

HALOCHOSCOPE

This week's (and next week's) question:

Due to his schedule, someone will not be home to kindle his *Chanukah* lights. He would like to explore the following possibility. In order to facilitate *pas Yisroel*, a Jew can turn on the ovens baking the bread. Some creative supervision agencies have arranged to light the ovens by remote control. They use a code that can be typed in on a cell phone by a *mashgiach*. Without the code, the ovens will not light. Using similar technology, may our questioner try one of the following with his *Chanukah* lights?

1. He could have a family member hold a lighting device, such as a sparking lighter or a glow-bar, to the wicks while he types in the code to kindle the device from wherever he is at the time. Does the age of the person holding it make any difference?
2. He could have the kindling device set up ahead of time to be right next to the wicks, or at least the first wick, so that no human needs to actually kindle the wicks.
3. He could program the entire kindling ahead of time, with a delay, similar to a cell phone schedule reminder. Why could he not use a timing device at home to do the same thing?
4. May one use an electric glow bar as the *shamash*, to kindle, in the first place?
5. If one is home, but is bedridden and cannot get up and go to where the lights are burning, may he kindle from his bed using a remote device?

Assuming he does one of the above, how would it affect his *brochos*, his fulfillment of the *mitzvah*? Should he recite the *brocha* before typing in the code, after typing the code but before the device kindles it the flame, or should he refrain from reciting a *brocha*? Should the person kindling recite the *brocha*?

Assuming he is able to set it up to kindle without a human, may he recite a *brocha*, and when should he recite it?

Assuming his action does not count, is there an advantage to using *shlichus*, agency, in this creative way, since he is more involved than usual?

If he does use one of these methods, does it affect his status with regard to kindling again if he arrives home later at night?

The issues:

Last week:

- A) Kindling *Chanukah* lights; presence at the location

This week:

- B) The *shamash*; method of kindling

Next week:

- C) Agency for the *mitzvah*
D) *Grama*, indirectly causing an action
E) The *brochos*, especially in this case

B) The *shamash*; method of kindling

The word *shamash* is derived from the Hebrew for to serve or attend. In the reflex-

ive it means to make use of (to serve oneself with ..). The *shamash* on *Chanukah* serves both of these functions. It serves the other lights when it is used to kindle them. It is also used for its light while the *ner Chanukah* burns, since the *ner Chanukah* is not used for its light. This double meaning can be read into the words of the Talmud. However, not all poskim understand it with these meanings. The discussion by the poskim centers on the customs of different communities to fulfill the requirements of a Talmudic passage. This, in turn, is interpreted differently by various poskim, based on three other passages.

The Talmud debates whether the *ner Chanukah* is forbidden to benefit from. Some say the stringent view considers the *nairos* holy, similar to the menorah in the *Bais Hamikdash*. Others maintain that it is an issue of making a distinction between the *mitzvah* lights and ordinary lamp-lights. The Talmud also debates whether it is permissible to count money by the light of the *neiros*. The Talmud seems to have three views on this. In one view, the lights are holy. In another view, they might not be holy in their own right, but doing menial activities in their presence, and by their light, demeans the *mitzvah*. According to some commentaries, this concern creates a holiness of its own. The third view does not seem to consider them holy in any way. The Talmud also debates whether one may kindle one *Chanukah* light from another *Chanukah* light. The Talmud then debates what the issues could be. One view says it is the same issue of *bizuy mitzvah*, demeaning the *mitzvah*. The other view says that it weakens the light of the existing *ner*, or that it removes some of the oil, a form of stopping the *mitzvah*.

The fourth passage says the ideal place for the *ner* is outside the entrance. In times of danger, one should place it indoors on the table. One should have a separate lamp with the *ner Chanukah*, '*lehishtamesh leorah*' to use its light, ie, the light of the additional lamp. If there is other light in the room this is not necessary.

