

Selected Observations on the Laws of Chanukah

By: Shabtai Atlow

The following few items are the result of my preparing a weekly “davar halakha” for between Kabbalat Shabbat and Maariv, during the weeks leading up to Chanukah, for the Min haMaayan Minyan, in Efrat.

What does the Mishna Brura mean - “there is a reason for this”?

The Mishna Brura (670:1:1) starts the discussion of the laws of Chanukah by quoting the Rambam (Hil. Chanukah 3:1-3) (what follows is my non-literal translation):

In the days of the Second Temple when the evil kings ruled¹, they decreed evil decrees on the Jewish people, and they attempted to abolish the Jewish religion. They did not permit the Jews to study Torah and engage in performing mitzvot², they took away the money of the Jewish people, took away their daughters, and they made holes in the walls of the Temple and made the *tahor* become *tamei*. There was much suffering among the Jews on account of these decrees, until God, the Lord of their fathers, had mercy on them, and saved the Jews from them. The Hasmonean house of the High Priest overcame and killed them, and saved the Jewish people from them. Sovereignty was restored to the Jewish people for more than two hundred years, until the Second Temple was destroyed.

When the Jews were victorious over their enemies, it was the 25th of Kislev. They entered the Temple, and they only found one cruse of *tahor* oil, which was in a container still sealed with the seal of the High Priest. There was only enough oil in this cruse to burn [in the Menorah in the Temple] for one night. A miracle occurred and they lit [the Menorah] with this oil, and it burned for eight days, until they were able to prepare new *tahor* oil.

1. Note that “evil kings” is the version in the text of the Mishna Brura. The Rambam himself (Chanukah 3:1) says, “... the Kings of Greece decreed...”.
2. לעסוק בתורה ומצוות

On account of this, the sages in that period established that the days beginning with the 25th of Kislev would be days of happiness and praise on which lamps were to be lit each and every night, at the doors of the houses, for eight days in order to proclaim the miracle. And this is a mitzvah of the *Sophrim*, like reading the Megillah.

Then, the Mishna Brura adds the following to the above quote of the Rambam:

These days are called Chanukah, that is to say, they rested on the 25th³ from their enemies. Because these are days of happiness and praise, it is prohibited to eulogize and to fast on these days. It is customary for the poor to go about to people's doors [begging], and there is a reason for this.

The conclusion of the Mishna Brura is, in fact, quite puzzling - if there is a reason for this custom, then the Mishna Brura should tell us the reason. What is the reason?

Shimon HaTzadik is quoted in Avot 1:2 as saying:

Existence⁴ rests on 3 things - on the Torah, on the Divine Service⁵, and on acts of *chesed*.

With this Mishna in mind, let us go back and compare the Rambam, as quoted in the Mishna Brura with this Mishna.

Mishna	Rambam
The world rests on 3 things - on the Torah	They did not permit the Jews to study Torah and engage in performing mitzvot
on the Divine Service	...they made holes in the walls of the Temple and made the <i>tahor</i> become <i>tamei</i>
and on acts of chesed	...they took away the money of the Jewish people, and took away their daughters...

3. That is: חנו כ"ה

4. על שלושה דברים העולם עומד

I have chosen to translate "העולם" as "existence". Other valid alternative translations would include "the world" or "the creation".

5. על העבודה ...

What the Greeks did, then, if we read the Rambam in light of this Mishna, was to threaten the very foundations of the world.

Thus, our ways of observing Chanukah are *tikkunim* for the destruction:

Mishna	Rambam	Tikkun
The world rests on 3 things - on the Torah	They did not permit the Jews to study Torah and engage in performing mitzvot	Lighting the Menorah, as it says, "the light of Torah, the candle of the mitzvah" ⁶ (Prov. 6:23)
on the Divine Service	...they made holes in the walls of the Temple and made the <i>tahor</i> become <i>tamei</i>	The Menorah itself ⁷
and on acts of chesed	...they took away the money of the Jewish people, and took away their daughters...	??

It would seem therefore, that the reason for the custom of alms giving is to provide the *tikkun* for the destruction caused by the Greeks taking away the money of the Jewish people, and thus, the ability of the Jews in those days to give alms.

Sufganiot: Greasy Goody or Holy Custom?

