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Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן קע"ג סעיף א'

# Overview

**Siman 673 Seif 1 (b):**

**There is an opinion that permits performing sacred activities in front of the Chanukah lights. The custom is to light an additional light so that if one benefits from the light it will be from the additional light which is lit last and it should placed at a bit of a distance from the other mitzvah lights.** In these countries people are not accustomed to kindle an additional light; rather the shamash that was used to kindle the other lights is placed near the Chanukah lights and this practice is preferable. This candle should be longer than the others so that if one benefits he will benefit from that light. If a Chanukah candle that is prohibited from benefit becomes intermingled with other candles it is not nullified, even at a ratio of 1000:1 since it is something that is counted. In order to permit use of the candles one must kindle enough candles that one is certain that he kindled a permitted candle together with the prohibited candle.

- Technically, as long as there is another light on the table one is permitted to benefit from the lights. (M.B. 14)
- Magen Avrohom maintains that one may not benefit from all the lights together and one may only benefit from the extra light or shamash when it is by itself. (M.B. 15)
- Even when many people are lighting in the same place since each one lights in a distinct place each set of lights requires its own shamash. (M.B. 18)
- One may also place the shamash higher than the other lights. (M.B. 20)
- Rema refers to where the candle was already lit and then became intermingled with other candles. (M.B. 21)
- Maharshal disagrees with Shulchan Aruch and maintains that a 2:1 ratio is enough to effect nullification. Taz asserts that according to Rema it is only during Chanukah that the candle is not nullified but after Chanukah it is nullified in a simple majority. (M.B. 22)
- Rema means that if one prohibited Chanukah candle becomes intermingled with others one must kindle at least two and if two prohibited candles become intermingled one must kindle at least three. (M.B. 23)
- Some Poskim maintain that it is only permitted if the shamash is higher than the other candles as opposed to when all the candles are together and one benefits from them all at the same time. Some Poskim follow Rema's position while others follow the stringent opinion. (M.B. 24)

# Stories to Share

## The Importance of the Shamash

ש"ע ס' תרע"ג, א': "רק מניח אצלן השמש שבו שמדליק הנרות..."

One fascinating element of the Chanukah lights is the shamash, since it is both of the lights and apart from them. The Kav Hayashar writes that the shamash alludes to the kohein who would light the lamps of the menorah. He, too, lit from a height.

The Kav HaYashar even points out that it is clear from the Maharil that the shamash is also holy like the other candles and cannot be put to mundane use. He recounts that most of the simple folk of his time were unaware of this and would take the shamash around like a regular candle to light their way throughout the house. After words of rebuke regarding this practice to steer people away from it, he offers powerful encouragement: "All those who are careful in this mitzvah and do not move their shamash will merit to see the lighting of the menorah in the Beis Hamikdash, speedily in our days. Amen!"

But what about menoros that have only eight branches? Must one place a candle above the menorah no matter how out of place it appears?

When this question reached Rav Yosef Shalom Eliyashiv, zt"l, he responded. "One who wishes to use the electricity for his shamash may do so. But if one doesn't have a different shamash, he is absolutely obligated to leave the electricity on."

גלאט, תשס"ז

# Halacha Highlight

## Studying Torah by the Chanukah lights

Shulchan Aruch Siman 673 Seif 1 (b)

**ויש מי שמתיר בתשמיש של קדשה**

**There is an opinion that permits sacred activities**

Shulchan Aruch presents two opinions whether one is permitted to benefit from the Chanukah lights for sacred purposes, for example, studying Torah. According to the first opinion, it is prohibited to study Torah by the light generated by the Chanukah lights. The second opinion holds that it is permitted. Biur Halacha (ד"ה ויש מי שמתיר) cites a dispute regarding the parameters of the lenient position. Taz maintains that even the lenient opinion only permits occasional (עראי) Torah study in front of the Chanukah lights but it is prohibited to regularly (דרך קבע) study Torah in front of the Chanukah lights. Elya Rabba and Chemed Moshe disagree and permit one to even study regularly in front of the Chanukah lights. Biur Halacha then suggests that perhaps even the stringent position prohibits only regular Torah study in the presence of the Chanukah lights but occasional Torah study in the presence of the Chanukah lights is permitted. In his conclusion Biur Halacha contends that all opinions may agree that occasional Torah study in the presence of the Chanukah lights may be permitted but he leaves this matter unresolved.

Biur Halacha also writes that regular Torah study is only prohibited within the first half hour that the lights burn since that time is when one fulfills the mitzvah. After that first half hour, even if one chooses to be stringent in accordance with the position cited by Mishnah Berurah, (סי' תרע"ב סק"ז) that stringency is limited to optional activities performed by the light of the Chanukah lights but it is certainly permitted to fulfill a mitzvah by the Chanukah lights once the first half an hour has passed. He concludes, however, that the preferred course of action for one who has no other light during the week is to first extinguish the lights after the first half an hour has passed and then rekindle them so that he should be permitted to study Torah in their light.