While all these passages seem to be connected, the poskim debate whether the viewpoints are interdependent. Some say that the basic issue is whether the lights of a *mitzvah* must be given distinction. For example, if one kindles indoors and has no other light in the room, the obvious impression is that this is his personal lighting.

Others maintain that the various viewpoints are based on levels of holiness. One viewpoint considers the *neiros* holy, like the menorah they commemorate. This precludes any use, including usage for a *mitzvah*, such as a *Shabbos seuda*, or holy use, such as Torah study. The other views do not consider them so holy, but might forbid *bizuy mitzvah* in their presence, or using their light for non-*mitzvah* purposes. Menial uses like counting money, are certainly forbidden. A third view would not consider using its light *bizuy mitzvah*, but would forbid using the flame directly, such as to kindle a personal light with it. This view might debate *mitzvah* uses, even by using the actual light. Using a match to take the light from one *ner* to kindle another might also be debated.

Others maintain that all agree that *nairos* have some sanctity. The debate on counting money is whether infrequent, minor benefit is forbidden. This is not really 'use'. If the *nairos* were considered *tashmischei kedusha*, as holy as *tefilin*, this would be forbidden. If they are considered *tashmischei mitzvah*, articles set aside for a *mitzvah*, they should not be used for anything else at the time of the *mitzvah*. However, casual use might not be as stringent as using it for personal lighting. Depending on the usage, one might be tempted to adjust the flame, raising a problem with the materials used for the *nairos* on *Shabbos*.

The reason an additional light is required when kindling indoors varies according to the opinions. It could be to use, or to remind one that the *nairos* of the *mitzvah* should not be used. There is a view that while one may not use the light, if it is indoors one will inevitably benefit from it. In order to avoid forbidden benefit, one must have another lamp in the room, or on the table. One will always gain some benefit from the additional light of the *nairos Chanukah*. Evidently, the separate light is to distinguish the *nairos mitzvah*. People might otherwise think that the *ner Chanukah* is a table lamp.

There are varying customs on how to fulfill this Talmudic requirement. The poskim do not rule conclusively on using the light of the *ner Chanukah* for Torah study, though the tendency is toward stringency. One custom is to kindle an extra lamp for personal use. This is placed slightly separate from the *nairos Chanukah*. If it is placed next to the *nairos*, the number of lights will not correspond to that night of *Chanukah*. It will look like a cluster of lights for personal use. The other main custom is to place the *shamash* that was used for kindling, near the *nairos*. Some say it is customary to use a tall beeswax candle, so it may be placed right next to the *nairos*. [This is considered a remnant of the old *Askenazic* custom to use beeswax candles for *Chanukah*, made from the wax drippings of the *shul* candles.] The poskim debate whether the additional *ner* should be placed lower, so that its light will spread more and be used, or higher, since *ner Chanukah* is placed at a height that is not usually usable. There is also a practice based on *kabalah* to use a long candle to kindle. This is extinguished and reused all eight nights. Each night a separate *ner* is kindled to satisfy the Talmudic requirement.

The usage of the word *shamash* is also debated. Some say that the additional *ner* is called the *shamash*. Others maintain that the *shamash* is specifically the lamp used to kindle the *nairos Chanukah*. Some say that *shamash* indicates a lamp used for many purposes. This would mean that it may be moved around the house to see everything by its light. A *ner* needed on the table to provide distinction could not be carried around the house. Nor could one kindle an extra light and just decide later to call it the *shamash* for personal use. He will not be demonstrating the number of days. The *shamash* that people use for personal use is the same light used to kindle the others.

Having used a *shamash* for kindling, using it afterwards is also debated. Some require it to be left near the *nairos Chanukah*, and not used. Others allow its use, but in the same position. Others would permit it to be carried around the house. Of those who allow its use in position, some permit only respectable uses. Furthermore, of those permitting use of the *shamash*, some insist that it be separate, so that it is obvious that one is using only its light. Others allow use of all the *nairos*, since the *shamash* is among them.

