

ליקוטי ופסקי הלכות "חוקי חיים"

ותלמוד
"תוספי תנאים"
לעשות רצונך
בלבב שלם



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

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Please do not
read during
Davening or
Krias Hatorah

Chanukah

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Miscalculated the Day

Lit More Candles Than He Should Have

1. If one mistakenly lit more candles than he should have, e.g., two candles on the first night or four candles on the third night, some say he did not fulfill the mehadrin manner of lighting. [This commonly happens when one mistakenly lights the number of candles he prepared for Motzei Shabbos on Erev Shabbos.] They hold the reason we add a candle each night is to indicate which night it is; if one lit too many, there is no way to tell which night it is. According to this, he would need to extinguish all the candles and relight the correct number of candles (ש"ת אהל משה ח"ב סי' ט"ז).
2. However, most poskim say bedieved he fulfilled the mehadrin manner of lighting, so he should only extinguish the extra candle (ש"ת אהל משה ח"ב סי' ט"ז). On Friday night he may not extinguish it, but he still fulfilled the mehadrin manner of lighting.

Lit Fewer Candles Than He Should Have

3. **One candle on the second night.** If one lit one candle on the second night [or any of the subsequent nights] without having another candle in front of him or planning on getting another candle, some say if he comes across another candle, he should light it with a brachah as long as the first candle is still burning (ב"י סי' תרע"ב בשם ארחות). It seems they hold that on Chanukah, one may make a brachah on fulfilling the mehadrin aspect of the mitzvah even if he already fulfilled the basic mitzvah. This is because Chazal instituted the Yom Tov of Chanukah with the intent that a brachah may be made on the mehadrin aspect alone, apart from the basic mitzvah (ש"ת אהל משה ח"ב סי' ט"ז).
4. However, many poskim hold that in this case one should not make a brachah on the additional candle since he already fulfilled the basic mitzvah with one candle (ח"א כלל קנ"ד סי' ט"ז).
5. **Planned on lighting two.** If one made the brachah planning on lighting two candles but forgot to light the second one, or he did not yet have a second candle but knew he would soon get one, all poskim agree he should not make a brachah on the second candle since he had it in mind from the start (ב"י בשם ארחות חיים הובא במ"ב סי' תרע"ב סק"ו).
6. **Two candles on the third night.** If one mistakenly lit only two candles on the third night and then got a third one, or if one made an interruption by speaking after lighting the second candle, some hold he should make a brachah on the third candle. Since he already lit two candles, he showed he wants to fulfill the mehadrin mitzvah and is not relying on fulfilling the basic mitzvah. Since he has not yet fulfilled the mehadrin mitzvah – lighting two candles on the third night actually detracts from the mehadrin mitzvah – he should make a brachah on the additional candle (פמ"ג בראש יוסף שבת (כ"ג) ע"פ שו"ת מנח"י ח"ד סי' קט"ו, שו"ת כת"ס אור"ח סי' קל"ה).

Mistake in Krias HaTorah

7. If a minyan mistakenly read the parshah of the third nasi on the second day [for example], they are still yotzei since the exact day is not essential (מ"ב סי' תרפ"ד סק"ו). If the aleh did not yet make the brachah after the aliyah, they should go back and read the proper parshah (פסקי תשובות אות ב'). If he already made the brachah, they should not go back, even if the sefer Torah is still on the bimah. They do not need to read the parshah they missed the next day. Some say if the sefer Torah is still on the bimah, they should read the proper parshah without the brachos before and after (כ"ה חיים סק"ו).

Lighting the Menorah on Erev Shabbos

Chanukah Candles, Then Shabbos Candles

8. On Erev Shabbos, the Chanukah candles are lit before the Shabbos candles. The brachos are made as usual even though the candles are lit during the day (שו"ת סי' תרע"ט ורמ"א). They must be lit after plag

[75 minutes before shekiyah] (מ"ב סק"ב). It is better to light closer to shekiyah rather than closer to plag (ביאור הגר"א). Thus, the husband should light the Chanukah candles a few minutes before the zman for the Shabbos candles, each place according to its minhag, and then the wife should light the Shabbos candles right afterward (אג"מ). The reason for this is because the husband lights on behalf of his wife; thus, he should lechatchila light the Chanukah candles before she takes in Shabbos (שו"ת בנין שלמה סי' נ"ג).

