

ליקוטי ופסקי הלכות

"חוקי חיים"

ותלמוד
"חוקי חיים"
לעשות רצונך
בלבב שלם



שע"י "חדר הזדאה" שכונת מנחת יצחק פעיה"ק ירושלם תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

Halochoh compiled by HaRav Chaim Bleier – Translated from the Hebrew edition by R' Zerachya Shicker

Halochoh of Chanuka 1

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Halochos of Chanukah - 1

Vayishlach 5782

247

Learning the Halochos of Chanukah

1. **"Hilchos chag bechag."** Moshe Rabbeinu decreed that everyone should learn the halochos of each Yom Tov on that Yom Tov (גמ' (מגילה דף ד ע"א). One must also speak about the idea of Chanukah before and during Chanukah (פנ"י שם ד"ה בפרש"י); specifically, everyone should speak about and learn the halochos, of which there are many that are applicable in practice (ש"ת שלמת חיים סי' שפ"ז).
2. **הרגיל בנר וכו' בנים ת"ה.** The Gemoro in Shabbos (דף כ"ג ע"ב) says, "One who is familiar with 'the ner' will have sons that are talmidei chachomim." The meforshim explain that "the ner" refers to the Chanukah candles. This begs the question: everyone lights Chanukah candles, yet not everyone has sons who are talmidei chachomim! The answer is that while it's true that everyone is yotzei the mitzvoh to light, only a very small percentage of people are careful to fulfill every aspect and detail of the mitzvoh. Only a person who is careful about every aspect and detail of the mitzvoh will utilize its power and ability to produce sons who are talmidei chachomim (רבי יצחק סגי נהור בן (הראב"ד, נדפס בס' הזכרון לר"י הוטנר זצ"ל (הראב"ד, נדפס בס' הזכרון לר"י הוטנר זצ"ל). It is only possible to fulfill the mitzvoh with all its details after learning and studying the halochos.

When to Light

Beginning of the Zman to Light

3. The poskim argue when the lechatchilah zman to light starts. There are multiple opinions and each person should follow the minhag of his family and rebbeim. There are primarily three opinions:
4. **Shekiyah.** Some say the zman to light starts at shekiyah. The Gra's talmidim lit at precisely shekiyah so that they wouldn't miss any time of any part of the mitzvoh (ביאור הגר"א) (בשם הבן איש חי (סי' תרע"ב סק"ב). This was also the Brisker Rov's minhag.
5. **Tzeis.** Others say the zman to light is at the end of shekiyah, i.e., at tzeis hakochovim (טור, ראי"ש, טור). There is a well-known machlokes as to when tzeis is exactly: the Geonim held it is the amount of time it takes to walk $\frac{3}{4}$ of a mil after shekiyah (מ"ב סי' רס"א סק"ג) (מ"ב סי' רס"א סק"ג), which is about 18 minutes after shekiyah on Eretz Yisroel's horizon. In other places in the world, it is when three average-sized stars appear (מ"ב שם) – the exact time is listed in each community's zmanim calendar.
6. **Rabbeinu Tam's opinion** is that tzeis is the amount of time it takes to walk four mil, i.e., 72 minutes, after shekiyah. The Mechaber writes that the zman to light Chanukah candles is at the end of shekiyah, i.e., at tzeis (סי' תרע"ב ס"א). Based on what he writes in hilchos Shabbos, he seems to agree with Rabbeinu Tam's opinion about tzeis (סי' רס"א ס"ב).
7. Someone who is machmir for Rabbeinu Tam's opinion when it comes to Shabbos but does not hold that is the main halochah may light earlier than Rabbeinu Tam tzeis on the nights of Chanukah. On Motzei Shabbos, though, he should end Shabbos when he normally does and not light earlier than that (סי' ת"ד סי' ט"ב). This is because the shiur of "ad shetichleh..." does not apply on Motzei Shabbos (Gilyon Chukai Chaim, Issue 70, paragraph 14, הגר"י (הלוי), and there is no reason to be meikel regarding Shabbos, which is strict, to do a hiddur regarding Chanukah, which is derabonon.

8. **Rabbeinu Tam shekiyah.** Some say the zman to light the Chanukah candles is at the second shekiyah – Rabbeinu Tam shekiyah – which is about 13 minutes before Rabbeinu Tam tzeis (ר"ן, רשב"א, מאירי, הו"כר (במ"ב סי' תרע"ב סק"א).

