

ing. Finally, perhaps then irregularity itself is not *hidur*. [See Shabbos 23b, Poskim. Maharil, Chanukah. Terumas Hadeshen 105. Mahari Bruna 39. Shu"t Maharshal 85. Tur Sh Ar OC 671:3-4, commentaries (Levush, Pri Chadash, Nasan Piryo) 673:3 Shaarei Teshuva 13. Chayei Adam 154:10, Tosfos Chaim 16. Bais Yitzchok YD:II:31. Avnei Cheftetz 55. Mikdash Yisroel (Chanukah) 161-162. Or Yisroel 7:4 n345.]

C) *Hidur mitzvah for ner Chanukah*

We have already discussed the *hidur* in the number of lights. Usually *hidur mitzvah* applies to the manner of performance and the items used. The items might be used in the performance, in the product afterwards, and to enhance them outside. Thus, *hidur* for a *sefer Torah* includes using a professional *sofer* with a nice handwriting, fine quills, ink and parchment, and adorning the *sefer* with a fine cover. The *hidur* for *ner chanukah* includes doing the *mitzvah* at optimum time, using the best materials, especially olive oil and cotton wicks, and presumably the lamp itself. However, this last provision is not spelled out clearly in the Talmud. One should not use a dirty item for any *mitzvah*. Lamps can get dirty. Yet the Talmud does not rule out a used earthen lamp. An extra-Talmudic source, considered somewhat equivalent, does state this. One should not use the same earthen lamp for two nights in a row. However, this is avoidance of *bizuy mitzvah*, disrespect, rather than fulfilling *hidur*.

Nonetheless, the poskim maintain that there is a valid reason to use a more beautiful menorah, for *hidur mitzvah*. This is the same as a beautiful *sefer Torah* and the like. There is a long tradition of beautifying this *mitzvah* with beautiful *menoros*. [See Shabbos 21a-b 121b Sofrim 20:3, Poskim. Tur Sh Ar OC 673:1 3, commentaries.]

Our question is whether the creative designs that are indeed beautiful should override the concerns for *hidur* in the linear layout of the lights. Those who do not acknowledge the lack of *hidur* in circular or up and down patterns would obviously prefer a more beautiful *menora* with irregularly placed lights. However, if it is on the same menorah, and it gives the clear impression that it is for *Chanukah*, as opposed to a lantern, even the other poskim might approve. A lantern uses one reservoir of oil for all the wicks. This menorah has separate lamps. Therefore, it does not resemble a *madurah*. Nonetheless, it could be compared to the candles in a *shul*, that should be straightened in a line. The question according to this view is whether one *hidur* overrides the other.

In conclusion, if the purchaser finds this menorah to be more beautiful, he may purchase it. However, some say that it is better to use a traditional menorah.

On the Parsha ... And leave a space between one flock and the next ... [32:17] To tantalize Esav ... [Rashi] The commentaries all offer reasons why Yaakov did this. Since he was clearly sending separate flocks, why did he need to mention that they should be kept separate? He wanted them to look like separate gifts. One large gift would anyhow be managed by extra manpower. Each man might keep his few sheep a little apart, but they would all be part of one group. By separating them a specific distance, they are seen as individual gifts. This could be the difference between wicks in an uncovered bowl and those with a cover.

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This week's question:

Is a *Chanukah* menorah with irregular lights acceptable? If so, assuming that this is an artistically beautiful menorah, is this a form of *hidur mitzvah*, beautifying the *mitzvah*?

