud (Kiddushin 34a) already seeks to qualify it by making clear that "one does not learn halacha from general statements even in a place where exceptions are provided." Women may be exempt from many positive time-bound mitzvot, but there remain some they must perform, and a prominent example of this is the lighting of Chanukah candles. As it says (Shabbat 23a): "Women are obligated to light the Chanukkah light, for they too were part of the miracle".

In his commentary, Rashi provides ways to understand this statement. First, women suffered mightily under the persecutorial decrees of the Greeks, most prominently through the practice of *prima nocta*, and therefore should celebrate the Jewish people's salvation from them. Second, women were in fact the driving force for the revolt, as can be seen in the story of Judith. Therefore, women must light Chanukkah candles all eight nights of the holiday unless another member of the household fulfills their obligation. While many are familiar with this ruling, they are often unaware that some halachic authorities also rule that women must recite Hallel on each day of the holiday as well.

This issue was addressed by Rabbi Shimon Sofer (1850-1944), the grandson of the Hatam Sofer and a noted posek in his own right who authored a collection of responsa titled *Hitorerut Teshuvah*. He notes that most often, Hallel is recited because of the occurrence of a festival, as is the case with the holidays of Sukkot and Shavuot. However, there are times when Hallel is also recited to commemorate a miracle that has brought salvation to the Jewish people. Tosafot (Sukkah 38a) explains that the Hallel of the Pesach seder is recited to commemorate the miracle of *yetziat mitzraim*, and as a result, women are obligated in it as well, for "they too were part of the miracle."

If so, then Rabbi Sofer raises the possibility that the same logic would apply to Hallel on Chanukah, for the rabbis also enacted it to commemorate the holiday miracle. However, to address this question, Rabbi Sofer must determine what exactly is the miracle that both the Chanukah candles and Hallel come to commemorate. He ultimately concludes

that despite what we may think, neither is about the miracle of the oil but rather the military victory over the Greeks. Only this miracle is mentioned in the prayer of Al HaNisim, and in theory, the miracle of the oil would not apply women at all because the lighting of the menorah is a positive time-bound mitzvah. He explains that the menorah in the Temple was only lit on the 25th of Kislev because the Greeks had been defeated on the previous day. Its initial lighting was meant to celebrate the miraculous victory, which applied equally to men and women. Both suffered under Greek oppression, and both actively took part in the fight against them. Therefore, he rules women are obligated to recite Hallel just as men.

While not all poskim agree with this position (See Yabia Omer 6:45 and Minchat Shlomo 2:58), Rabbi Sofer still offers an important insight that is particularly relevant to our current moment. As one can see in the war in Israel right now, suffering does not distinguish between genders, and as Israeli society has also shown, men and women must work together to achieve victory.

<u>התעוררות תשובה (נ"א) או חלק תע"א (מהדורה חדשה)</u>

שאלה האם אשה חייבת בחנוכה באמירת הלל

Question: Are women obligated to recite Hallel during Chanukah?

תשובה

הנה בתוס' סוכה (ל"ח ע"א) ד"ה "ותהי" כתבו דנשים פטורות מאמירת הלל מטעם שהוי מצות עשה שהזמן גרמה ומשמע דפטורות מכל הלל שאומרים במשך השנה אלא דהתוס' שם ד"ה "מי" כתבו דבהלל דליל פסח דמשמע בפרק ערבי פסחים (ק"ח ע"א) דמחייבי בד' כוסות ומסתמא לא תיקנו ד' כוסות אלא כדי לומר עליהם הלל א"כ נשים חייבות באמירת הלל בליל פסח וכתבו דשאני ליל פסח דחייבות דאף הן היו באותו הנס משא"כ בסוכות ועצרת פטורות ועיין במגן אברהם סי' תע"ב ס"ק ט"ז אהא דפסק שם בשו"ע סעי י"ד דגם הנשים חייבות בארבע כוסות ובכל מצות הנוהגות באותו לילה דכתב בשם תוס' מפני שהנשים היו עיקר באותו הנס שבזכות נשים צדקניות נגאלו משא"כ בסוכה עכ"ל

Answer:

In Tosafot (Sukkah 38a, s.v. vatehi), they wrote that women are exempt from saying Hallel because it is a positive time-bound mitzvah, and the implication is they are exempt from every Hallel that is said during the year [because of this]. However, Tosafot (ibid, s.v. mi) wrote that regarding the Hallel of the night of Pesach, because they are obligated in the four cups of wine, as explained in the chapter Arvei Pesachim (Pesachim 108a), the four cups were only established [by the rabbis] so that Hallel could be recited upon them. If so, women would be obligated to recite the Hallel of Pesach night. And they wrote that the night of Pesach is different, for they are obligated because [of the Talmudic reason] that they too were part of the miracle, which is not the case for Sukkot and Atzeret [Shavuot] when they are exempt. See Magen Avraham (Shulchan Aruch 472:16) where he notes that Shulchan Aruch ruled (472:14) that women are also obligated in the four cups of wine and all the mitzvot done on that night, and he writes in the name of Tosafot that it is because women were the driving force for the miracle, for it was due to the merit of the righteous women that [the Jewish people]

