# Chanuka: A Holiday of Renewing the Covenant

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**I**

 The *Shulchan Arukh* rules:

On the first night [of Chanuka] a person starts lighting with the rightmost candle. On the second night, when he adds another candle next to it, he recites the blessing over the additional leftmost candle, so that he will proceed toward the right. Similarly, on the third night, when he adds another candle next to the first two, he starts with the additional candle, reciting the blessing over it, and then proceeds toward the right. And so too every night. It turns out then that he always recites the blessing over the additional candle that attests to the miracle, for with each additional day, the miracle increased.[[2]](#footnote-2)

 The Vilna Gaon traces this position to the Maharik,[[3]](#footnote-3) and then rejects it out of hand, saying:

“He recites the blessing over the additional candle” – [This is the view of] the Maharik, but it has neither savor nor flavor, for that [i.e., lighting additional candles] is only for the extremely zealous [*mehadrin min ha-mehadrin*], and thus he passes over the principal mitzvaand recites the blessing over an optional [element]. See 674:1 in Rema. Moreover, in order to proceed toward the right, he cancels the principal [element of the] mitzvathat [the Chanuka candle be lit] within the handbreadth nearest the door.

Rather, what is correct is that he should begin with the candle closest to the door, whether he lights to the right of the door or to its left. He should recite the blessing over that [candle] every night. He should always light and recite the blessing over [the candle] closest to the door, it being the principal mitzva. See *Magen Avraham* in the name of the Maharshal.

 The *Terumat Ha-deshen*[[4]](#footnote-4) notes that this issue had already been subject to dispute in earlier generations. In the Rhineland communities, it was the customary practice to light from left to right, whereas in Austria, they conducted themselves in the opposite manner and began lighting with the rightmost candle. R. Yisrael Isserlein himself tries to reconcile the conflicting practices by suggesting that one who has a *mezuza* on the door of his house should light from the left, so that the *mezuza* is on his right and the Chanuka candle on his left, whereas one who does not have a *mezuza* on the door of his house[[5]](#footnote-5) should light from the right. In this way the diverse practices can be united into a single custom. It must be noted, however, that this proposed reconciliation of the conflicting practices remains within the confines of conjecture. Moreover, whatever the validity of R. Isserlein’s suggestion, it is clear that the *Shulchan Arukh* and the Vilna Gaon (and other *Acharonim*)[[6]](#footnote-6) maintain diametrically opposed positions, and so we must try to understand the underlying issue about which they disagree.

 The Gemara states (*Shabbat* 22a):

Rabba said: There is a *mitzva* to place the Chanuka candle within the handbreadth nearest the door. And where is it placed? R. Acha son of Rava said: On the right hand side. R. Shmuel of Difti said: On the left hand side. And the law is, on the left, so that the Chanuka candle is on the left and the *mezuza* on the right.

It is from here that we learn that the Chanuka candle must be lit next to the door to one’s house. But it is not clear from this passage whether lighting the Chanuka candle to the right or to the left of the door is an essential requirement and fundamental element of the laws governing Chanuka candles, or merely an adornment of the mitzva and a praiseworthy custom.

 At first glance it would seem that lighting the Chanuka candle to the left of the door is a praiseworthy custom to be practiced when lighting next to the door, and nothing more. For the mitzvaof lighting a Chanuka candle is based on the principle of “publicizing the miracle” (as stated in *Shabbat* 23b), and the essence of the mitzvais that the Chanuka candle should be visible to the public at large. The reason that we light the candle next to the door to the house is that the entranceway to one’s house is the place most visible to the public and thus it gives the miracle the widest publicity. This is what Rashi (*Shabbat* 21b) writes when he explains the law that one must light a Chanuka candle next to the entrance to one’s house from the outside: “In order to publicize the miracle.” Therefore, when lighting at one’s doorway does not achieve the goal of publicizing the miracle, it should be preferable to light in a place where the candle is visible to the public, e.g., in a second-story window, or the like, and thus give greater publicity to the miracle, instead of lighting next to the door. This, indeed, is the *Magen Avraham*’s ruling;[[7]](#footnote-7) in such a case it is preferable to light in an upstairs window. It stands to reason that if lighting at the door has no significance in itself, placement of the candle to the right or to the left of the door cannot be essential to the fulfillment of the mitzva, but rather it is a fitting custom for one who lights at his door when it is a place exposed to the public eye.

 This conclusion follows from the Rema’s ruling concerning lighting the Chanuka candle within the handbreadth nearest the door in our time. He writes:

In our time, however, when we all light inside [the house], and nothing at all is visible to those in the public domain, there is no need to be concerned about lighting within the handbreadth nearest the door. The common custom, however, is to light within the handbreadth nearest the door as in times of old. There should be no deviation from this practice unless there are many members of the household, in which case it is preferable that they each light in a distinct place, rather than that they all light in one place, leaving no indication as to how many candles were lit [that night].[[8]](#footnote-8)

 The Rema’s ruling means that we are not insistent about lighting next to the door, for by strict law there is no obligation to light there. The door is merely a place where the miracle can be publicized to the outside world, but it is irrelevant when lighting for the members of one’s household inside, and therefore today there is no need to light next to the door.

 What was obvious to the Rema, was not, however, accepted by all the *Rishonim*. The Meiri writes:

Regarding the Chanuka candle, the mitzva is to place it within the handbreadth nearest the door and to light it there, both when lighting outside in times of old, and when lighting inside today. The candle is lit on the left side so that the *mezuza* is on the right side of the person entering the house [and the Chanuka candle on his left].[[9]](#footnote-9)

 The author of the *Shibbolei Ha-leket* and Rabbeinu Efrayim agree with the Meiri,[[10]](#footnote-10) and this seems also to be the position of the *Sefer Ha-teruma*,[[11]](#footnote-11) the *Sefer Mitzvot Ha-katan*,[[12]](#footnote-12) and the *Shulchan Arukh*.