9. If it is getting late, the wife can light Shabbos candles before her husband lights Chanukah candles. She is yotzei when he lights even though she already accepted Shabbos. It is best if she lights the Shabbos candles right after her husband lights one Chanukah candle. This way, she fulfills her basic mitzvah of lighting Chanukah candles before she lights Shabbos candles. Then, the husband should light the rest of the Chanukah candles (בן איש חי פ' וישב).
10. **Minhag Yerushalayim.** The minhag of Yerushalayim is to light Shabbos candles 40 minutes before shekiyah (כ"ו, להגמ"ט עמ' כ"ו). Some poskim say this also applies on Erev Shabbos Chanukah. The Chanukah candles are lit beforehand, but after plag (הוראה ח"ב הוראה ח"ב הוראה ח"ב). Others say on this Shabbos, the Chanukah candles are lit 25 minutes before shekiyah, immediately followed by the Shabbos candles (לו"א א"י להגמ"ט, מועדים חומנים שם). There is no need for hataras nedorim since when one originally undertook the 40-minute chumra, it was not for Shabbos Chanukah.

Davening Minchah Before Lighting

11. On Erev Shabbos, one should lechatchila daven Minchah before lighting (מ"ב סי' תרע"ט סק"ב בשם הפמ"ג סי' תרע"א א"א סק"ו); otherwise, it looks somewhat inconsistent (שעה"צ סק"ו). One can daven at minchah gedolah. Chasidim who prefer to daven after minchah ketanah and in Shabbos clothes should schedule Minchah in the beis medrash earlier than usual and go home afterward to light Chanukah candles.
12. **A word of advice.** It is also advisable to daven Minchah earlier from a practical standpoint. Many people plan to light first and then daven Minchah with a minyan but due to their extensive preparations for this lofty Shabbos Chanukah, they get delayed and end up davening Minchah alone or in the ezras nashim of the shul while the minyan is up to Lechah Dodi or later. The wise person anticipates potential outcomes and plans accordingly. Especially when one is going away for Shabbos, experience shows he will end up davening Minchah alone if he gets delayed or leaves at the last minute and did not daven in advance.
13. Still, many people daven Minchah after lighting Chanukah candles. They have poskim to rely on, as stated in the Siddur HaShelah (אי"ד). This is certainly true when one lights his Chanukah candles very close to shekiyah; in such a case, there is no inconsistency involving Minchah, lighting, and accepting Shabbos since he is lighting when Chazal said to light and has no option to light later (שעה"צ שם).

Candles Must Burn Until Half an Hour after Tzeis

14. On Erev Shabbos, one must make sure to put enough oil in his menorah for the candles to burn until at least half an hour after tzeis hakochavim (מ"ב סי' תרע"ט סק"ב).
15. Children who light wax candles must also make sure they will burn until half an hour after tzeis. In general, the standard, colorful wax Chanukah candles only burn for half an hour from when they are lit. Thus, one must use longer candles on Erev Shabbos so his brachah is not levatalah. At least one candle [the first one to be lit (כ"ה חיים סק"ו)] should be long enough to burn for the requisite amount of time (מ"ב שם, הגר"ש וואזנר, קובץ מבית לוי ח"י עמ' כ').

Menorah Went Out before Kabbalas Shabbos

16. If, when the candles were lit, they had the potential to burn for the requisite amount of time, one does not need to relight them if they went out sooner. This is true even if they went out before Kabbalas Shabbos on Erev Shabbos, which is still daytime (ש"ע סי' תרע"ג סי' ג'). One who wants to be machmir and relight them should not make a brachah since he already made the brachah when he fulfilled Chazal's enactment to light before shekiyah on Erev Shabbos (רמ"א).
17. Some say it is proper to be machmir and relight them, especially if they went out on Erev Shabbos before Kabbalas Shabbos since on Erev Shabbos, they are not lit at the time of the chiyuv. Still, one should not make a brachah since he made a brachah when it was permissible to do so (ט"ז סק"ט).
18. If a person's menorah went out after he took in Shabbos, he may ask someone who has not yet accepted Shabbos to relight them for him (מ"ב שם סק"ז).

