

Chanukah Through the Prism of the Rav's Teachings

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The Rambam & Chanukah

When the Rambam wrote his magnum opus, the Mishneh Torah, he stated his intended purpose at the outset.

I, Moses the son of Maimon the Sephardi...relying on the help of the Rock [G-d], blessed be He, intently studied all these works with the view of putting together the results obtained from them regarding what is forbidden or permitted, clean or unclean, and the other rules of the Torah - all in plain and terse language, so that the entire Oral Law might become known to all without difficulty...consisting of statements that are clear, understandable and correct, predicated upon the laws which are elaborated upon from all of the works and commentaries from the time of Judah the Prince until now... Therefore, I have called this work Mishneh Torah, for a person will be able to first read the Written Torah and afterward read this [Mishneh Torah] ..and this work may serve as a compendium of the entire Oral Law...

Rambam, Introduction to the Mishneh Torah

נערתני חצני אני משה בן מיימון הספרדי
ונשענתי על הצור ברוך הוא ובינותי בכל
אלו הספרים וראיתי לחבר דברים
המתבררים מכל אלו החיבורים בענין
האסור והמותר הטמא והטהור עם שאר
דיני התורה. כולם בלשון ברורה ודרך
קצרה עד שתהא תורה שבעל פה כולה
סדורה בפי הכל בלא קושיא ולא פירוק.
... דברים ברורים קרובים נכונים על פי
המשפט אשר יתבאר מכל אלו החיבורים
והפירושים הנמצאים מימות רבינו
הקדוש ועד עכשיו... לפיכך קראתי שם
חיבור זה משנה תורה. לפי שאדם קורא
בתורה שבכתב תחלה ואחר כך קורא בזה
ויוודע ממנו תורה שבעל פה כולה
הקדמה ליד החזקה לרמב"ם

Given his stated objective, there is much to be learned from the content and context of the Rambam's Hilchot Chanukah. When codifying the chagim, the Rambam lists the holidays in calendar order, beginning with the general laws of Yom Tov, followed by Pesach, Rosh HaShanah, and the holiday of Sukkot.⁵ Rav Yosef Karo, author of the Shulchan Aruch, follows

⁵ Since Yom Kippur is considered an extension of Shabbat, it is codified immediately after the treatise dealing with Shabbat. Shavuot has no particular mitzvot; therefore, the practical behavior for the holiday is included in the

the Rambam's order. However, the Rambam and Rav Karo differ when codifying the rabbinic holidays of Chanukah and Purim.

Rav Karo, consistent with calendar order, codifies Chanukah (Orach Chaim 570-584) and then Purim (Orach Chayim 586-597). The Rambam deviates from the order of the calendar, codifying the holidays in historical order, placing Purim before Chanukah. The Rambam does not codify the rabbinic holidays in distinct treatises, like Rav Karo and every other codifier, but in one treatise - Hilchos Megillah v'Chanukah - as if they are one holiday.

Additionally, while the Mishneh Torah typically limits its focus to the halakhic dimensions of a holiday, Hilchos Chanukah begins with a full paragraph summarizing the holiday's story:

In [the era of] the Second Temple, the Greek kingdom issued decrees against the Jewish people, [attempting] to nullify their faith and refusing to allow them to observe the Torah and its commandments. They [the Chashmonaim] overcame their forces and killed them, and saved the Jewish people from their hands. They then appointed a king from the priests, and sovereignty returned to Israel for more than 200 years, until the destruction of the Second Temple.

Hilchos Megillah v'Chanukah 3:1

בבית שני כשמלכו יון גזרו גזרות על ישראל ובטלו דתם ולא הניחו אותם לעסוק בתורה ובמצות ... וגברו בני חשמונאי הכהנים הגדולים והרגום והושיעו ישראל מידם והעמידו מלך מן הכהנים וחזרה מלכות לישראל יתר על מאתים שנה עד החורבן השני.
רמב"ם הלכות מגילה וחנוכה ג:א

Why insert the story of Chanukah in the Mishneh Torah, which is an otherwise legal work, devoid of any other holiday story?

As stated, the purpose of the Mishneh Torah is to summarize the Oral Law systematically. Therefore, when organizing the rabbinic holidays, the order chosen was consistent with the halachic development of rabbinic holidays. Purim is the first rabbinic holiday, and was the battleground regarding the permissibility to add holidays not prescribed in the Torah.