 What emerges from all this is that many authorities maintain that lighting Chanuka candles next to the door has independent importance, even when it does not serve to publicize the miracle, against the Rema. We must try to understand the significance of lighting Chanuka candles next to the entranceway to one’s house, and the connection between the candle and that entranceway.

**II**

 The *Orchot Chayyim* writes:

A lodger is obligated in [the mitzvaof lighting a] Chanuka candle and shares the cost, if they do not light for him in his own house… A courtyard or house that has two doors on two sides needs two candles because of the suspicion of passers-by… It seems that this applies only when the doors are to one house, but if they are to two houses on two sides and one person lives in them, and people go in and out of both, he must light in both of them, but he recites only one blessing. Since we maintain that [lighting Chanuka candles] is an obligation upon the person, we say that the two constitute a single mitzva*…* The author of the *Me’orot* writes in the name of Rav Yitzchak b. Rav Abba Mari that we see from here that if many people live in the same courtyard, they all share the cost of one candle. Thus far [the *Me’orot*]. And some say that this applies only if they didn’t open a door for themselves as is the custom of lodgers. And so writes the *Sefer Ha-teruma* that the law of a lodger comes to teach us that I might have thought that the obligation is upon the door, like a *mezuza*, since it is stated that the mitzva is to place [the Chanuka candle] next to the door of one’s house. And I might have said that one who has a door is obligated, and one who does not have a door is exempt. Therefore it comes to teach us that [the latter] is obligated. This is not similar to *mezuza*, for in the case of *mezuza*, even if a person has many doors, they are each obligated [in *mezuza*], but in the case of a Chanuka candle, [lighting] at one suffices. So too one who lives on the second floor is exempt from *mezuza* but obligated [to light] a Chanuka candle.[[13]](#footnote-13)

 In contrast, *Tosafot* in *Sukka* argue that one who does not have a house is exempt from the mitzva of lighting a Chanuka candle:

Regarding other *mitzvot*, e.g., *lulav* and *sukka*, [the Sages] did not institute a blessing for the observer, but only regarding the Chanukacandle, owing to the dearness of the miracle, and also because there are people who don’t have houses and are unable to fulfill the mitzva. The first explanation is preferable, so that an objection not be raised from *mezuza*.[[14]](#footnote-14)

 We see, then, that the *Rishonim* disagree whether lighting Chanuka candles is an obligation of the door, similar to *mezuza* (so that someone who does not have a house is exempt from the obligation of lighting), or whether it is a personal obligation of every individual, unconnected to whether he has a house.

 Another factor must be taken into consideration. The famous *baraita* regarding lighting Chanuka candles (*Shabbat* 21b) states:

Our Rabbis taught: The precept of Chanuka [demands] one light for a man and his household; the zealous (*mehadrin*)[kindle] a light for each member [of the household]; and the extremely zealous (*mehadrin min ha-mehadrin*) – Beit Shammai maintain: On the first day eight lights are lit and thereafter they are gradually reduced; but Beit Hillel say: On the first day one is lit and thereafter they are progressively increased.

The early authorities disagree about the *mehadrin min ha-mehadrin*: according to both *Tosafot*[[15]](#footnote-15) and the Rambam,[[16]](#footnote-16) only the head of the household lights in accordance with the number of days (and the other members of the household do not light at all), whereas according to the Rema[[17]](#footnote-17) and Ashkenazi custom, each member of the household lights increasing numbers of candles.

 The *Acharonim* discuss why there is a special enactment for the extremely zealous regarding the mitzva of lighting Chanuka candles. In all other *mitzvot*, by contrast, there is a general law of *hiddur mitzva* (enhancement and beautification of a mitzva) derived from the verse, “This is my God and I will beautify Him,” but the Sages did not enact a special law for the extremely zealous. Two points must be clarified: why was a special law enacted in the case of Chanuka candles, and what is the meaning of the law – does the law of *mehadrin min ha-mehadrin* come to express the dearness of the mitzvalike *hiddur mitzva* in other *mitzvot*, or is enhancing the mitzvain the case of Chanuka candles part of the essence of the mitzva itself?[[18]](#footnote-18)

 It seems that, according to the Rema, both sides are correct. The basic law of “a candle for a man and his household” is an obligation of the house, as argued by the *Tosafot* in *Sukka*, and therefore only the head of the household lights. The enactment of *mehadrin min ha-mehadrin* adds a personal obligation to each member of the household to light as an individual, in addition to the obligation imposed on the house as a whole.[[19]](#footnote-19)

 This, however, does not end the discussion, for we must still understand why the Sages made two enactments regarding Chanuka candles, and why they decided to impose one obligation upon the house and another on the individual, rather than sufficing with a single obligation, as is the case with other *mitzvot*.

**III**

 In order to get to the root of the matter, we must understand what is unique about Chanuka and Purim, and what turned them into holidays for all generations. At first glance, the answer is simple, for *Chazal* already raised the question, “What is [the reason of] Chanuka,” and answered as follows:

For our Rabbis taught: On the twenty-fifth of Kislev [commence] the days of Chanuka, which are eight days on which a eulogy for the dead and fasting are forbidden. For when the Greeks entered the Temple, they defiled all the oils therein, and when the Hasmonean kings prevailed and defeated them, they searched and found only one cruse of oil that lay with the seal of the High Priest, but contained sufficient oil for one day’s lighting only; yet a miracle was performed with it and they lit [the lamp] therewith for eight days. The following year these [days] were appointed a festival with [the recital of] *Hallel* and thanksgiving.