The issues:

- A) *Nair ish uvaisho, mehadrin and mehadrin min hamehadrin, an eight-light 'menorah'*
- B) Irregularly placed *nairos*, lamps
- C) *Hidur mitzvah, as it pertains to the menorah*

A) *Ner Ish Uvaisho; Mehadrin*

The Talmud suggests three ways to perform the *mitzvah* of kindling *chanukah* lights. The basic *mitzvah* is *ner ish uvaisho*, the head of the household kindles one light each night. For *mehadrin*, those scrupulous in their *mitzvah* observance, or those who wish to enhance the performance of the *mitzvah*, one light should be kindled for each member of the household. Some say the head of the household should add a light for each member, similar to the way many women kindle *Shabbos* lights. Others say that each member of the household kindles a light of their own. The third method is for the *mehadrin min hamehadrin*, those who are exceptionally *mehadrin*. An additional light is kindled for each night, so that one can tell which night it is by looking at the row of lights. Some say this means that the head of the household is the only one who kindles, increasing his lights each night. Others say that each member kindles his or her own set of lights.

This last method is the customary way Ashkenazim perform it. While any of the three methods is acceptable, the *Shulchan Aruch* only mentions the third. This is taken to mean that this is the ideal method.

Some explain these methods as a form of *hidur mitzvah*, enhancing the performance of the *mitzvah*. Generally, *hidur* applies in relative terms, such as using better oil and wicks. In this case, specific *hidurim* were instituted. The other explanation is that these methods are recommended for the more scrupulous. The reason offered for why specific levels are instituted for *ner chanukah* is to better publicize the miracle.

When each member kindles to fulfill *mehadrin* or *mehadrin min hamehadrin*, they each recite *brochos*. Some question this practice. Since they really fulfill the *mitzvah* through the basic *ner ish uvaisho*, their kindling is merely a form of *hidur mitzvah*. We have already explained that many do not consider this a typical form of *hidur mitzvah*. Rather the same term *mehadrin* is used to describe those who usually perform *hidur mitzvah*, or those who chase after *mitzvos*. Even those who consider it a *hidur* explain the reason for a *brocha*. First, some maintain that in reality each member is indeed obliged to kindle his own lights. However, to satisfy the basic *mitzvah*, one may rely on the homeowner. Nonetheless, one could still fulfill his personal *mitzvah*, and recite a *brocha* on it.

Furthermore, some say that those who kindle their own *nairos* obviously had in mind not to rely on the homeowner for their personal obligation.

An extra lamp is added, but set apart from the main *nairos*. This is the *shamash*, literally, server. This lamp serves two functions. It is used to kindle the other lamps. The Talmud debates whether one may use one of the existing lamps to kindle another. The ideal is to use an independent lamp that is not consecrated for the main *mitzvah*. Second, the *nairos* could be seen as a simple candelabra used for lighting. This is not only forbidden, since their benefit is forbidden, it also defeats the purpose of the *mitzvah*. The entire idea is that it should be seen as a sign of the miracle. The *shamash* serves as the 'other lighting' in the room. The Ashkenazic custom is to raise it above the others, and some say to make it larger, so that if someone leans over to use the light, he will automatically use the light of the *shamash*. This refers to one using a series of separate lamps or candles.

At some point, the practice arose to make a *menorah*, somewhat reminiscent of that used in the *Bais Hamikdash*. Based on the aforementioned discussion, a traditional menorah has eight lamps or branches in a neat level row, and a ninth set off to a side or on a higher level. However, it is perfectly acceptable to use separate lamps for the *nairos*. This seems to have been the practice in Talmudic times. [See Shabbos 21b-22a, Poskim. Tur Sh Ar OC 671:1-2 673:1, commentaries. Chovas Hadar Chanukah 1:1 *n6*.]

B) Irregular *nairos*

The Talmud does not discuss directly the use of irregularly placed lamps. However, a discussion about another situation is expanded by the poskim to include this. The *nair* should resemble a single lamp, rather than a bonfire, or *madurah*. Some say the reason for this disqualification is that a single flame represents the original miracle, while the large fire does not. Others add that the flame should be obviously commemorating the miracle. A *madurah* could be mistaken for a personal fire for lighting or heat. To create a *madurah*, one would line up several wicks, spaced apart enough to kindle their own flames, but close enough to join together higher up. Therefore, one may not use a lamp in which this happens. Furthermore, one may not give the appearance of a *madurah*.