The Shulchan Oruch (O.C. 670:2) states concerning festive meals during Chanukah:

Having many meals [during Chanukah] is voluntary, as the Sages did not establish the days of Chanukah as a time for dining and festivity. [R. Moshe Iserles adds in his gloss here] There are those who say that it is somewhat of a mitzvah to have more festive meals, because those are the

6. The 1917 JPS translation, available at <http://www.mechon-mamre.org/p/pt/pt0.htm> translates this verse as "For the commandment is a lamp, and the teaching is light."

7. As opposed to lighting the Menorah - there are mitzvot which are concerned with the lighting of the Menorah in the Temple, and there are mitzvot which are concerned with the construction of the Menorah for the Temple.

days of the dedication of the altar. It is customary to sing hymns and songs of praise during these meals, and then these meals are considered a meal of a mitzvah. There are those that say that one should eat cheese.

I am indebted to R. Herzl Hefter who has brought the following citation to my attention. The following citation, as far as I can tell, is the only source which disputes the above citation of the Shulhan Aruch:

Rabbenu Maimon the son of Joseph⁸, wrote in his Arabic language essay on prayer under the topic of Chanukah - "One may not be lenient with any custom, even a minor custom. One is properly obligated to have a festive meal with foods in order to publicize the miracle which God, blessed be He, performed on our behalf, during those days. On account of the custom to make *sufganim*... which are [word unclear] in honey ... This is an antique custom, on account of their being fried in oil. And Rabbenu Nissim writes in *Megillat Starim*, all of the customs of this people [i.e. all Jewish customs] are like this: [eating] a head on Rosh Hashanna; [eating] dairy on Purim and after Pesach⁹; and [eating] beans on Hoshana Rabba. We may not denigrate these customs ... and the Prophet has already written, 'do not neglect the Torah of your Mothers'¹⁰ (Prov. 6:20) - do not abandon the religious practices of your mothers. The traditions of the Gaonim and the Roshei Yeshivot¹¹ are customs such as these, in their practices and their accounting. And one should not denigrate a single thing from the customs which the elders practiced" – here ends the words of Rabenu Maimon.

Although R. Maimon, the father of the Rambam, seems to disagree with the Shulhan Aruch, and say that eating festive meals during Chanukah is a mitzvah, it is more important for us to note that his words provide a religious basis for declaring eating Sufganiot a sacred obligation!

8. And father of the Rambam.

9. It would seem that the reference here is either dairy on what in our days is called Maimuna, or, possibly, to eating dairy on Shavuot.

10. The 1917 JPS translation, available at <http://www.mechon-mamre.org/p/pt/pt0.htm> translates this verse as "forsake not the teaching of thy mother."

11. Presumably from the various academies in Babylonia.

Why is Chanukah in Kislev?

As mentioned above, the Rama, R. Moshe Iserles, writes in his gloss on the Shulchan Aruch:

There are those who say that it is somewhat of a mitzvah to have more festive meals, because those are the days of the dedication of the altar.

The Mishna Brura explains (s.v. 7):

That is to say that the work of the Tabernacle was completed on the 25th of Kislev, according to the Midrash. However, the Holy One, praised be He, deferred the dedication of the tabernacle until Nissan, since the Patriarch Yitchak was born in Nissan. The Holy One, praised be He, as it were, said that He had created a debt to Kislev, and He would pay Kislev back with the dedication¹² of the Hashmonaim. Furthermore, in the days of Antiochus, the Temple became *tamei*, and they made an eight day dedication of the Temple.

Several points of the Mishna Brura require clarification:

- a. What is the connection between the Patriarch Yitchak and the Tabernacle, which made it appropriate to defer the dedication of the Tabernacle to the month of Yitzhak's birth? Furthermore, the Psikta Rabati¹³ states that Shlomo haMelech deferred the dedication of the first Temple until Tishrei, since Avraham was born in Tishrei. Why did Shlomo not defer until Nissan, as did the Holy One, b'h? Or, why is the Tabernacle associated with Yitchak, and the first Temple with Avraham?
- b. Why is the Mishna Brura citing a Midrash and not a Halakhic source?
- c. Why bring the second reason, what happened in the days of Antiochus - isn't the first reason, brought down in the name of the Midrash, enough?