 Things, however, are not so simple. For surely many miracles were performed for our forefathers without holidays being instituted in their wake; and many times our ancestors were delivered from danger without festivals being established to remember the rescue. On the contrary, days on which the Jewish people were saved from danger were recorded in *Megillat Ta’anit*, and on those days eulogies and fasting were forbidden, but nothing more. Were we to discuss the prohibition of eulogies and fasting on Chanuka when the prohibitions of *Megillat Ta’anit* were in force, the issues would be clear. But when we come to look for the reason that Chanuka was established as a holiday for all generations, we must investigate the matter more thoroughly.

 If we examine the matter in light of a comparison with Pesach, the first and foremost of the festivals, we see that the festival of Pesach does not come to commemorate the splitting of the sea, one of the greatest miracles ever performed on behalf of the Jewish people (just as we don’t celebrate the fall of the walls of Jericho or the fall of great stones on the descent to Bet-Choron in the days of Yehoshua, or the like). Rather, the festival of Pesach marks the election of Israel that took place on the fifteenth of Nisan.

 To clarify the matter, let us examine the four terms of redemption told to Moshe (*Shemot* 6:6-7):

Therefore say to the children of Israel, I am the Lord, and I will bring you out from under the burdens of Egypt, and I will deliver you out of their bondage, and I will redeem you with an outstretched arm, and with great judgments: and I will take you to Me for a people, and I will be to you a God: and you shall know that I am the Lord your God, who brings you out from under the burdens of Egypt.

 Moshe is informed about two different things: 1) the deliverance of Israel from the yoke and bondage of Egypt; 2) God’s election of Israel and taking them as His people. We are dealing here with two different promises that relate to two distinct issues that could easily have been separated. Israel could have become the chosen people even without being taken out of Egypt, and conversely, it would have been possible to redeem Israel without their redemption being accompanied by their election as God’s people. Therefore, when we come to discuss the festival of Pesach, we must examine which of the two motifs underlies each of the *mitzvot* of the day.

It seems that the essence of the day is connected to the covenant of “I will take you to Me for a people,” and not to the promises of “I will bring you out” or “I will deliver you.” I find this approach convincing both because of the very centrality of the covenant of Egypt and on the basis of an analysis of the relevant biblical texts. Israel left Egypt on the morning of the fifteenth of Nisan, and their final exodus and redemption from the afflictions of Egypt were only completed on the twenty-first of Nisan, when Pharaoh and his army drowned in the sea and Israel set forward to the wilderness of Shur. In contrast, the election of Israel and the establishment of the covenant between the nation and God took place on the night of the fifteenth. The blood of the paschal offering that was placed on the door posts and lintels, i.e., the blood of the covenant between Israel and God, preceded the exodus from Egypt the next day, and the *mitzvot* of Pesach had been given even earlier. We see, then, that the *mitzvot* of Pesach follow not from the exodus from Egypt but from the establishment of the covenant.

 In truth, both of these motifs – deliverance and election – are found in the redemption from Egypt and the festival of Pesach, and it is possible to identify two-fold and parallel features in many of the *mitzvot* of the day that come to express these two components. Thus, for example, there is room to distinguish in this context between the offering of the paschal sacrifice and its eating, and so too we can identify two fulfillments regarding *chametz* and *matza*.[[20]](#footnote-20) Also relevant to this discussion are the two beginnings of the *Haggada* (*Avadim hayinu*, *Be-ever ha-nahar*), and similar phenomena. My primary concern here, however, is Chanuka, and so I shall not expand any further on matters concerning Pesach.

What underlies the entire matter is that the fundamental essence of a holiday involves the connection created between man and God and the phenomenon of man’s standing before God on that day. On a festival, man encounters God and stands before Him, and this closeness between God and man is the foundation of that festival. This principle finds expression both in the manner of celebrating the festival in later generations, and in the selection of days to be celebrated as holidays. Holidays follow from the covenant between man and God that finds expression in the essence of the day. What is most important is not the deliverance or the miracle, but the covenant that underlies them. It is for this reason that Sukkot, which does not commemorate deliverance, but rather reflects Israel’s connection and closeness to God, was sanctified as a festival, whereas other days, in which the Jewish people were saved from afflictions, were not declared as holidays for future generations. In any event, even if deliverance from adversity is one of the factors that obligate a holiday, the commemoration of the miracle in itself is insufficient reason to declare a festival.

 So as not to stray too far in this discussion, I shall suffice with a brief mention of some of the halakhic factors that express this principle. First of all, the connection between the festivals and the sacrifices brought on those days is rooted in this idea. The objective of the festivals is to offer sacrifices and appear before God in the Temple courtyard, and there is even a special *kiyyum* of offering free-will sacrifices on a festival (as is evident in *Vayikra* 23:37-38 and *Bemidbar* 29:39). What is more, the day on which a person offers sacrifices is for him a festival owing to the very fact that he offered sacrifices on that day, thus creating a situation of standing before God.[[21]](#footnote-21) On the one hand, then, a day on which a person offers sacrifices is a festival, and, on the other hand, on a festival one must offer sacrifices. The truth is that these are two sides of the same coin, in that both a festival and a sacrifice bring man to the state of standing before God. Therefore, if a person is standing before God because of the sanctity of the day, this should find expression in a sacrifice, and if a sacrifice brings him to stand before God, this in itself turns the day into a festival, because the person is standing before God.

 Second, the High Priest’s standing regarding mourning. According to the simple understanding of the talmudic passage at the beginning of the second chapter of *Mo’ed Katan* (14b), the High Priest does not observe any mourning practices whatsoever. The Gemara explains this rule as follows: “All year round for the High Priest is like a festival for all other people.” It goes without saying that the joy of the festival that stems from the feeling of gratitude for the exodus from Egypt has no relevance to the High Priest the rest of the year. Rather, the High Priest is similar to a festival in the sense that he stands before God all year long, and thus his status throughout the year is like that of the Jewish people on a festival.[[22]](#footnote-22)

**IV**

 Regarding Chanuka and Purim as well, the essence of these holidays is not the miracle or the deliverance in themselves, but rather the covenant that accompanies them. What is special about these two holidays is that they both mark covenants made between Israel and their Father in heaven. The main thing is not the miracle, but rather the covenant. Both on Chanuka and on Purim a covenant was made between Israel and God, and this is what underlies the celebration of these days. On both occasions the need arose to establish a new covenant, owing to a challenge that was directed at the original covenant of Sinai.