End of the Zman to Light

9. **Lighting outdoors.** Some say the mitzvoh to light Chanukah candles can only be fulfilled until the shiur of "ad shetichleh regel min hashuk," which is about a half hour or more after the beginning of the zman to light, and one should not light after that time (רמב"ם פ"ד ה"ה).
10. However, most poskim hold that while one should make sure to light before "ad shetichleh" to satisfy all opinions, if he did not get a chance to light before then, bedieved he may light the whole night, i.e., until amud hashachar (מ"ב סק"א). This is the ruling of the Shulchan Aruch (סי' תרע"ב ס"ב).
11. As far as the brochoh, if there are still passersby outside, one may say the brochoh when lighting outdoors. If there are no more passersby, one should not say a brochoh when lighting outdoors (ע"פ מ"ב שם, הגר"ש"א, שבות יצחק חנוכה פ"ד עמ"ל פ"ג).
12. **Lighting indoors.** Nowadays that we light indoors and the pirsumei niso is mainly for one's family, there is no need to make sure to light before 'shetichleh regel min hashuk'; one may light until alos hashachar. Still, it is best to light before 'shetichleh regel min hashuk' even today (רמ"א שם).
13. As far as the brochoh when lighting after shetichleh regel min hashuk, one may light with a brochoh if his family members are awake. If they are sleeping or if he is home alone, he should light without a brochoh. Still, it is best to wake up two or three (שעה"צ סק"ז), two (כפה"ז סק"ו) (בשם הבן איש חי (מ"ב סק"א) – in order to light with a brochoh (ערוה"ש ס"ו).
14. Nevertheless, if someone wants to say a brochoh after 'shetichleh regel min hashuk' even though no one else is present, there are poskim he can rely on (שער ציון שם), and this is the general minhag (הגר"ש וואזנר, קובץ מבית לוי ח"י עמ"ל ב' אות ו).

Which Comes First, Maariv or Lighting Chanukah Candles?

15. The poskim discuss whether it is better to daven Maariv before lighting Chanukah candles when lighting after tzeis, or whether it is better to light Chanukah candles first.
16. **Lighting indoors.** When lighting indoors, the pirsumei niso is for family members, and if someone is in shul at or near tzeis, it is best for him to first daven Maariv and then light in order to fulfill the mitzvoh of Krias Shema deoraiso (שע"ת) and due to the rule of "todir veshe'eino todir, todir kodem" (מ"ב סק"א). If one is at home at tzeis, it is best to light first since that mitzvoh is in front of him, and we do not pass over mitzvos.
17. **Lighting outdoors.** When lighting outdoors – in which case the pirsumei niso is for the people on the street – there is more reason to light first so that the lighting is before 'shetichleh regel min hashuk', after which the Rambam holds one is not yotzei (see above, 9). If one davens Maariv first, he should make sure to put oil in the menorah before davening Maariv so that he can light immediately after Maariv. If he does everything after davening, there is certainly reason to fear that he will miss the main zman, i.e., a half hour according to the Gemoro (מ"ב סוף סק"א).

18. **Set minyan for Maariv.** If a person has a set Maariv he goes to at a later hour, he may light Chanukah candles at tzeis and daven Maariv later since the rule of "todir veshe'eino todir, todir kodem" only applies in a case where one wants to do two mitzvos at the same time (הגרש"א שלמי מועד פמ"ז עמ' ריט, הגר"ש וואזנר קובץ מבית לוי) (ח"י עמ' א).

Suggested Zman to Light in Eretz Yisroel

19. In Eretz Yisroel, bein hashmoshos [the time between the beginning of shekiyah and tzeis] is very short – about 18 minutes. Therefore, many people light exactly 20 minutes after shekiyah but before Maariv, thereby satisfying most opinions: it is within a half hour from shekiyah, satisfying the Rambam and Gra (above, 4, 9), and it is after the geonim's tzeis (above, 5). The Chazon Ish did this (חוט שני הנוכה עמ' ש"ח) as well as the Rebbe of Ger (ש"ת תשובות והנהגות) (ח"ב סי' של"ד).

Lighting Starting at Plag Haminchah

20. Someone who is busy and will not be able to light the menorah after shekiyah may light starting from plag haminchah if necessary (ש"י עמ' ס"א). Plag haminchah is 1¹/₄ halachic hours before tzeis (מ"ב סק"ג). He may also say the brochoh (מ"ב שם).

21. **Traveling.** Similarly, if someone is leaving his home, and when he reaches his destination, it will be too late or impossible to light, he may light at home starting at plag before setting out. Even though he will not be sleeping at home that night, he may light at home since that is where he was established until now (הגר"נ קרליץ, נר) (חנוכה פ"ב סי"א).

22. **From plag or late at night?** If one has a choice of either lighting after plag or late at night, if he is lighting outdoors, it is better to light after plag; if he is lighting indoors and no one will be in the house at the regular zman to light – shekiyah or tzeis – it is better to light at home late at night (הגר"ש, פניני חנוכה עמ' ק"ע).

How Long the Candles Must Stay Lit

23. **From plag.** When lighting after plag, one must use enough oil for the candles to stay lit until a half hour after tzeis (ש"י עמ' שם). The same is true when lighting on Erev Shabbos Kodesh (מ"ב סי' תרע"ט סק"ב).

24. **From shekiyah.** Those who light at shekiyah must use enough oil for the candles to stay lit for a half hour. If one lights outdoors, say, ten minutes after shekiyah, strictly speaking, he only needs to use enough oil for the candles to stay lit for 20 minutes, which is until 'shetichleh regel min hashuk' of the Gemoro (מ"ב סי' תרע"ב סק"ה). However, it is proper to be machmir and have enough oil for the candles to stay lit until there are actually no more passersby outside. When lighting indoors, there must always be enough oil to last at least a half hour (מ"ב שם).

