

OU Daily Living: Laws related to Chanukah

The Gerald & Karin Feldhamer OU Kosher Halacha Yomis This Column is dedicated in memory of: Rav Chaim Yisroel ben Reb Dov HaLevi Belsky, zt'l Senior OU Kosher Halachic Consultant from 1987-2016

Q. I work in the city and return home late. My children wait for me to light the Chanukah candles. Should they light at the prescribed time, or should they wait for me so that we can light Chanukah candles as a family?

A. In a previous Halacha Yomis we learned that the optimal time to light candles is at nightfall This is because the miracle will be publicized (*pirsuma nisa*) for the people who pass by and see the candles. The Rama (OC 672:2) writes that this was true when candles were lit outside the house. Nowadays, candles are generally lit indoors and the main *pirsuma nisa* is for the members of the family, and candles may be lit any time at night. Nonetheless, the Rama writes that even so, it is preferable to light early in the evening, so that passerby's will see the candles in the window. As such, one can light the Menorah when returning home from work late in the evening. However, there is no reason for the children who are home to refrain from lighting on time. The children should light at the optimal time, and the father should light later when he comes home.

Q. I will not get home on Chanukah until it is late. Should I have my wife light for me at the optimal time or is better for me to light when I get home?

A. The Brisker Rav (Uvdos Ve'Hanhagos L'Beis Brisk II pg. 99), R' Shlomo Zalman Auerbach (Minchas Shlomo II 52:43) and R' Ovadia Yosef (Yechaveh Daas 3:51) held that it is preferable to perform the mitzva at the optimal time. Therefore, the wife should light earlier in the evening and the husband should be *yotzai* (fulfill the mitzvah) with his wife's lighting. However, R' Vozner (Shevet HaLevi 4:66) felt that one's religious experience is enhanced when he takes an active role, and the husband should light himself when he comes home.

Note: The halacha is that if one's agent lights for him, he is still obligated to recite the bracha of *she'asa nissim* when he sees the candles burning. It is questionable if this applies in the event that his wife lights for him. Indeed, Mishnah Berurah (676:6 and 677:14) notes that the Mechaber appears to have issued two contradictory rulings as to the proper course of action for this situation. As such, if one follows

the first opinion above and fulfills the mitzva through his wife lighting the candles, he should not make the beracha of *she'asa nissim* when he sees the candles burning.

Q. My wife works in the city and comes home late. Should I light the Chanukah candles at the prescribed time, or should I wait until she comes home?

A. Although lighting Chanuka candles is a mitzva which is exceedingly beloved (Rambam Hil. Chanuka 4:12), nonetheless, it does not come at the expense of family harmony and good will in the home. If one only has one candle on Friday, and cannot procure another, it should be used for Shabbos candles and not for Chanuka candles, because Shabbos candles were instituted to foster *shalom bayis*, i.e., peace and harmony in the home. Without light people would be unable to see, and *shalom bayis* would be negatively impacted (Shulchan Aruch OC 678:1 from Gemara Shabbos 23b). In our case as well, lighting candles without waiting for one's wife to arrive will potentially have a negative impact on *shalom bayis*, and one should therefore wait until his wife comes home (Emes leYaakov OC 670 fn. 586; Kovetz MiBeis Levi 10, p.3; Ner Tzion 6:11)

Indeed, the Chafetz Chaim related that his Rebbi, R' Nochum of Horodna was always exceedingly careful to light Chanukah candles at the proper time – but when his wife was late in coming home, he delayed lighting Chanukah candles until she arrived. R' Chaim Kanievsky related a similar story regarding R' Yosef Chaim Sonnenfeld. Both R' Nochum and R' Yosef Chaim explained their rationale as we explained above: *shalom bayis* takes precedence over Chanukah candles (see Tuvcha Yaabiu, Lech Lecha, pg. 74-75; Ner Chanuka 2 fn. 8).

Q. I did not get home until after midnight. In my neighborhood at that hour of the night the streets are deserted. May I still light Chanukah candles with a bracha?

A. Mishnah Berurah (672:11) writes that in order to recite a bracha when lighting candles late at night, at least one other member of the household must be awake to see the candles. Mishnah Berurah writes that if everyone is sleeping, it is appropriate to wake one of the family members so that you will not lose out on the bracha. Aruch HaShulchan (OC 672:7) rules that the household member may be a

woman or even a small child so long as they are old enough to understand the significance of the candles. It does not matter that this family member already lit candles and fulfilled their obligation. The Mishnah Berurah (Shaar Hatziyun 672:17) presents a dissenting opinion that permits reciting a bracha late at night even if no family member is present, but concludes "*safek berachos l'hakel*" (in cases of doubt we refrain from reciting a bracha), but we need not stop one who wishes to follow this practice. R' Moshe Feinstein, however, held that even if one lights late at night, and one's family members are sleeping, a bracha is recited (Igros Moshe O.C. IV 105:7)