 Just as it is possible to enter into a covenant, it is also possible to cancel a covenant. The Torah testifies to this possibility at the end of the book of *Devarim*, and the matter is clarified at the end of the first chapter of *Yevamot* (17a) regarding the ten tribes. According to the second version of the talmudic discussion there, if in our day a member of the ten tribes betroths a woman, his betrothal is not valid, because those tribes are regarded as having assimilated among the host nations into which they had been exiled. For this reason Shmuel asserts that “they did not move from there until they made them full-fledged idolaters, as it is stated, ‘They have dealt treacherously against the Lord; for they have begotten strange children’” (*Hoshea* 5:7). Even though we say that “a Jew, even if he sins, remains a Jew,” this applies only when he maintains the framework of the covenant and sees himself included therein, but if he annuls the covenant, the rule does not apply to him.[[23]](#footnote-23)

 Both Chanuka and Purim are historical meeting points, when the people of Israel encountered new and unfamiliar circumstances that brought them to question the continued relevance of the covenant of Sinai. In the wake of the destruction of the Temple and Israel’s exile to Babylonia, a school of thought developed among the people that saw the covenant as having been dissolved. The primary cause was the very fact of exile and the widespread feeling among the members of that generation that God had cancelled His covenant with Israel and therefore sent them into exile, like a servant sold by his master.[[24]](#footnote-24) There is also room to suggest that among certain sectors of the population the idolatrous idea took root that the God of Israel is god of the land, but not god of the world, and therefore the covenant was cancelled when Israel left the land.

 While it is true that Yechezkel fought these phenomena already in the first generation following the destruction, they only became stronger and deeper in the Persian society of Achashverosh’s kingdom. In addition to the exile itself and the Jewish people’s leaving their land, a new factor came into play – contact with the cosmopolitan society of the Persian capital in Shushan. *Megillat Esther* depicts Persian society as an open and modern society, in the heart of a vast empire, where Jews are welcomed as citizens enjoying equal rights. Consequently, a school of thought spread among the people claiming that the Torah had been suited to their circumstances in the old country, a traditional society led by priests and prophets, when Israel lived alone surrounded by a cruel and pagan society. But in the modern, liberal and technologically advanced country to which they had arrived and where they currently were living, there was no longer any need or place for the Torah that sets Israel apart from the other nations. From now on, so they assumed, there would be no room for the Torah that no longer suits their new circumstances. It seemed to them that the new situation dictated assimilation and cultural acclimation, along with an abandonment of the covenant of Sinai.

 The significance of Mordechai and Esther’s endeavors lies in the renewal and reestablishment of the covenant in the face of these arguments. The elderly Mordechai, himself a Jerusalemite who was exiled from his homeland to Babylonia by Nevuchadnetzar, and the young Esther, born in the new country and rooted in the local culture while still clinging to the Torah, join together to establish the continued relevance and validity of the covenant in all places and in all times. With their well-known statement, “They once again accepted it [the Torah] during the days of Achashverosh” (*Shabbat* 88a), *Chazal* taught us that the verse, “the Jews ordained and took upon them” (*Esther* 9:27) relates to the making of a new covenant regarding the entire Torah, and not only to the establishment of the days of Purim. If we ask ourselves, how could *Chazal* suggest that the verse is dealing with a renewal of the Sinaitic covenant, when it is explicitly stated in Scripture that the acceptance in question related to the days of Purim, my answer is that the entire significance of Purim lies in the renewal of the covenant.

 We see, then, that we mark two things that happened on Purim:
1) the miracle by which we were saved from Haman’s plan to eradicate the Jews, and

2) the renewal of the covenant in the face of the spiritual danger of assimilation in a foreign land.

 When we come to Chanuka, the situation is very similar. If on Purim the first encounter with exile challenged the covenant of Sinai as being irrelevant to Israel’s new circumstances, on Chanuka a similar challenge resulted from Israel’s coming into contact for the first time with general learning and wisdom. The encounter with Greek-Hellenistic civilization was Israel’s first real contact with a highly developed humanistic culture created by man. Once again, a school of thought arose that advocated the adoption of the achievements of Greek culture while giving up the Sinaitic covenant. As in Shushan, the assimilationists did not necessarily argue against the importance of the Torah when it was given, but rather raised doubts about the need to preserve it now that they have become exposed to general wisdom. We can present their argument as follows: As long as Israel was surrounded by inferior, pagan nations (“barbarians,” as referred to by the Greeks), the Torah could be regarded as culturally and morally advanced in relation to the ancient nations. Indeed, the Torah had ensured that Israel did not behave in the manner of the abominations of the Canaanites and Egyptians, but rather lived a more refined and cultivated life. All this was valid when Israel was faced with the alternatives of the Torah or Canaanite culture, before the people of Israel came into contact with Greek wisdom and advanced Hellenistic civilization. When, however, Hellenistic influence began to penetrate the country, and Israel was exposed to Greek culture and philosophy, there was no longer any need for the Torah and its connection to the God of Israel. Thus, there arose a group of Hellenizers who challenged the covenant and saw it as null and void following Israel’s encounter with general wisdom. It was in this context that Matityahu and his sons arose, as did Mordechai and Esther in their day, to renew and reestablish the covenant of Sinai and to reaffirm its significance in the new cultural circumstances.