Lighting to Avoid Suspicion

Back in the Day

25. **Two entrances on different sides of the house.** If a courtyard or house has two main (הג' חכמת שלמה) entrances on different sides – e.g., one on the north side, one on the east (ביאה"ל ד"ה שיש) – that cannot be seen simultaneously, a menorah must be lit in both entrances to avoid suspicion (ש"י עמ' ס"ח). In other words, there is a concern that when people in the city only see the entrance to the house that does not have a menorah, they will think that just like he didn't light in this entrance, he didn't light in the entrance on the other side. If a house has two entrances on the same side, there is no need to light in both entrances since people know that both entrances go into the same house.

26. **No brochoh.** When lighting to avoid suspicion, no brochoh is said on the second menorah since it is only to avoid maris ayin (רמ"א שם).

27. **Windows on different sides.** Even if a house has windows on different sides that cannot be seen simultaneously, there is no need to light candles in windows on both sides since everyone

knows that houses have many windows. Similarly, if a house has an entrance on one side and windows on another, there is no need to light in both the entrance and the windows (הגר"נ קרליץ, חוט שני) (חנוכה עמ' ש"ד).

28. **A main entrance and a side entrance.** If a house has a main entrance and a side or secondary entrance, e.g., one entrance facing the street and a second one facing an alley, there is no need to light in the side entrance to avoid suspicion since it is obvious to everyone that the person lit in the main entrance (הג' חכמת שלמה).

Nowadays

29. **Chutz Lo'oretz.** Since everyone today lights indoors, out of the view of the general public, even if a courtyard or house has many entrances on different sides, one only needs to light once inside. This is the common minhag (רמ"א שם).

30. **Eretz Yisroel.** Many people in Eretz Yisroel today light outdoors. Some poskim say there is a chiyuv to light in two entrances on different sides to avoid suspicion (הגר"ש, אשרי האיש ח"ג פ"ה אות ו').

31. However, most poskim hold that there is no need to light on both sides to avoid suspicion today. The reason for this is that since there are people who light indoors, people won't suspect that someone did not light at all (הגרש"א, הליכות שלמה חנוכה פ"ג דבה"ל אות ו'). Also, not everyone lights in the same spot outside or at the same time. Accordingly, there is no chiyuv to light an extra menorah today to avoid suspicion (הגר"ש וואזנר, קובץ מבית לוי ח"י עמ' ה'). (הגר"נ קרליץ, חוט שני חנוכה עמ' שט"ז).

Away from Home for Multiple Nights

32. If a person will be away from home for multiple nights, e.g., he is going to his parents for Shabbos Chanukah, etc., some poskim say he must ask a neighbor to light for him outside his house to avoid suspicion (בשם החזו"א).

33. However, most poskim hold that when one is away from home, there is no chiyuv to have a menorah lit outside his home (ש"ת ה' (אג"מ י"ד ח"ג סי' י"ד אות ה') since people will only suspect him of not lighting if they see him around his house or yard and there is no menorah lit, e.g., when there are two entrances. Even back in the day, we do not find that a person was obligated to light to avoid suspicion when he wasn't home. Obviously this is because people will assume that he went somewhere away from home (פ"ה סי' (תרע"ו, הובא בביאה"ל שם ד"ה במקום). Nowadays that everyone lights in different spots and at different times (see above, 31), and many people go to their parents' homes, etc., there is certainly no need to light to avoid suspicion when traveling away from home.

If It Goes out, There Is No Need to Relight It

34. If one's candles went out before the required zman, but they had enough oil to stay lit for the required zman, he does not need to relight them since the mitzvah is fulfilled at the moment the candles are lit (ש"י עמ' ס"ב). Nonetheless, it is proper to be machmir and relight them (מ"ב סק"ז).

35. **Sees an extinguished menorah.** Some poskim say that if someone's candles go out, he does not need to worry that people will suspect that he did not light the menorah since they will just assume that he hasn't yet lit them, but he will soon (ש"ת שואל) (ומשיב מהד"ת כ"ב סי' ע"א ד"ה ומה שהקשה). According to this, he would need to leave the unlit menorah in a spot that people will see it. However, this is a novel idea that was never suggested before (כ"ק (מרן גאב"ד ירושלים שליט"א).

36. **Only during the zman.** Another reason he would not need to worry about people's suspicions is because this halochah only applies when a person is coming to light the menorah. If, when one lit his menorah, he had no reason to be concerned about people's suspicions, even if such a concern subsequently arose, Chazal did not require him to light to avoid suspicion (חנוכה פ"ג דבר הלכה י"ח).

37. Others say in such a case, one does need to relight his menorah to avoid suspicion (בית הלוי פ' מקץ חנוכה ד"ה שם כבתה זקוק לה).

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