Rabbi Samuel ben Judah said: Esther sent to the wise men saying: "Commemorate me for future generations" They replied: "You will incite the ill will of the nations against us." She sent back a reply: 'I am already recorded in the chronicles of the kings of Media and Persia.'

Megillah 7a

Our rabbis taught: Forty-eight prophets and seven prophetesses prophesized to Israel, and they neither took away from nor added anything to what is written in the Torah, save only the reading of the Megillah [the holiday of Purim].

Megillah 14a

אמר רב שמואל בר יהודה: שלחה להם אסתר להכמים: קבעוני לדורות! שלחו לה: קנאה את מעוררת עלינו לבין האומות. שלחה להם: כבר כתובה אני על דברי הימים למלכי מדי ופרס.
מסכת מגילה דף ז.

תנו רבנן: ארבעים ושמונה נביאים ושבע נביאות נתנבאו להם לישראל, ולא פחתו ולא הויתרו על מה שכתוב בתורה, חוץ ממקרא מגילה.
מסכת מגילה דף יד.

general laws of Yom Tov, while the laws dealing with the special sacrifice are found in Hilchos Tmidin uMussafin (Chapters 7-8).

Chanukah's validity as a holiday, as a halakhic institution, is predicated on Purim. The establishment of Purim gives legitimacy and precedent to establish additional rabbinic holidays such as Chanukah. This idea is daramitzed in the language the Rambam uses throughout the narrative regarding the mitzvot of Chanukah. Notice, in the text below, the legal pointers back to Purim.

These days are known as Chanukah. Eulogies and fasting are forbidden just as they are on Purim, and the kindling of lights is a mitzvah...just like the reading of the Megillah. All who are obligated to read the Megillah are also obligated in the kindling of the Chanukah lights.

Hilchos Megillah v'Chanukah 3:3-4

וימים אלו הן הנקראין חנוכה והן
 אסורין בהספד ותענית כימי
 הפורים, והדלקת הנרות בהן מצוה
 ... כקריאת המגילה ... כל שחייב
 בקריאת המגילה חייב בהדלקת נר
 חנוכה
הלכות מגילה וחנוכה ג:ג-ד

These halakhic nuances and the retelling of the Chanukah story are missing from Shulchan Aruch. Rav Karo's agenda was not to replicate the earlier work of the Mishneh Torah, nor to summarize the Oral tradition. His goal was to create an ordered table, complete with the practical laws relevant to Diaspora Jewry. Therefore, in Rav Karo's Shulchan Arukh all laws dealing with the Temple service, Jewish self-government, and commandments limited to the Land of Israel are missing from his code. Only halakhot relevant to a Jew and his/her community ensconced within a Diaspora existence are inserted. The Rambam, in keeping with his *raison d'etre*, includes in the Mishneh Torah all aspects of the Oral tradition. Therefore the laws of Jewish kings, Messiah, commandments limited to the Land of Israel, as well as laws concerning the Temple are found in the Mishneh Torah. Chanukah took place after the canonization of the Written Law. Unlike any other holiday codified in the Mishneh Torah, its story is part of the Oral Tradition. Therefore, consistent with the stated goals of the Mishneh Torah the treatise must not only include its laws but also its story.

The Notion of Hallel

The organizational structure of the Mishneh Torah raises one additional question regarding a textual component of Hilkhos Chanukah. The laws of the Hallel liturgy are codified in the Shulchan Arukh as part of the laws of prayer. However, the Rambam does not place the laws of Hallel within the treatise on prayer, nor as a component of any of the holidays in which Hallel is recited. Rather, the laws of Hallel are codified as part of the final chapter of Chanukah. Given the Rambam's organizational meticulousness, one wonders why he relegated the laws of Hallel to the final chapter of the Book of Seasons, as part of the rabbinic holiday of Chanukah.

Rav Soloveitchik explained that, in prayer, Hallel is seen in a limited perspective. It expresses praise only through words, through prayer. On Chanukah, Hallel is seen in its most pristine form. It is seen through action as well as through prayer, through the lighting of the menorah. For the theme of this holiday, the essence and mitzvah of these eight days is Hallel. The theme of Pesach is the birth of the nation; Shavuot commemorates the receiving of the Torah; Sukkot celebrates the intimate relationship between G-d and the Jewish people. Chanukah's theme is praise to G-d. While we recite Hallel on many holidays, it is on Chanukah that praise is at the

core of the festival's religious experience.