Moving the Menorah after the Candles Go Out

19. **The menorah is muktzeh.** Many people light their Chanukah candles in their homes at a low spot by the door. This creates a concern that children will knock it over, etc. They therefore want to move it to a safe place after fulfilling the mitzvah. However, the menorah is muktzeh even after the candles go out. When Shabbos came in and the menorah was lit, the cups, oil, and wicks all got the status of a basis for the flames, as stated in Shulchon Aruch (סי' רע"ט סי' א'), and anything muktzeh at bein hashemashos is muktzeh for the entire Shabbos (מ"ב סק"א).
20. **Basis for mutar and assur objects.** If one wants to move the menorah on Shabbos after the candles go out, before Shabbos he should make the stool the menorah sits on a basis for something assur and mutar by putting something valuable, e.g., a gold watch or woman's ring, on it. Then, after the candles go out, he may move the stool with the menorah on it to a safe place (מ"ב סי' רע"ז). We do not say since one cannot move the menorah at bein hashemashos due to hilchos Chanukah, the heter of a basis for assur and mutar items does not work. This is because even at bein hashemashos one may move the menorah within its place. This is enough to avoid the issur of muktzeh (מ"ד בשו"ת שבט הקהתי ח"ה סי' קל"ג אות ב').

Broken Glass

21. **In the house.** If glass from the menorah broke on Shabbos in the house and there is a fear people will injure themselves on the shards, there is no issur muktzeh to move them, even by hand (רמ"א סי' ש"ח סי' ז').
22. **On the street.** If the glass broke on the street in a karmelis and there is a fear people will injure themselves, one may move them more than four amos even if there is no eiruv ומ"ב סק"ז).

Lighting on Motzei Shabbos

The Time for Ma'ariv

23. Some daven Ma'ariv earlier than usual on Motzei Shabbos of Chanukah in order to light as close as possible to shki'oh/tzeis (הגרי"א). In accordance with the opinion of the Rambam that one may not make a brochah more than a half-hour after the zman to light. Nevertheless, one may not light before it is definitely night chas veshalom (ב"ה ג' כוכבים).
24. Others wonder how one may leave Shabbos – which is de'oraisa – to fulfill a mitzvah derabonon (כ"ק מורן גאב"ד ירושלים). Therefore, everyone should daven Ma'ariv at his usual time, be it tzeis or Rabbeinu Tam, and light immediately afterwards (ש"ת אג"מ ח"ד). They hold that the lighting times do not apply on Motzei Shabbos (הגרי"ח הלוי).
25. One should prepare his menorah as much as possible on Erev Shabbos to minimize delay on Motzei Shabbos. He should hurry home to light right after davening.

Which Comes First, Havdolah or Lighting?

26. Some poskim hold that one should first make Havdolah and a brochah acharonah on the wine (תשו"ת חנוכה עמ"כ ה"ה כ"ה), and only then light the menorah since Havdolah is todir (ה"ח ודה"ח).
27. Others hold that one should light first and make Havdolah afterwards (ש"ת רמ"א מ"א א"ר ג"א ובית מאיר) in order to delay the end of Shabbos as much as possible (מ"ב סק"ב); until Havdolah is made, there is still a trace of the Shabbos neshomah's kedushah (א"ר סק"א). Additionally, pirsumei niso takes precedence.
28. Some say that all agree one who lights outside must light before Havdolah since lighting the menorah is the first mitzvah he encounters upon returning home from shul (מאורות נתן סי' ק"ה), at least if the menorah was already prepared and ready to be lit (וכך נהג הגרי"ח זוננפלד).
29. Some say that in shul, the menorah should be lit before Havdolah in accordance with the Shulchon Oruch, and at home, it should be lit after Havdolah. Ultimately, either approach has support from poskim.
30. The menorah is lit in shul after Kaddish Tiskabeil, before Oleinu since the lighting in shul requires a tzibbur and after Tiskabeil, there is no longer a status of 'tzibbur' (הגרי"ח הלוי, תשו"ת ח"ב סי' ש"ז).

Mitzvah Goreres Mitzvah

31. Some light the shamash for the menorah from the Havdolah candle – since it was used for the mitzvah of Havdolah, it is fitting for it to be used for another mitzvah (מנהג פפ"ד, ורע"ן מה שמבאר במ"ב תרפ"א סק"א).