 We see, then, that Chanuka commemorates two things: the miracle of the war in which the mighty were delivered into the hands of the weak; and the renewal of the covenant in the sense of “they once again accepted it during the days of Matityahu.” In light of this assertion, we can now answer the questions raised above: why did *Chazal* establish Chanuka as a festival for all generations, and in what way was the miracle of Chanuka different than all the other miracles? The answer is that Chanuka’s significance lies not in the miracle in itself, but in the fact that the miracle served as a sign of the renewal of the covenant. The festival of Chanuka is a festival commemorating a covenant, rather than a miracle.

 In order to understand the role of the miracle in the covenant, we must pay attention to the fact that the covenant in the days of Mordechai and Matityahu differed from the covenant at Sinai in an important manner, namely, the initiative to enter into a covenant. The covenant of Sinai, like the redemption from Egypt, began when the Lord turned to Israel to take them as His people and to be their God. God initiated and Israel responded (*Shemot* 19:5-8).

 *Chazal* went even further and highlighted the top-down nature of the covenant in a famous *midrash* (*Shabbat* 88a) that says that the covenant of Sinai was forced upon Israel at Mount Sinai. According to this *midrash*, God held the mountain over them like a cask so that they would agree to the covenant.

 In Shushan and in Modi’in, on the other hand, the covenant was rooted in “an awakening from below” on the part of Israel, rather than “an awakening from above” on the part of God. Since it was the people who had desired to abrogate the covenant, the repair had to come from them as well. Esther’s cry – “Go and gather” – and that of Matityahu – “Who is on the Lord’s side? Let him come to me” – and the people’s response by way of prayer and war constitute the renewal and reaffirmation of the covenant. The miracle served as a heavenly sign that God was pleased with their actions and was ready to join in a covenant with them. The miracle was the conduit through which God expressed His willingness to enter into a covenant with them. Therefore, the establishment of a festival on Chanuka commemorates the covenant.

 It should be added that the *Rishonim* disagree whether or not *Megillat Ta’anit* is still in force today with respect to Chanuka and Purim.[[25]](#footnote-25) It would appear that they disagree about the following: Do we celebrate Chanuka and Purim today only as days of covenant, without the dimension of gratitude for the miracle? For it can be argued that the period following the destruction of the Temple opened a new era, everything that preceded it becoming a matter of history, and we no longer commemorate the miracles that happened earlier. Or perhaps both dimensions still obtain, and they are days of feasting and rejoicing over the deliverance, in addition to their being festivals owing to the covenant.

**V**

 The Gemara in *Shabbat* (21b) says that the mitzvaof lighting Chanuka candles is “from sunset until people have left the market (lit., the foot has ceased from the market).” Based on this statement, the Rambam rules that candles must be lit only at a time when lighting will publicize the miracle:

Chanuka candles must not be lit before sunset, but rather at sunset, neither later nor earlier. If one forgot or intentionally failed to light at sunset, one may light until people have left the market. How much time is this? About a half-hour or more. If this time passed, one must not light.[[26]](#footnote-26)

 The Tosafot state in the name of the Ri that in our time the candles are lit in order to be seen by the members of the household, and therefore they may be lit even after people have left the market.[[27]](#footnote-27) Many *Rishonim* agree with the Ri, and his position has been accepted as law.

 What emerges from both positions is that Chanuka candles are lit in order to publicize the miracle and that the period during which the candles may be lit is determined by the possibility of publicizing the miracle, whether for passersby in the public domain or for the members of one’s household. In other words, the Gemara’s assertion that in our time Chanuka candles may be placed on the table does not come to teach us that the mitzva of lighting Chanuka candles can be fulfilled without publicizing the miracle, but rather that *be-di’eved*, when there is no other alternative, the minor publicizing of the miracle to the members of the household suffices. (Therefore the halakhic authorities deal with the issue of whether one who comes home very late can still light after people have left the market, if the rest of his household has already gone to sleep.)

 The Rashba, however, disagrees and says that Chanuka candles may be lit all night, because the mitzvaof lighting Chanuka candles can be fulfilled even when there is no publicizing of the miracle whatsoever. He writes as follows:

That which is stated, “until people have left the market,” and we explain that if he has not yet lit, he lights – this does not mean to say that if he failed to light within this period of time, he may no longer light. For surely we have learned: “Any mitzvathat is to be performed at night is fit all night.” Rather, [it means] that he did not perform the mitzvain the proper manner, for there is not that much publicizing of the miracle. Nevertheless, if he hasn’t yet lit, he lights, and he doesn’t lose out, but rather he is as one who performs a mitzvain a manner that is not entirely proper. And so writes my teacher, of blessed memory, in his laws.[[28]](#footnote-28)

 Now, the fact that the Rashba adduces proof regarding Chanuka candles from the mishna in *Megilla* (20b) dealing with other *mitzvot* that are performed at night, which teaches that such *mitzvot* can be performed all night long, proves that the allowance to light after people have left the market is based on the assumption that there exists an independent mitzva to light Chanuka candles that applies all night, and not on the fact that the candles are visible to the members of the household. Therefore, even when there is no publicizing of the miracle, after people have left the market, it is still possible to light all night long until dawn, and not only when the members of the household are awake.[[29]](#footnote-29) This is also the Ra’avya’s position on the matter.[[30]](#footnote-30)

 We see, then, that the Rashba and the Ra’avya clearly maintain that there is an independent mitzva to light Chanuka candles, even when there is no publicizing of the miracle. On the face of it, this is exceedingly difficult, for when there is no publicizing of the miracle, what is there?

