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In memory of their parents Dr. Irving & Mrs. Bernice Mehler & Mr. Gedalja & Mrs. Miriam Zupnik

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The Ideal Time to Light the Chanukah *Neiros*

by Rabbi Mordechai Fleisher

*Should one light at sunset or wait for nightfall to light the Chanukah *neiros*?*

May one light before sunset in a pinch?

Chanukah features the unique mitzvah of *hadlakas neiros* (lighting the lamps). There are many halachic areas associated with this special mitzvah; one of the more confusing topics is the proper time to light the Chanukah *neiros*. This article will explore and attempt to clarify the ideal time to light.

Background information: For a proper discussion of this subject, some background information is necessary. There is a major disagreement among the halachic authorities regarding the time of nightfall. A full discussion of this complex subject is beyond the scope of this article¹, the basic facts relevant for the present discussion are as follows:

There are three basic stages of the transition from day to night: *Shkia* (sunset), *bain hashmashos* (twilight), and *tzais hakochavim* (lit., the emergence of the stars, this refers to nightfall; colloquially referred to as “*tzais*”). The Gemara (Shabbos 34b and elsewhere) treats *bain hashmashos* as a period of *safeik* (doubt) if it is regarded as night or day. The length of *bain hashmashos*, says the Gemara, is the time it takes to walk $\frac{3}{4}$ of a *mil* (one *mil*=2,000 cubits, which is 3,000-4,000 feet); the generally accepted view is that one can walk a *mil* in 18 minutes, and so $\frac{3}{4}$ of a *mil* would be 13.5 minutes. *Tzais hakochavim* follows *bain hashmashos*.

Rabbeinu Tam (Shabbos 34b s.v. *trei*) rules that there are two phases of *shkia*, one being the start of *shkia* which occurs with the visible sunset (colloquially referred to as *shkia*), and the other being the end of *shkia* when the sun's rays disappear from the horizon; halachic daytime ends with the second *shkia*. Rabbeinu Tam calculates, based upon sources in the Gemara, that this extended two-part *shkia* lasts the time it takes to walk $3\frac{1}{4}$ *mil*, which is 58.5 minutes based upon the 18 minutes per *mil* formula. *Bain hashmashos* begins after the second *shkia* and lasts, per the 18-minute *mil* formula, for 13.5 minutes, followed by *tzais*. Halachic nightfall is thus 72 minutes after visible sunset². Rabbi Moshe Feinstein (Igros Moshe Orach Chaim 4:62) rules that in the New York City area, where it gets dark more quickly, Rabbeinu Tam's *tzais* occurs fifty minutes after visible sunset. Other halachic authorities give different numbers such as sixty minutes or forty-two minutes.

The Vilna Gaon (known as the Gra in halachic discussions) rules that there is but one point of *shkia* at the time of visible sunset, with *tzais* $\frac{3}{4}$ of a *mil* later. According to the Gra, *tzais* occurs 13.5 minutes after visible sunset.

Many Rishonim rule in accordance with Rabbeinu Tam, including the Ramban, the Rosh, the Rashba and the Ran. A number of the Ge'onim³ rule like the Gra, and many Acharonim infer from the Rambam and Rif that they rule this way, as well. The Shulchan Aruch (Orach Chaim 261:2) rules in accordance with Rabbeinu Tam. However, the Mishna Berura (ibid.:23) writes

¹ See Iyun Halacha Volume 1, Issue 26 (Korach 5779/July 5, 2019), *Halachic Nightfall* by Rabbi Aharon Wilen, for a full discussion.

² There is another opinion that it takes 22.5 minutes to walk a *mil*. According to this, *tzais* according to the Gra is a bit less than 17 minutes after visible sunset and 90 minutes after visible sunset according to Rabbeinu Tam, while the second *shkia* of Rabbeinu Tam would be a bit more than 73 minutes.

³ The Ge'onim were the heads of the yeshivos in Bavel (Babylon) in the centuries following the completion of the Talmud until around the 12th century.

that one must also account for the opinion of the Gra and cease doing *melacha* on Friday at visible sunset.

One other important point for this discussion is the idea of *pirsumei nisa*, or publicizing the miracle (of Chanukah). The different times that are discussed in the context of lighting the *neiros* revolve around maximizing *pirsumei nisa* by lighting at a time when people will see them and recognize the miracles of Chanukah.

The Different Opinions of When to Light: The Gemara (Shabbos 21b) rules that the Chanukah *neiros* should be lit from sunset *ad shetichle regel min hashuk* (lit., until feet cease from the marketplace). The Gemara explains that this refers to the time when the Tarmoda'i are no longer present in the marketplace. Rashi (ibid. s.v. *rigla*) says that Tarmoda'i are a nation of wood-gatherers who lingered in the market after others had gone home, selling kindling wood to those who arrive home and discover that they needed wood for the fire.

The Rambam (Hilchos Megilla viChanukah 4:5) writes, “One should not light *neiros Chanukah* before the sun sets, but, rather, with its setting, not later and not earlier. If one forgot or was deliberate and did not light with the sunset, he may light until people cease from the market place. And how long is this time period? Around half an hour or more. If this time passed, one does not light.”