The Talmud cites the use of a lamp with two separate 'mouths' or holes for the wicks. The Talmudic lamp was a bowl with holes at the edge for wicks, and a perforated indentation to add a reservoir of oil on top. One could have two places for wicks and kindle both. A lamp like this would work for two people. The Talmud goes on to describe using a bowl for this, with wicks all around the edges. If one covered the top of the bowl, leaving the wicks identifiably separate, this works for the same number of people as there are wicks. However, one could not use an open bowl for this, leaving wicks protruding over its edges. This setup would form a type of *madurah*. The commentaries say that the flames will join. This setup does not even count for the first person lighting, let alone for more than one. The problem arises because the open bowl gives the appearance that one person fixed the wicks to form a *madurah*.

Based on this, the poskim say that if one person wishes to fulfill *mehadrin min hamehadrin*, he faces the same issue. He may not use a single bowl with multiple wicks, unless it is covered. [Some commentaries raise a small objection to the comparison, but the ruling is followed.] When covered, it should work as an ideal 'menorah'. Furthermore,

the poskim allow the use of a lantern. This was made up of a star shaped lamp, with half-pipes leading from a central reservoir of oil. The wicks were at the points of the star. Often these were encased in glass, to spread the light. Though these are usually used for regular lighting, and they are in a circular pattern, they are kosher for *Chanukah*. Even with no cover over them, they are separate and distinct. Nonetheless, some poskim maintain that it does not satisfy the *hidur mitzvah* enhancement. Others reject this totally, and consider this type of menorah absolutely fine.

The background for the stricter interpretation seems to be the Talmudic concern for the appearance of a *madurah*. If open wicks give the impression of a *madurah*, it would follow that any circular pattern could have a similar appearance. While it is kosher according to the Talmud, the language is that 'it works'. This implies *bide'eved*, an unideal manner of performance, that only works if already done.

In similar vein, the poskim cite an incident when a major authority saw that the candles in the *shul* were leaning in and out of line. He instructed the *shamash ha'ir*, ritual director of the city, to straighten them up and put them in a straight line. The reason he gave was that it should not have the appearance of a *madurah*. [In *shul*, it was common to affix nails to the wall and to kindle candles on them. This was not a single menorah, and the candles did not always stay in line.] It does not state whether the *nairos* were already kindled. The impression is that they were, and no instructions were given to rekindle them. The implication of this is that the *nairos* were fine in that manner, but that it was not *hidur mitzvah*. Based on this, some poskim maintain that one should avoid placing the *nairos* in an irregular pattern, going in and out. Some add, when using candles, one should make sure that they are the same height, at the time of kindling. This view is not cited by the main poskim. However, in recent times, many have tried to comply with it. A minority seem to think that irregular heights would invalidate the *nairos*, in the same way that uncovered wicks around the edges of a bowl would. However, this is very difficult to reconcile, if the lights are clearly distinct, at least as much as on a lantern. Rather, it seems to be an issue of *hidur*, as evidenced by its context.

Some add that the irregular pattern does not resemble the order of *nairos* in the menorah in the *Bais Hamikdash*. Others reject the comparison. *Ner ish uva'iso* never resembles the menorah. The additional *nairos* are there to represent the additional days. In fact, a few poskim actually suggest that one should raise each new *ner* each night to symbolize ascending sanctity. They consider this a *hidur*. Further, some maintain that having the *neiros* rise toward the middle also enhances the *mitzvah*. Both of these examples do not address the case of an erratic, if artistic design. Nonetheless, apart from the issue of *hidur mitzvah*, it does not seem that this should be invalid.

Some point out that one could not distinguish a *shamash* if all the *nairos* were of different heights. This is true. However, it is possible to separate the *shamash* in a way that would distinguish it even on this type of *menora*. It is possible that a circular pattern is problematic for *mehadrin min hamehadrin*, as opposed to many different people fulfilling *mehadrin*. If five people use the same lantern, there is no need to begin and end at any point. When trying to add for each night, it must be evident where the new nights *ner* begins. If the lantern is lit on all points, it has the definite appearance of personal light-