 It seems that there is room for an independent mitzvaof lighting Chanuka candles even when there is no publicizing of the miracle, and this is because of the covenant of Chanuka that finds expression in the lighting of candles. Just as the very institution of Chanuka as a festival is based on these two factors and involves two fulfillments, one as a festival that commemorates God’s miraculous rescue of the Jewish people, and one as a holiday that marks the renewed covenant, so too the mitzvaof lighting Chanuka candles – which is the primary mitzvaof the day – includes both of these fulfillments. On the one hand, lighting a candle as a reminder of the miracle comes to mark and express the covenant each year – and in this sense it is similar to the paschal offering, which includes an annual renewal of the covenant, as is proven from *Pesach Sheni* when there is an obligation to bring a sacrifice, even without serving as a reminder of the exodus from Egypt.[[31]](#footnote-31) On the other hand, lighting Chanuka candles also publicizes the miracle performed for our forefathers by God in His great goodness and kindness. We see, then, that lighting Chanuka candles achieves two goals: a fulfillment of the duty to publicize the miracle, which *le-khatchila* demands lighting the candles next to the door to one’s house before people leave the market, and a fulfillment of the duty to light candles as a renewal of the covenant that was made between Israel and God, and for this there is no need for the candles to be lit in a place where they will be seen by the public at large.[[32]](#footnote-32)

 We can now go return and re-examine the claim made earlier about the two enactments regarding Chanuka candles: the basic law of one light for a man and his household, and the added level of the zealous who light for each member of the household. I asked why *Chazal* instituted this twofold mitzva. It seems that if what I said above is correct – namely, that the basic law of “one light for a man and his household” is an obligation on the house, and the law of *mehadrin* comes to add an obligation on each person – there is room to say that the obligation on the house in the law of “one candle for a man and his household” is connected to the renewal of the covenant. This is similar to what we find in the covenant of Egypt, where the blood was placed on the doors of the houses and the sacrifice was regarded as “a lamb for the house of fathers” that was offered by the house.”[[33]](#footnote-33) To this was added a personal obligation to publicize the miracle that applies to each and every individual. What emerges from this is that the basic mitzva relates to the renewal of the covenant, whereas the commemoration of the miracle relates to the added element and beautification of the mitzva, as we saw in the positions of the Rashba and the Ravya.

**VI**

 All this having being said, we can now explain the issue with which this essayopened – the law of lighting Chanuka candles next to the door. The candles are lit next to the door not necessarily because of the need to publicize the miracle, but because of the connection between the door and the covenant. We saw earlier that many authorities maintain that Chanuka candles must be lit next to the door even when lighting inside, and we raised the question: what does lighting at the door add when lighting inside? If we accept the claim that the obligation upon the house is connected to the renewal of the covenant that is symbolized in the Chanuka candles, and therefore the candles are lit next to the entranceway to the house, we can well understand why the candles must be lit next to the door even when they are not visible outside. This is the meaning of the assertion that the Chanuka candle must be lit on the left of the door, so that the *mezuza* will be on the right and the Chanuka candle on the left. For the connection between the *mezuza* and the Chanuka candle is that both are expressions of the covenant at the entrance to one’s house. The connection between the *mezuza* and the Chanuka candle is not incidental, but rather essential. We see, then, that lighting Chanuka candles next to the door is an essential element in the fulfillment of the mitzvaof lighting Chanuka candles by strict law, and not merely good advice as how to achieve greater publicizing of the miracle, or an artificial joining of the *mitzvot* of *mezuza* and Chanuka candles.

 Rashi and the *Tosafot*[[34]](#footnote-34) disagree whether the proper place to light Chanuka candles is at the entrance to the courtyard or at the entrance to the house. Rashi writes as follows: “Outside – in order to publicize the miracle. And not in the public domain, but in his courtyard.” His words imply that the whole mitzvaof lighting Chanuka candles is exclusively in order to publicize the miracle, and that a person lights at the entrance to his house and not at the entrance to the courtyard so that it be clearly evident that it was he who lit them.[[35]](#footnote-35) In light of what was said above, however, we can adopt the position of Rashi that Chanuka candles must be lit at the door of a person’s house in his courtyard, but not for his reason, but rather because the Chanuka candles must be lit specifically at the door of a person’s house, and not merely in his courtyard. The *baraita* that states: “The mitzva of a Chanuka candle [demands that] a person set it at the door **of his house**on the outside,” should be understood in its plain sense. The fulfillment of the mitzvaof Chanuka candles that is related to the renewal of the covenant is connected to the house, and therefore the *baraita* insists that the mitzvabe performed at the door to the house. Just as there is a fulfillment of lighting Chanuka candles next to the door when lighting inside the house, which is connected to the renewal of the covenant, so too and for the same reason preference is to be given to lighting Chanuka candles at the door of one’s house when lighting outside, and not at the entrance to the courtyard, even if there would be more publicizing of the miracle at the entrance to the courtyard.

 Let us now go back to our original point of departure, and try to understand the disagreement among the *poskim* regarding which candle is to be lit first. It would appear that they disagree about the very essence of the mitzvaof lighting Chanuka candles and about the reason for lighting within the handbreadth nearest the door. According to the *Shulchan Arukh* and the Maharik, the candles are lit exclusively in order to publicize the miracle, and therefore a person must begin with the candle that is added on that day, which best expresses the miracle, as the *Shulchan Arukh* himself writes: “It turns out then that he always recites the blessing over the additional candle that attests to the miracle, for with each additional day, the miracle increased.” And for this reason, the *Beit Yosef* even adds that “no distinction should be made between where the candles are to the right of the entrance and where they are to the left of the entrance.”[[36]](#footnote-36) For according to him, the essential point is lighting the additional candle, and nearness to the door is irrelevant when determining which candle is lit first.

 The Vilna Gaon and the *Terumat Ha-deshen*, on the other hand, maintain that it is preferable to light first the candle nearest the door rather than the additional candle, because there is a mitzvato light in commemoration of the renewal of the covenant, and this is the primary fulfillment of “one light for a man and **his house**.” Preference should not be shown to the additional candle, despite the fact that it is the new candle that publicizes the miracle. For the essential mitzvais the obligation of the house relating to the covenant, and not the personal obligation of publicizing the miracle as expressed in *mehadrin min ha-mehadrin.* Thus, even the Vilna Gaon rules that it makes no difference whether the candles are lit to the right or to the left of the door; the candle closest to the door should always be lit first, regardless of which candle is the new candle added that day.