The Rambam thus rules that the ideal time to light is at *shkia*, but that one may still light as long as people are found in the marketplace, which, he says, is for around half an hour after sunset⁴. (This period of half an hour is also given by the Rif [Shabbos *dapei Harif* 9a] and the Rosh [Shabbos 2:3].) As noted above, the Rambam's opinion regarding *shkia* and *tzais* seems to be in accordance with the Gra, and so “with *shkia*” would mean that the half hour begins with the actual visible sunset (Bi'ur Halacha 672:1 s.v. *lo mi'acharim* and Aruch Hashulchan 672:4).

However, the Tur (Orach Chaim 672:1) rules that one should light from the end of *shkia* until half an hour into the night, since people are walking around and there is *pirsumei nisa*. The Bach (ibid. s.v. *mitzvasah*) understands “the end of *shkia*” to mean the *tzais hakochavim* of Rabbeinu Tam, which is 72 minutes after visible sunset.

The Tur thus disagrees with the Rambam on three points: One, he rules that *shkia* means the end of *shkia* (including *bain hashmashos*), i.e., *tzais hakochavim*, not the start of *shkia* as the Rambam rules. Two, he rules that the ideal time to light is anytime during the half hour following *shkia*, while the Rambam rules that one should ideally light with *shkia* but may still light for the entire half hour after *shkia*, as well. Three, the Tur makes no mention that one should not light earlier than the proper time mentioned, while the Rambam does; this disagreement will be discussed below.

The Shulchan Aruch (Orach Chaim 672:1) rules that one should light with the end of *shkia*, not before and not after, but continues that one may light until people are no longer in the marketplace, which is a half hour after sunset. The

⁴ The Rambam's addition of “or more” is understood by the Bi'ur Halacha (672:1 s.v. *lo mi'acharim*) to mean a bit more than half an hour.

Shulchan Aruch thus rules in accordance with the Tur that *shkia* means *tzais*, but also rules like the Rambam that one should preferably light immediately at this time and not delay.

The Bi'ur HaGra on Shulchan Aruch (Orach Chaim 672:1 s.v. *sof*) proves that the Rashba and Ran are both of the opinion that *shkia* means the start of *shkia*. The Gra continues that the Rashba and Ran both follow Rabbeinu Tam's opinion that there are two stages to *shkia*, and they understand that the Gemara refers to the start of the second *shkia*, before the $\frac{3}{4}$ mil of *bain hashmashos*, (which, as discussed above, begins 58.5 minutes after visible sunset).

There are thus three main opinions for when to light: The Rambam says one should light at visible sunset. The Tur and Shulchan Aruch rule that one should light at Rabbeinu Tam's *tzais*, which is 72 minutes after visible sunset. The Rashba and Ran rule that one should light after the second *shkia* of Rabbeinu Tam, which is 58.5 minutes after sunset.

Practical ruling for when to light: There is a great deal of discussion regarding which opinion should be followed. Many Acharonim, including the Magen Avraham (ibid.: 1, 4), the Ma'amar Mordechai (672:1), the Pri Megadim (ibid. Aishel Avraham 1) and the Chayei Adam (154:18) rule in accordance with the Shulchan Aruch. However, the Gra (ibid.) and the Pri Chadash say that one should light at the point of visible sunset.

The Bi'ur Halacha (ibid. s.v. *vilu makdimin*) notes that while the Shulchan Aruch says that one should not light before the end of *shkia*, the Tur makes no such comment; the Shulchan Aruch took this element from the Rambam, who rules that one should light at the start of *shkia*. The Bi'ur Halacha points out that lighting earlier according to the Rambam is quite problematic, since it is still light outside, and there is a halachic concept that "a flame is of no use in the light." According to the Tur, however, one is lighting after *tzais*, and it is dark outside for quite some time before *tzais*. The Bi'ur Halacha therefore rules (ibid. s.v. *lo mi'acharim*) that if one normally recites *ma'ariv* at *tzais* and is faced with a choice of lighting or reciting *ma'ariv*, he should light before *tzais* and recite *ma'ariv* at *tzais* rather than delay lighting *neiros* until after *ma'ariv*. The Bi'ur Halacha further points out that if one lights after *tzais*, one has not fulfilled the mitzvah of *haadlakas neiros* according to the Rambam, since the Rambam rules that one may only light until slightly more than 30 minutes after visible sunset! It is therefore preferable, says the Bi'ur Halacha, to light before *ma'ariv*, which would catch the end of the Rambam's window for lighting, and says that one may light close to half an hour before *tzais* and this would not be considered lighting "earlier" vis-a-vis *tzais*⁵.

On a practical level, there are a number of customs for the ideal time to light *neiros*. Some light at *tzais* of Rabbeinu Tam, while others light at visible sunset. Rabbi Moshe Feinstein (Igros Moshe Orach Chaim 4:101:6) writes that one should light ten minutes after the start of *shkia* (i.e., visible sunset), and says there are "proper reasons" to do so, but does not explain further⁶.