This also raises the issue of what to use for the *shamash*. Nowadays, people usually leave the electric lights on in the room with the *Chanukah* lights. The issue of actually using the *ner Chanukah* is mitigated, though minor benefit is inevitable. Nonetheless, the consensus is that one should always kindle a *shamash* or an extra lamp. If one plans to follow the custom of leaving the *shamash* by the *nairos*, it must be made of material that can last as a lamp. One could not use a match, or in our case, a sparking lighter. A glow bar is of little help in providing light. If one plans to follow the custom of using a longer *shamash*, or a larger lamp, these alternative kindling methods would be of little help. It is also difficult to recognize the gadget as a 'separate *ner*' to make the distinction needed.

One would not necessarily connect the *nairos* with the '*shamash*'.

The Talmud debates whether the question of kindling from one *ner* to another is based on *bizuy mitzvah*. Based on *bizuy mitzvah*, all would permit kindling directly from one to the other. The debate is about using a match. The issue is lighting the match, which is not an article of *mitzvah*. Evidently, the Talmud assumes the custom is to use a match, provided it is not lit from a *ner Chanukah*. There seems to be no special *shamash*.

However, the match or the *shamash* is being used for a *mitzvah*, making it somewhat special in its own right. According to the view that the *nairos* are holy, the item used to kindle them could have the status of *tashmishei kedusha*, items used for holy uses. Indeed, some poskim forbid benefit from it. According to the view that the *nairos* are not intrinsically holy, there is still an issue of *tashmishei mitzvah*, items used for a *mitzvah*. While in use, it certainly has some of the status of a holy item. Afterwards it has the status of *tashmishei mitzvah* after use, treated and disposed of with respect. This would seem to indicate that the *shamash* should be of a respectable material, and that it should not be disposed of. On the contrary, the custom to place it by the *nairos* would seem most appropriate. It allows the item to be used in the most respectable fashion, for another *mitzvah* use. If so, why would a simple match be good enough?

In reality, the 'item' used in performing the *mitzvah* is the flame. The match is a means to hold the flame. Accordingly, there is no difference between the various means used to kindle the *nairos*. The concept of a *shamash* arises only when the kindler specifically designates something as the *shamash*. Once designated, it is indeed special. One would not use something disrespectful for this, or to kindle at all. Something that was not designated specially would still satisfy the purposes of kindling. Therefore, one could use any flame to kindle. Then he could designate a *shamash*, even according to those who disapprove of an additional lamp. The kindler of the *nairos* would not necessarily need to kindle the *shamash*. Anyone could kindle it. In summary, the *shamash* is important, but it is not a *mitzvah* in its own right. [See Shabbos 21a-22b, Poskim. Tur Sh Ar OC 671:5 673:1, commentaries, Minhag Yisroel Torah. Moadim Uzmanim II:151, note.]

On the parsha they sinned, the butler of the king of Mitzrayim, and the baker, against their master, the king of Mitzrayim. Paroh was angry at his two officials, the lord chief butler and the lord chief baker .. they dreamed .. the butler and the baker of the king of Egypt .. The lord chief butler told his dream to Yosef .. [40:1-9 etc] The Torah switches between calling them the butler and baker, and calling them the lord chief butler and the lord chief baker. [see *meforshim*] When the title of the king is given, they are called the butler and the baker. When the king is not mentioned, they are accorded full titles. Their titles as high officials show the greatness of the king. These are the king's *shamashim*, attendants. When juxtaposed to the king himself, their own titles are inappropriate. When the *shamash* is placed next to the real *nairos*, it should be possible to distinguish it as a plain light by comparison. However, in order to function as a *shamash*, it should be substantial. This way, the greatness of the *ner Chanukah* is amplified, by having a *shamash*. Perhaps this is the reason that a *shamash* is always recommended, even when there is other light in the room. The *shamash* is also in honor of the *nairos*.

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