 If the above is correct, we must reexamine the *Magen Avraham*’sruling, cited above, that it is preferable to light at a window that faces the public domain rather than next to the door inside the house.[[37]](#footnote-37) His ruling is undoubtedly correct according to the *Shulchan Arukh* and the Rema who maintain that publicizing the miracle is the exclusive indispensable element in the mitzvaof Chanuka candles, and that lighting next to the door is merely the best way to perform the mitzva. But in light of what has been suggested here that lighting next to the door involves a fulfillment of the renewal of the covenant, there is room for further examination of the issue.

1. Translated by David Strauss. The original Hebrew version of this article includes a lengthy section on Purim as well. The original article appeared in *Ketonet Yosef: Studies in Memory of R. Yosef Wanefsky z”l*, eds. R. Daniel Z. Feldman, R. Dovid Gottlieb, and R. Shmuel Maybruch (NY, 2002), and is available at www.yutorah.org. [↑](#footnote-ref-1)
2. OC 676:5. [↑](#footnote-ref-2)
3. Maharik 181. [↑](#footnote-ref-3)
4. No. 106. [↑](#footnote-ref-4)
5. “Today in most places and regarding the vast majority of people, even Torah scholars, people do not have *mezuzas* in their winter rooms where they light [Chanuka candles]” (*Terumat Ha-deshen*, ibid.). [↑](#footnote-ref-5)
6. See *Magen Avraham* (OC 676, no. 4). [↑](#footnote-ref-6)
7. *Magen Avraham* 671:8 [↑](#footnote-ref-7)
8. OC 671:7. [↑](#footnote-ref-8)
9. Meiri, *Shabbat* 22a, s.v., *ner Chanuka.* [↑](#footnote-ref-9)
10. *Shibbolei Ha-leket*, beginning of sec. 185. [↑](#footnote-ref-10)
11. Sec. 228. [↑](#footnote-ref-11)
12. Sec. 280. [↑](#footnote-ref-12)
13. *Hilkhot* *Chanuka*, par. 13-14. [↑](#footnote-ref-13)
14. *Sukka* 46a, s.v. *ha-ro’eh.* [↑](#footnote-ref-14)
15. *Shabbat* 21b, s.v. *ve-ha-mehadrin.* [↑](#footnote-ref-15)
16. *Hilkhot Chanuka* 4:1-2. [↑](#footnote-ref-16)
17. OC 671:2. [↑](#footnote-ref-17)
18. See *Encyclopedia Talmudit*, vol. 16, s.v. *Chanuka*, no. 4, which cites the relevant sources. See also p. 272, regarding reciting a blessing over *hiddur mitzva*. [↑](#footnote-ref-18)
19. Here I assume that the law of *mehadrin min ha-mehadrin* is part of the enactment of lighting Chanuka candles, and not merely a law of *hiddur mitzva*. However, in commenting on Rambam’s *Hilkhot Chanuka*, R. Yitzchak Ze’ev Halevi Soloveitchik writes the opposite: “Even according to the Rema, who believes that each member of the household lights for himself, it is nevertheless obvious that it makes no difference whatsoever whether he himself performs the kindling, or someone else lights on his behalf. For even regarding the essential mitzvaof Chanuka candles – ‘a man and his household’ – someone else can light, even if he is not a member of the household, provided that he is obligated in the mitzva*.* The main difference between the view of the Rambam and that of the Rema is that according to the Rambam, all of the candles are a single lighting, and there are no distinct candles and lightings for each and every individual, whereas according to the Rema, in the case of *mehadrin*, each and every person lights individually with specific candles and a separate lighting, and he does not fulfill his mitzva with the candle of the head of the household, and this is the *hiddur*. But even according to the Rema, this lighting can be performed by one person for all the members of the household, one candle for each individual. For it does not depend on the act of lighting but on the candles; but the act of lighting can be performed by someone else, provided that he is obligated in the mitzva, as is the case with the essential mitzva. This is obvious.”

 What he says here must be understood in light of what he says earlier, where he argues that the disagreement between the Rambam and the Rema relates to the definition of the act of the mitzvaand not to the obligation. There he writes: “According to the basic enactment, the mitzvaof lighting a Chanuka candle is the same as all other *mitzvot*, that there is an element that is the essence of the mitzva and indispensible, and an element that is an enhancement and the best way to perform the mitzva….”

 In contrast, the *Or Same’ach* (*Hilkhot Chanuka* 4:12) rules that one may take from charity in order to fulfill the *hiddur* and not only to fulfill the basic mitzva. This is because even the *hiddur* is regarded as part of the essence of the mitzva of Chanuka candles, and not merely an enhancement of the mitzva. [↑](#footnote-ref-19)
20. See *Pesachim* 28b, R. Yose ha-Gelili’s position regarding *Pesach Mitzrayim*, and *Tosafot*, *Pesachim* 36b, s.v. *mei peirot*. [↑](#footnote-ref-20)
21. See *Yerushalmi* *Pesachim* 4:1 (beginning); *Tosafot* (*Pesachim* 50a, s.v. *makom*) and *Rishonim* ad loc.; *Ta’anit* 12a regarding the sons of Sanav the son of Binyamin; Rabbenu Gershom on *Ta’anit* 17a, s.v. *anshei mishmar mit’anin*; and *Turei Even*, *Megilla* 22a, s.v. *ve-li nir’eh*, *ve-khi teima*. [↑](#footnote-ref-21)
22. See “*U-Vikkashtem mi-Sham*,” n. 19, s.v. *gam* and s.v. *ikar*. [↑](#footnote-ref-22)
23. It should be noted that some *Rishonim* appear to have understood that such a person’s betrothal is not valid because of the authority granted to the rabbis to annul betrothals, and not because by strict law he is treated like a non-Jew. See Rashba *Yevamot* 22a, s.v. *mi she-yesh*; Ritva, s.v. *mi she-yesh*; Meiri 16b, s.v. *u-mi-kan* and 22a, s.v. *ve-Ge’onei*. See also *Keren Ora* 17a, s.v. *ika* and 22a, s.v. *ha-Rashba*, and my revered father’s article, “Brother Daniel and the Jewish Fraternity,” *Judaism* 12 (Summer 1963), 260-280 (reprinted in *Leaves of Faith*, vol. 2 [Jersey City, 2004], 57-84].