12. Dedication = Chanukah

13. Psikta Rabati (Ish Shalom), Piska 6.

As I demonstrated above, there is a distinct relationship between our practices in celebrating Hanuka and maintaining the creation¹⁴. The Talmud in tractate Rosh Hashanah, pg. 11a records a debate between R. Eliezer and R. Yehoshua whether the world was created in Nissan or in Tishrei¹⁵. The Tosafot in Rosh Hashanah, pg. 27a, s.v. *kmaan matzlinan*, concludes that, although God's actual decision to create the world occurred in Tishrei, nonetheless, the world was not actually created until Nissan.

The Tabernacle was associated with the Jews and their wanderings in the desert. Wherever the Jewish people moved to, they would pack up the Tabernacle and move it with them to that place. It was distinctly difficult, but not impossible, for anyone who wanted to come, from outside the People of Israel, to locate and travel through the desert to the Tabernacle, in order to worship God there. This inaccessibility of the Tabernacle is reminiscent of Yitzhak's withdrawal from society time and again. Yitzhak is associated, especially in Hasidic thought, with the field - Yitzhak went out to converse in the field¹⁶(Gen. 24:63). The field is an archetype for *anyplace*. The exact location of the field is not known to us, nor is it particularly relevant. Neither is the exact location of the Tabernacle in any of its various stops during the 40 years in the desert.

On the other hand, the first Temple was in a fixed place, available to all to come and worship God there. This brings to mind Avraham Avinu and his tent - open to all, expressly in order that they come and join Avraham in the worship of God. Avraham, as opposed to Yitzhak, is associated, especially in Hasidic thought, with the mountain. Indeed, Avraham is associated with a specific mountain, Mount Moriah, the place which God showed Avraham - the ultimate destination (see Gen. 22, particularly verses 2 and 4). The mountain is a known place, accessible to all.

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14. A society dedicated to only one of, or none of, the three principles of Torah, Divine Service and *chesed* cannot endure. Some balance needs to be found between these three ideals. So too, balance is needed between providing for the needs of people, regardless of the effect of providing for those needs on the environment, and providing for the needs of the planetary environment, regardless of the effect of doing so on the quality of life of the inhabitants of that planet. (I thank Avraham Poupko for suggesting this connection.)
 15. I discussed this debate in Volume 6 of CT@NDS, 5766. See my article there for a more full discussion of the interplay between the two poles of the year - Tishrei and Nissan.
 16. The 1917 JPS translation, available at <http://www.mechon-mamre.org/p/pt/pt0124.htm> translates this verse as "And Isaac went out to meditate in the field".

Still, one has to wonder why the Mishna Brura cites a midrash. Or, perhaps not. Just like the section of tractate Rosh Hashanah cited above is aggadic in nature, and not halakhic, nonetheless, the Tosafot finds this to be one of the main sources of our prayers during Rosh Hashanna, so too the Mishna Brura cites a midrash to support a halakha. From a certain perspective, there is no real dichotomy between midrash and halakha, between “stories” and law. All of these are one system, which is internally consistent.

Nevertheless, the Mishna Brura finds the reasoning used to justify the Rama somewhat weak. We are, after all, speaking about Chanukah. Why bring down an external discussion regarding the precise dating of the dedication of the Tabernacle? Thus, the Mishna Brura mentions his second reason - lest we overlook the connection between the festive meals we are discussing and the dedication of the Temple in the days of the Hashmoneans.

Exactly How Much Oil was in the Cruse?

We are used to describing the miracle of Chanukah, as the Rambam described, as quoted above, in terms of the finding of a single cruse of *tahor* oil, and the oil in the cruse was enough oil for one day. Nonetheless, the oil burned for eight days, thereby enabling the Hashmoneans to have time to prepare the oil for the next lighting. Had the oil in the cruse not lasted for the full eight days, then there would have been no ceremonial lighting of the Menorah in the Temple for 7 days¹⁷, until more *tahor* oil could be produced.

Regardless, I would like to examine this issue of the miracle of Chanukah quantitatively - how much oil was there in the single cruse that was found? Presumably, a massive amount of oil was needed, why else should they have needed eight full days to prepare the oil for the next lighting? (I suppose that olives might not have been in season, as most allergy sufferers in the Greater Jerusalem area can tell you - olives blossom in May. But then, they should have

17. Refer to the famous “Difficulty of the Bet Yosef”, on this point, (Bet Yosef, O.C., 670, s.v. *Mai Chanukah*) regarding the 8 days and the 7 days. There are countless answers proposed, as Kohelet says - of the making of books, there is no end [Kohelet 12:12].

had to wait several months, not just a few days to get olives to make oil, so clearly they had a stock of olives.)