were redeemed, which would not apply to Sukkot…

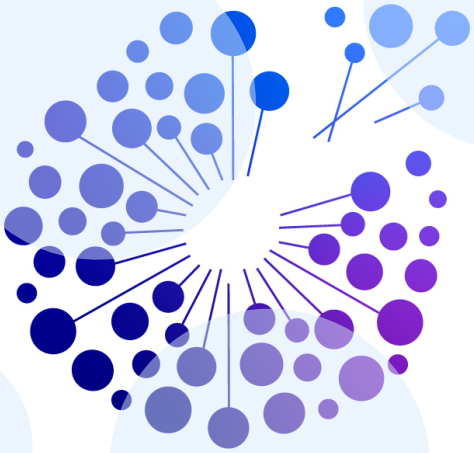
הא דאמר ריב"ל שבת כ"ג ע"א נשים חייבות בנר חנוכה שאף הן היו באותו הנס ואמאי לא אמר ג"כ דחייבות בהלל הלא גם הם היו באותו נס ועוד דהא כתבו התוס' בסוכה שם דהטעם דנשים חייבות באמירת הלל בליל פסח משום שהיו באותו הנס משא"כ בסוכה ועצרת א"כ ה"ה גם בחנוכה שייך מטעם זה לחייבם בהלל ואדרבה הלל שאומרים בחנוכה הוא על נס נצחון המלחמה והנשים היו כמו אנשים באותן גזירות וגם עיקר הנס היה על ידי אשה יהודית כדאיתא ברש"י שבת שם וברשב"ם פסחים שם ויעויי"ש בתוס' ד"ה היו וגם היו באותן גזרות כדכתב שם רש"י ועוד דרש"י דמפרש דברי ריב"ל שחייבות בנר חנוכה משום שהיו באותו הנס

Regarding Rabbi Yehoshua ben Levi's statement (Shabbat 23a) that women are obligated to kindle the Chanukah light because they too were part of the miracle, why is it that he did not mention that they are also obligated to recite Hallel, for they too were part of the miracle? Furthermore, Tosafot wrote in Sukkah that women are obligated to recite Hallel on Pesach night because they were part of the miracle, which would not apply to Sukkot or Atzeret. If so, the reason should also apply to Chanukah and they should be obligated in Hallel. All the more so Hallel, which is recited because of the miracle of the military victory, and both women and men were included in the persecutorial decrees [of the Greeks]. Also, the driving force of the miracle was through the actions of the woman, Judith, as cited in Rashi (Shabbat, ibid) and Rashbam (Pesachim, ibid). See also Tosafot (ibid, s.v. hayu) that they were subjected to the persecutorial decrees and as Rashi wrote there. Furthermore, Rashi explains Rabbi Yehoshua's words that they are obligated to kindle the Chanukah light because they were part of the miracle,

מאי שייכות להם בנס דמנורה וגם הלא הדלקת המנורה הוא מעשהז"ג דאיננו אלא מערב עד בוקר ונשים פטורות כמו כל קרבנות ציבור ולמה יהיו חייבות בנר חנוכה צריכים לומר כמו שתי' הפרי חדש (סי' עת"ר) קושיות הבית יוסף דאיזה נס נעשה בלילה ראשונה ותי' דמה שמדליקים בליל כ"ה הוא מטעם שמחת נס נצחון המלחמה בכ"ד כמו שמדליקים נרות בכל שמחה ולפי"ז א"ש הא דנשים חייבות להדליק נר חנוכה וה"ה מה שמדליקים בכל הימים י"ל שמדליקים מטעם זה אלא שצירפו אליו ג"כ נס דמנורה ונוסחת אמירת על הנסים מעיד על זה אמרינן הנרות הללו אנו מדליקים על הנסים והנפלאות והתשועות והמלחמות שנעשה לאבותינו בזמן הזה נקט תשועות ומלחמות וגם נסים ונפלאות בלשון רבים ואילו היה הכוונה דוקא לנס דמנורה היה צריך לומר נס בלשון יחיד ואפילו אם הכוונה גם על נס דמנורה מ"מ לא הזכיר בו בפירוש נס דמנורה לפי"ז ממילא מוכח דכיון דנשים חייבות בנר חנוכה משום שעיקרו נתקן משום נס המלחמה או משום שניהם יחד מכש"כ בהלל דרק משום נצחון המלחמה לבדו נתקן דחייבות בו מק"ו כיון שהיו באותו גזירה וגם בגזירת ביטול שבת לנשים כמו באנשים ונעשה נס על ידיהם א"כ ממילא מוכח כיון שחייבות בנר חנוכה מכש"כ דחייבות בהללו

But what connection do they have to the miracle of the menorah, and also, the lighting of the menorah [in the Temple] is a positive time-bound mitzvah, for it is only from the night until the morning, and women would be exempt as they are from all communal sacrifices. [If so] why would they be obligated to light Chanukah candles? Rather, one must explain it according to the answer of the Pri Chadash (670) to the question of the Beit Yosef regarding what was the miracle of the first night of Chanukah? [If there was sufficient oil for one day, then the miracle

was only for seven days, and the first day was not a miracle.] He answers that they lit on the night of the 25th of Kislev because of the joy of the miracle of the military victory [over the Greeks] on the 24th of Kislev, for one lights candles at every time of joy. Because of this it makes sense that women are obligated to light Chanukah candles and the same is true as to why they light on all the days. However, they also joined it [the practice of lighting candles on Chanukah] with the miracle of the menorah even though they didn't mention it explicitly [in the Al HaNisim prayer]. From this, it can be proved that women are obligated to light Chanukah candles because the practice was established primarily to commemorate the miracle of the military victory or because of both [the miracle of the military victory and the oil] together. It is undoubtedly the case that this must be true with Hallel, which was only established because of the military victory, that they should be obligated in it. All the more so since they too were subject to the persecutorial decrees and the decree to nullify Shabbat applied equally to women and men, and they were the driving force for the miracle. If so, it appears that since they are obligated to light the Chanukah candles, all the more so, they are obligated in Hallel.



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