 It is not my purpose here to delineate the precise boundaries of the covenant (and perhaps this cannot be done). In general terms, we can say that there exists a two-fold covenant between Israel and God – the covenant of the patriarchs and the covenant of Sinai. The first expresses the national identity of the people of Israel as the seed of Avraham, whereas the second is the covenant of the Torah between God and Israel as keepers of the Torah and bearers of the yoke of the kingdom of heaven. Thus, a Jew who sins is still a Jew and he remains within the framework of the covenant, because even though his sin distances him from the covenant of Sinai, he is still a Jew owing to the covenant of the patriarchs. If, however, even his national identity disappears, nothing remains and he is no longer a Jew. I expanded on these ideas in my article, “*Be-Inyan Gerut ve-Hamara*” (as yet unpublished), offering halakhic illustrations. All this must be examined in light of the discussions among the *Rishonim* concerning the betrothal, levirate bond and inheritance of an apostate. See also my revered father’s article cited above, 265-268. [↑](#footnote-ref-23)
24. See *Sifrei* on *Bemidbar* 15:41. [↑](#footnote-ref-24)
25. See Tosafot, *Ta’anit* 18a, s.v. *rav*; *Ba’al ha-Ma’or*, Ra’avad, and Ramban’s *Milchamot Ha-Shem* at the end of the first chapter of *Megilla*; 4a in Rif; Ritva, *Ta’anit* 10a, s.v. *tanya nami hakhi yechidim* (pp. 42-29 in the Mossad Ha-Rav Kook edition); Ran on Rif, *Ta’anit* 18a (6b-7a in Rif, from s.v. *u-le-inyan* until the *mishna*), and others. As for normative law, the *Bach* and the *Shulchan Arukh* disagree on the matter; the *Shulchan Arukh* rules that the laws of *Megillat Ta’anit* do not apply today on Chanuka and Purim, whereas the *Bach* maintains that they do; see OC 686:1 and *Magen Avraham* and Vilna Gaon, ad loc.). [↑](#footnote-ref-25)
26. *Hilkhot Chanuka* 4:5. [↑](#footnote-ref-26)
27. *Shabbat* 21b, s.v. *de-i.* [↑](#footnote-ref-27)
28. Ibid., s.v. *ha de-amrinan* (end). [↑](#footnote-ref-28)
29. It is true that his wording implies that there is publicizing of the miracle, just not “that much publicizing of the miracle,” as argued by the *Tosafot*. However, the reference to the mishna in *Megilla* clearly proves that we are dealing here with a law of lighting Chanuka candles independent of publicizing the miracle. For were this not the case, it would be impossible to prove anything from the fact that *mitzvot* that depend exclusively upon night can be performed all night long, with respect to a mitzvathat depends on customary behavior and whose time is determined by the time that people are awake and out in the public domain. [↑](#footnote-ref-29)
30. See his rulings (sec. 843) and his responsum on the matter (sec. 972). [↑](#footnote-ref-30)
31. See *Pesachim* 93a, where it emerges that not only do R. Yehuda Ha-Nasi and R. Chanina understand *Pesach Sheni* as an independent obligation, but Scripture itself refers to it by a different name than that assigned to *Pesach Rishon*. The verse states: “But the man that is clean, and is not on a journey, and fails to keep *the passover* (*Pesach*), then that person shall be cut off from among his people, because he brought not *the offering of the Lord* in its appointed season.” The first Pesach is called “*Pesach*” because it serves as a remembrance of the exodus from Egypt, whereas the second Pesach is called “the offering of the Lord” because it involves a fulfillment of the covenant without commemorating the exodus from Egypt.

 See also the fascinating remarks of the *Meshekh Chokhma* (*Bemidbar* 9:7), which includes the novel position that the paschal offering constitutes a fulfillment of the sacrifice that is brought by a proselyte, which exempts the proselyte from having to bring his sacrifice. This novel idea can only be understood if we see the paschal offering as a sacrifice reflecting the covenant, and not merely as a remembrance of the exodus from Egypt.

 This idea touches upon other dimensions of the paschal offering, e.g., the disqualification of an uncircumcised person, and there is room also to distinguish between the fulfillment of offering the sacrifice and the fulfillment of eating it. [↑](#footnote-ref-31)
32. I am aware of the fact that there is another way to understand lighting Chanuka candles where there is no publicizing of the miracle – based on the similarity to lighting the candles in the Temple, and that there are *Rishonim* who explain some of the laws of Chanuka based on this rationale. “Both approaches are the words of the living God.” [↑](#footnote-ref-32)
33. The law of a lamb for a house – “the head of the house buys it for his entire household and does not need their consent” (Rashi, *Pesachim* 88a, s.v. *se le-bayit*) – is the clearest expression of this idea. The law of being counted for the paschal offering, and the law that the non-circumcision of a person’s children or slaves disqualifies him from eating of the paschal offering, are also based on the fact that the mitzva is cast on the house. [↑](#footnote-ref-33)
34. *Shabbat* 21b, s.v. *mitzva.* [↑](#footnote-ref-34)
35. See 22a, s.v. *mitzva lehanicha*. [↑](#footnote-ref-35)
36. 676, end. [↑](#footnote-ref-36)
37. *Magen Avraham* 671:8. [↑](#footnote-ref-37)