The Rambam in Hil. Tamidim and Musafim (3:11) states: How much oil was put in each light of the Menorah? Half a *log* of oil, as it says, 'put it from evening until the morning' (Ex. 27:21), that is, a quantity which will burn from the evening until the morning.

Thus, according to the Rambam, for the 7 lights of the Menorah, each night, $7 * 0.5 = 3.5$ *log* of oil was required - that is the cruse had to have at least 3.5 (and not much more...) *log* of oil. According to the Hazon Ish, a *log* is equal to 0.6 liter, and according to Rav Chaim Naeh, a *log* is equal to 0.345 liter. Thus, 3.5 *log* is between 1.208 and 2.1 liters¹⁸.

It is important to point out that, while this is a relatively small quantity of oil, nonetheless, oil from the Menorah had to come from the first drop of oil squeezed out of an olive. Only after the first drop was extracted and set aside for use in the Menorah would the olives be pressed again, in order to extract the remaining oil, for use in libations and other sacrifices¹⁹.

Why is Chanukah so Dear to Hashem?

The Rambam (*Hil. Hanuka* 4:12) states:

The mitzvah of the Chanukah candle is *very dear*, and a person should be careful about it (the mitzvah) in order to publicize the miracle and to increase the praise of God, as well as thanking Him for performing a

18. It should be borne in mind that in order to prepare oil for use in the Temple, the preparers of the oil required 7 days to undergo the ritual of the sprinkling of the ashes of the Red Heifer, in order to become *tahor*. Thus, the oil could only be prepared starting on the eighth day. Perhaps this is a beginning of one answer to the Bet Yosef's difficulty.

19. Refer to the Mishna in Menachot 8:4. The discussion of the quantity of oil needed leads to several potential directions of thought regarding the above mentioned difficulty of the Bet Yosef - even at one drop per olive, would it take a crew of several skilled oil manufacturers a full week to produce one cruse of 2.1 liters of oil? Even if you were to say that they needed to produce 2.1 liters every day for a week, the question is merely one of bringing more labor and enough olives.

Furthermore, this discussion is predicated on the position of the Hazon Ish. According to R. C. Naeh, one needs only almost half the amount of oil - slightly more than 1.2 liters, presumably, therefore, which could be produced in about half the time...

miracle for us. Even if he is only able to provide food to eat from charity, he should borrow money, or sell his clothing in order to purchase oil and candles, in order to light.

Some explanation of this Rambam is in order.

To begin with, those people who are acquainted with the Rambam's usual style will immediately notice that the Rambam, uncharacteristically, uses nearly emotional language - "the Chanukah candle is very dear". Secondly, why does the Rambam add the superlative "very"; surely the Rambam could have said "the Chanukah candle is dear". What does *very* add?

Rav Hutner, who discusses this Rambam in many places in the Pachad Yitzhak, provides a very thorough treatment of this Rambam in Pachad Yitzhak, Chanukah, essay 16. Rav Hutner begins by a discussion of a very strange halakaha. The Shulkan Arukh states that one who lights the Chanukah candles says, on the first night, three blessings:

1. on lighting the Chanukah candles;
2. He who has performed miracles for our forefathers; and
3. who has renewed and sustained us.

One who sees the Chanukah candles of someone else (and is unable to light themselves, for whatever reason) says two blessings:

1. He who has performed miracles for our forefathers; and
2. who has renewed and sustained us.

This is a very strange idea - if I do not put on tfillin for some reason, I do not say a blessing when I see you put on your tfillin. Likewise, there is no blessing for seeing someone else take their lulav and etrog and wave them. Why is one able to say a blessing when seeing someone else's Chanuka candles?

Consider a person who miraculously recovers from a rare, debilitating disease. Such a person must give thanks to God for the miraculous recovery. Part of that person's giving thanks should include telling other people of the miracle, thereby publicizing the miracle of his recovery.