The following year, these [days of Chanukah] were appointed a festival of Hallel and thanksgiving

Shabbos 21b

לשנה אחרת קבעום ועשאום ימים טובים
בהלל והודאה.
מסכת שבת דף כא.

On Chanukah, Hallel is not only seen in its liturgical form but is also displayed through the act of kindling the menorah. Hallel's dual nature, as a prayer and as action, makes Chanukah the holiday in which Hallel is observed in its complete form. Therefore, the Rambam specifically waited for the chapters focusing on the holiday of Chanukah to codify the laws of Hallel.

Shabbat & Chanukah

Rav Soloveitchik notes that the Talmudic location in which the story of Chanukah is found is the tractate of Shabbat.

What is [the reason for] Chanukah? For our rabbis taught: On the 25th day of Kislev [commence] the days of Chanukah, which are eight.

Shabbat 21b

מאי חנוכה? דתנו רבנן: בכ"ה בכסליו
יומי דחנוכה תמניא אינון
מסכת שבת דף כא.

Why did the rabbis choose the tractate of Shabbat to introduce the holiday of Chanukah? While the theaters of experience for Chanukah and Shabbat are distinct, existentially they complement each other. Chanuka's holiday experience symbolizes taking the light found in the Jewish home and allowing it to radiate in the public thoroughfare. All of the laws regarding the menorah's location and time of lighting are predicated on the pedestrian's ability to see its illumination in the public thoroughfare. Chanukah celebrates the Jews' responsibility to be involved in *tikkun olam*.

This goal is only achievable when there is also the Shabbat experience. Shabbat is celebrated through the retreat from the public arena of life. Carrying an object from the private to the public domain is forbidden (and vice versa); so is carrying any object four amot in the public domain. The experience of Shabbat is primarily found within the privacy of the home. It is the Shabbat experience which strengthens our home, our personal spiritual epicenter. Introducing the festival of Chanukah in the middle of Tractate Shabbat plays to the recognition that our national aspiration, of perfecting the public thoroughfare, is only achievable when the private arena is reinforced. Conversely, when the Shabbat experience creates a Robinson Crusoe mindset - permanent withdrawal from the world community - it becomes an obstacle to achieving the Divine agenda of *tikkun olam*, the purpose of the Chosen People.

As we usher in this Chanukah season, let us recommit ourselves to the balance between Shabbat and Chanukah. May we celebrate a commitment to the calibration of our personal spiritual compass; yet concurrently focus on the mission of Knesset Yisrael, "a light unto the nations," in every aspect of our public persona.

The Temple Menorah: Where Is It?

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What is history and what is myth? What is true and what is legendary? These are questions that arise from time to time and specifically apply to the whereabouts of the Menorah. Reporting on his 1996 meeting with Pope John Paul II, Israel's Minister of Religious Affairs Shimon Shetreet said, according to the Jerusalem Post, that "he had asked for Vatican cooperation in locating the gold menorah from the Second Temple that was brought to Rome by Titus in 70 C.E." Shetreet claimed that recent research at the University of Florence indicated the Menorah might be among the hidden treasures in the Vatican's storerooms. "I don't say it's there for sure," he said, "but I asked the Pope to help in the search as a goodwill gesture in recognition of the improved relations between Catholics and Jews."

Witnesses to this conversation "tell that a tense silence hovered over the room after Shetreet's request was heard." I tried to research Shetreet's reference at the University of Florence, but no one I contacted there had ever heard of it. This story has repeated itself a number of times since. One of the two chief rabbis of Israel, on their historic visit to the Vatican in 2004, asked about the Menorah, as did the President of Israel, Moshe Katzav, on another occasion. Asked for an official response, this is what I received from the Israeli Ministry of Foreign Affairs via email:

The requests by Shetreet, the president, and the chief rabbis reflect the long-held belief that the Catholic Church, as the inheritor of Rome, took possession of the empire's booty—as documented by the Arch of Titus. It is thus assumed that, among other treasures looted from the Jewish people, the Temple menorah is stashed away someplace in the storerooms of the Vatican.

This is not to say those 2,000 years or so have been enough time for the Foreign Ministry to formulate a policy on the matter. Unofficially at least, we look forward to the restoration of the treasures of the Jewish people to their rightful homeland, but do not anticipate this will occur before the coming of the Messiah.