The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תרע"ב סעיף ב'

Overview

Siman 672 Seif 2:

If one forgot or even intentionally did not kindle the lights at sunset he may still light as long as there is foot traffic in the marketplace, which continues for about half an hour. During that time since there are people who are still walking around the miracle will be publicized. For this reason one must have enough oil that can burn for this duration of time. If one added additional oil one may extinguish it after this time has passed and one may also benefit from the light once this time has passed. Some maintain that nowadays that we light inside it is not necessary to be careful to light before foot traffic in the marketplace ceases but it is still proper to kindle the light within this period of time. **This requirement is only l'chatchila but if this time passed and one did not kindle he must light as long as it is still night. If the entire night passed and he did not light the mitzvah cannot be made up.** On the subsequent nights he kindles the same number of lights as others even though he missed the first night.

- The implication is that if one kindles after shekiah one need not add oil that could remain lit for a full half an hour. This implication, however, is limited to halacha that applied in the time of the Talmud but nowadays that the lights are for the members of one's household it must always remain lit for at least half an hour. (M.B. 5)
- There is no mitzvah to add extra oil but longer candles beautify the mitzvah; however they should not be too long. (M.B. 6)
- Later authorities agree that one should stipulate that he is designating for the mitzvah only the oil needed to fulfill the mitzvah since there are Poskim who maintain that all the oil that is added is designated for the mitzvah. (M.B. 7)
- There are some authorities who prohibit the use of the light since the onlooker will not know that the minimum time necessary for the lights to burn has passed. (M.B. 8)
- One should kindle when the members of one's family are gathered together. One may not learn or eat once the time for kindling has arrived and if one began one of these activities he must interrupt. (M.B. 10)
- One may kindle the lights until amud hashachar with a beracha but only if people from the household are awake but if they are sleeping one should not recite the beracha. If one returns home and everyone is sleeping it is correct to wake someone so that one should be able to recite the beracha when he kindles the lights. (M.B. 11)

Stories to Share

A Valuable Mitzvah

ש"ע, ס' תרע"ב, ב': "ואם עבר כל הלילה ולא הדליק אין לו תשלומין..."

A certain person in Israel was scheduled for surgery the day before Chanukah. When he learned that it usually took many hours to awaken from the surgery, he realized that if he went through with it he would definitely miss lighting his menorah on the first night of Chanukah. When he broached this issue with his surgeon and requested a schedule change, the doctor explained that this was impossible. "The rules of the hospital are quite clear: if you want the government to pay your surgery you cannot reschedule it now. If you want to pay privately, however, this can still be arranged."

This man wondered whether he was obligated to pay a fortune for a surgery which would otherwise be without cost. On the other hand, perhaps it was forbidden for him to enter a hospital on erev Chanukah to undergo a surgery that would cause him to miss lighting his menorah on the first night of Chanukah?

When this question reached Rav Yosef Shalom Elyashiv, zt"l, he ruled that the man was permitted to submit to the surgery under the original conditions. "It is permitted for someone to check himself into the hospital erev Chanukah to undergo surgery, even if he knows he will be unable to light the menorah on the first night of Chanukah. He has no obligation to worry about how he will light the menorah, since the mitzvah of that night is not yet incumbent upon him.

חשוקי חמד, ברכות, ע' ק"א

Rav Elyashiv added, "And even if he can put it off by paying an astronomical sum, he is still not obligated to do so. Who can say that one is obligated to pay all of his money to avoid being an 'ones' when the time to do the mitzvah has not yet arrived?"

חשוקי חמד, מגילה, ע' מ"ג

Halacha Highlight

Choosing the best time to kindle the Chanukah lights

Shulchan Aruch Siman 672 Seif 2

מדליק והולך כל הלילה

He may light the entire night

Shulchan Aruch (סע' ב') writes that one who did not kindle the lights in the proper time is obligated to kindle the lights all night, meaning until amud hashachar (מ"ב ס"ק י"א). Mishnah Berurah (שם) explains that one may only recite the beracha on the kindling if members of one's household are still awake. In the event that no one is awake one should kindle the lights without reciting the beracha. The reason is that if everyone is sleeping he does not publicize the miracle. Preferably, if one returns home and the members of his household are sleeping one should wake a member of his household so that he could kindle the lights with a beracha.

There is a dispute regarding someone who cannot kindle the lights at the correct time and has the choice between kindling the lights after plag hamincha or late at night. Teshuvas Shevet Halevi (ח"ד סי' ס"ו) contends that it is preferable to kindle the lights later rather than after plag hamincha since all opinions agree that the mitzvah is fulfilled if the lights are kindled later but not all opinions agree that one fulfills the mitzvah if he kindles the lights after plag hamincha. Sefer Chovas HaDar suggests that the halacha depends upon whether one will kindle the lights inside or outside. If one kindles the lights outside it is preferable to kindle the lights after plag hamincha but if one will kindle the lights inside it is preferable to kindle the lights later in the night (חיי משה).

Another choice which people are sometimes forced to make is whether to light by one's self but after the ideal time or whether it is preferable to have an agent kindle the lights at the proper time. Poskim agree that in this case it is preferable for one to light later himself rather than have an agent light at the ideal time. The rationale is that the principle that it is preferable for one to perform a mitzvah personally carries more weight than the principle that it is best to light at the earliest time possible (חיי משה בשם שו"ת שבט הלוי ושו"ת אג"מ).