If that rare and debilitating disease happened to include a loss of the ability to communicate, then, there is an additional dimension to his telling people about the miraculous nature of his recovery. When a person is speaking and telling us that he was unable to speak, and a miracle occurred by which he regained his ability to speak, the actual speaking and telling us about the miracle is part of the miracle itself, and therefore even greater praise to God and even greater publicizing the miracle.

This then, it would seem, is the reason that someone who sees someone else's Chanukah candles is able to say the blessing "He who has performed miracles for our forefathers." The one who sees the light of the Chanukah candles of another is seeing the light publicizing the miracle of the restoring the light of Torah and the light of Creation (see Section 1).

This also provides us with an explanation of the Rambam's unusual language. Why does Rambam say the Chanukah candle is *very* dear? Because the Chanukah candle is both the article which radiates the light of the menorah, as well as the physical manifestation of the publicizing of the miracle of Chanukah.

"Everything Depends on Luck, even the Torah Scroll in the Ark", or, What does J. S. Bach (J. S. != Joel Sirkes) have to do with Chanukah?

The statement from the Zohar²⁰ quoted above, is usually explained to mean that it depends on the luck of any particular Torah scroll whether, on any given day, that Torah is taken from the ark to be read, or another Torah is taken to be read on that day.

One of my neighbors suggested an alternative, and perhaps more satisfying, explanation of the Zohar. Everything depends on luck - one piece of cow hide becomes a pair of shoes. Another piece of cow hide, from the same cow, becomes parchment and has a Torah, or T'fillin, or some other sacred text written on it.

20. Naso 134a (Idra Rabba, vol. 3).

In light of this explanation, I offer the following to ponder - a piece of hide becomes either one or the other of a pair of shoes or a Torah scroll²¹. What about an intangible item, such as a tune?

Consider the following two tunes:

BWV 388

Harmonized by J.S. Bach **I**

21

CHANUKOH
(Lichtenfeest)

Hymne **II**

Mo.ös zur je . shu . o . ssi 'chono . ce lc . sha bè . ach ti . kón bès te .

The first tune, labeled I, is BWV 388, by Johann Sebastian Bach²². The tune is for the Lutheran hymn, “Nun freut euch, lieben Christen g’mein²³”. A MIDI file of the tune (BWV388.mid) is available on the Chidushei Torah @ NDS website, at <http://www.nds.com/chidusheitorah/>²⁴. For the convenience of those not familiar with the tune of Maoz Tzur, a MIDI file of Maoz Tzur (maoz-tzr.mid) is also made available on the website.

The second tune, labeled II, is the tune for Maoz Tzur, sung after lighting the Chanukah candles.

21. My discussion of the mutually exclusive nature of becoming one and only one of shoes or parchment is deliberately not getting into atrocities committed, for instance, during the Shoah. As the sages say (Tanchuma Korach 19, *androlomusia* kills the good and the bad; see also the Torah Tmimah to Gen. 6:19), when destruction is let loose, it spares no one (or, in the case of a Torah, no thing). At any rate, in the normal order of things, parchment is not shoes. Shoe leather is not parchment.
22. When I mentioned that the tune for Maoz Tzur was used by Bach in a composition, one person thought I was referring to R. Yoel Sirkes, author of the Bayit Chadash, called “the Bach”. Coincidentally, Joel Sirkes, and, lehavdil, Johann Sebastian Bach, are both JS Bach.
23. See www.jsbach.org/bwv388.html as well as other places.
24. I am grateful to Margaret Greentree and www.jsbchorales.net for making this MIDI file freely available.

As an exercise in pattern recognition, look at the notes in the box in both of the two figures. The astute reader will notice that the themes of the two tunes are essentially the same.

Can we say that the tune also depends on luck - sometimes it is sung as a Lutheran hymn, and sometimes as a hymn after lighting Chanukah candles?

Shabtai Atlow received his BA from MIT. He made aliya in 1985, learned in Yeshivat Hamivtar and Yeshivat Knesset Beit Eliezar. He received his rabbinic ordination from Yeshivat Knesset Beit Eliezar.

He left the Yeshiva and began working in a High-Tech company in the Jerusalem area, and in 1997 came to NDS.

Shabtai's first job in NDS was as a Technical Writer in the I&T line. He presently works in the Patents group as a Patent Attorney.

Shabtai has also published articles in every previous version of Chidushei Torah@NDS.

Shabtai lives in Efrat with his wife and five sons.