Kriyas HaTorah – Shabbos Rosh Chodesh Chanukah

Three Sifrei Torah

32. This year [5786], Rosh Chodesh Teves falls on Shabbos Chanukah. We take out three sifrei Torah and read the parshas hashavua, the parshah of Rosh Chodesh, and the parshah of Chanukah, in that order (ש"ע סי' תרפ"ד סי' ג'). The parshah of Rosh Chodesh precedes that of Chanukah based on the rule קודם תדיר ושאינו תדיר, תדיר קודם (מ"ב סק"י).
33. The parshas hashavua is divided into six or more aliyos (מ"ב סק"ט). A Kohein should not get Acharon of the first sefer Torah since leining will not be completed from it (מ"ב סי' קל"ה סק"ז). After finishing the parshas hashavua, the second sefer Torah [for Rosh Chodesh] is placed next to it – Kaddish is not yet said – and hagbahah and gelilah are done on the first sefer. The second sefer is then opened and the parshah is leined in one aliyah. If there were seven aliyos from the first sefer, a Kohein may get Acharon from the second sefer.

Maftir

34. **Kaddish.** After leining the parshas hashavua and the parshah of Rosh Chodesh, Kaddish is said with the third sefer Torah [for Maftir of Chanukah] next to the second one (מ"ב שם סק"ט). The Kaddish covers the first sefer Torah even if it is not on the bimah when the Kaddish is said (פמ"ג א"א סק"ה, מ"ב סי' קמ"ז סק"ז).
35. If Kaddish was mistakenly said after the parshas hashavua was leined from the first sefer Torah, it is not repeated after leining the parshah of Rosh Chodesh (מ"ב סי' רפ"ב סק"ד).
36. **Haftarah.** The Chanukah haftarah ["רני ושמואל"], not the Rosh Chodesh haftarah, is leined since פרסומי ניסא takes precedence over תדיר. Also, the last parshah leined is that of Chanukah and the haftarah should connect to the end of the leining (מ"ב סק"י"א).

Mistakenly Put Out Chanukah Sefer Before Rosh Chodesh Sefer

37. If, after leining the parshas hashavua, the Chanukah sefer Torah was mistakenly put on the bimah and the oleh already said "Borchu" and "Boruch atah Hashem" of the brachah, he should finish the brachah and they should lein the parshah of Chanukah. Afterward, they should lein the parshah of Rosh Chodesh and the haftarah of Chanukah for פרסומי ניסא even though they finished with the Rosh Chodesh leining. If they mistakenly leined the Rosh Chodesh haftarah, they are yotzei (ואם טעה) (ביא"ט סי' תרפ"ד ד"ה ואם טעה).
38. If they realized the mistake before the oleh said Hashem's name in the brachah, even if he already said "Borchu," they should close the sefer Torah, bring out the Rosh Chodesh sefer, and the oleh should make the brachah without repeating "Borchu" (שם).
39. **Chazan who returns the sefer Torah.** On a Shabbos that three sefarim are taken out, the chazan should say יהללו holding the third sefer (שער אפרים שער סמ"א). If he mistakenly took the first or second one, he should not exchange it for the third (שם).

Two Sifrei Torah – Rosh Chodesh and Chanukah

40. **Two sifrei Torah.** When Rosh Chodesh falls on one of the weekdays of Chanukah [this year on Sunday of Parshas Vayigash], two sifrei Torah are brought out. The first one is for Rosh Chodesh and divided into three aliyos; the second is for Chanukah and leined in one aliyah (ש"ע סי' תרפ"ד סי' ג').
41. **Mistakenly made four aliyos for first sefer.** If they leined Revi'i of the Rosh Chodesh leining but had not brought out the second sefer, they do not need to lein anything else. If they had brought out the second sefer, they must add a fifth aliyah to lein the parshah of Chanukah from it followed by Kaddish since it would be disrespectful to put it away without leining from it (מ"ב סק"ז).

Mistakenly Leined Parshah of Chanukah First

42. If they mistakenly put the Chanukah sefer on the bimah first, the halachah is the same as that of Shabbos Rosh Chodesh Chanukah (above, 28). I.e., if the oleh did not make the brachah, they can close that sefer and lein the parshah of Rosh Chodesh from the other sefer. This is not disrespectful to the sefer Torah since they will soon lein from the Chanukah sefer (ביא"ט).
43. If the oleh already said "Boruch atah Hashem" of the brachah, he should finish it and they should read the entire Chanukah leining for Kohein. The rest of the aliyos should be from the Rosh Chodesh sefer (ט"ז, ביא"ט, ודלא כרמ"א שם).
44. If they leined the parshah of Chanukah until "מלאה קטורת" for Kohein and they only realized their mistake after the Kohein's brachah after his aliyah, it is preferable that the first three aliyos be from the parshah of Chanukah and Revi'i from the parshah of Rosh Chodesh (שו"ת חלקת יעקב ח"א סי' ק).

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