⁵ The Bi'ur Halacha does not say clearly that one should always light around half an hour before *tzais*, as he is discussing a case of conflict between lighting and *ma'ariv*, but it seems implicit that this is a general recommendation. The Bi'ur Halacha's recommendation, however, is difficult to understand, since half an hour before *tzais* (which is 72 minutes after visible sunset) is 42 minutes after visible sunset, while the Rambam only gives a thirty-minute (plus a bit more) window. It is also unclear why the Bi'ur Halacha ties his recommendation to the recitation of *ma'ariv*, when, as noted, one ought to catch the Rambam's window for lighting even if one is reciting *ma'ariv* at a different time.

⁶ It is possible that Rabbi Feinstein's reasoning is as follows: As noted in the introductory section, Rabbi Feinstein calculated Rabbeinu Tam's *tzais* as fifty minutes for the New York City area. He also calculated that *bain hashmashos*

The custom of Beth Medrash Govoha of Lakewood, per its founder, Rabbi Aharon Kotler, is to light between 23 and 30 minutes following sunset, and many other yeshivos follow this custom, as well. This seems to be based largely on the logic of the Bi'ur Halacha that one should light within the Rambam's window, which is until 30 minutes after visible sunset, and the Tur does not seem to preclude lighting before *tzais*. Additionally, the Rashba and Ran, who both rule that one should light following the second phase of Rabbeinu Tam's *shkia* but before *bain hashmashos*, say that one may light earlier⁷ (see Kovetz Halachos Hilchos Chanukah 3:1 with fn. 2).

Lighting before *plag hamincha*: The Shulchan Aruch (ibid.) cites an opinion that one who is *tarud*, or very busy, may light after *plag hamincha*. *Plag hamincha*, explains the Mishna Berura, is 1 $\frac{1}{4}$ hours⁸ before *tzais*⁹.

Thus, if one is home in the late afternoon but will be travelling after sunset and will be unable to light then, he may light after *plag hamincha*. However, if there is someone else at home, such as his wife, or even another person not residing at the home who can be appointed as a *shliach* (agent), to light at the proper time, this is preferable (Kovetz Halachos ibid. 10).

How long must the *neiros* burn?: The Gemara (ibid.) states that one must have enough oil in the *neiros* for them to burn *ad shetichle regel min hashuk*. Since the Rishonim calculate this as half an hour, one must ensure that the *neiros* have enough oil to burn for at least half an hour¹⁰.

The Shulchan Aruch (ibid.) notes that one who lights before *plag hamincha* must have enough oil to burn *ad shetichle regel min hashuk*. Failure to do so, explains the Mishna Berura (ibid.:4), means there will not be *pirsumei nisa*, and one would need to light again with sufficient oil, though a second set of blessings would not be recited in such a case.

Based upon this, if one lights before *tzais hakochavim* and wishes to fulfill the opinions that say to light later, he should place enough oil in the *neiros* to last until half an hour after Rabbeinu Tam's *tzais* (see Kovetz Halachos ibid.:2 with fn. 3).

In addition, when lighting on Erev Shabbos, one must ensure that there is enough oil to last until half an hour after *tzais*.

The question of the ideal time to light is, indeed, no simple matter. Since there are numerous opinions and customs, one who does not have a set custom is advised to seek competent halachic guidance. In addition, many scenarios occur where one is unable to light at the ideal time, and the question arises of whether one should have other household members or even a *shliach* light in his stead. In these cases, as well, one should seek the advice of a competent halachic authority.

would be approximately nine minutes (since if one breaks down the four *mil* of the full Rabbeinu Tam time period, it emerges that the $\frac{3}{4}$ mil of *bain hashmashos* shrinks from 13.5 minutes to around nine minutes). Ten minutes, then, is after *bain hashmashos* of the Gra. Since, as discussed by the Bi'ur Halacha, the main problem with lighting early seems to be that it must be dark, once nightfall arrives according to the Gra, it is certainly dark, and even the Tur would regard it as dark enough for the purpose of lighting.

⁷ It is unclear, however, what the significance of 23 minutes as the start time is.

⁸ These hours are based on *sha'os zemanios*, hours based on the length of the daytime. One takes the length of the daytime and divides it by twelve to obtain the length of one hour. In the summer, these hours are longer, while in the winter, they are shorter.

⁹ The Mishna Berura's choice of *tzais* and not the visible sunset of *shkia* is noteworthy, as there is a dispute as to how *plag hamincha* is calculated; calculating from *shkia* will provide an earlier time. See Mishna Berura 233:4.

¹⁰ Sufficient oil must be in the lamp at the time of lighting; one cannot add oil once the *ner* is lit.

Points to Ponder:

Does the time of *ad shetichle regel min hashuk* change based upon the norms of different times and places?
Should a student lighting in a dormitory change his family custom and light at the same time as the rest of the student body?

Iyun Halacha is a publication of the Denver Community Kollel
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