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Daf Notes is currently being dedicated to the neshamot of

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Mav the studing of the Daf Notes be a zechus for their neshamot and mav their souls find peace in Gan Eden and be bound up in the Bond of life

1. One should place the Chanukah lights within ten tefachim of the ground.

If a shopkeeper places a light outside his store in a public area and a passing camel loaded with flax catches on fire and burns down a building, the storekeeper is liable. Rabbi Yehudah states that if the light was a Chanukah Menorah, the shopkeeper is not liable.

The *Gemora* infers from the statement of Rabbi Yehudah that one must place the Chanukah lights within ten *tefachim* of the ground, because if one is permitted to place the Chanukah lights above ten *tefachim*, the party who was damaged would claim to the storekeeper that the light should have been placed above the height of the camel and the rider, because placing it lower would be dangerous. Since the person damaged cannot make such a claim, it must be that one is supposed to place the Chanukah lights within ten *tefachim* of the ground.

The *Gemora* rejects this notion, because if the storekeeper must place the Menorah ten *tefachim* above the ground, he will not want to trouble himself and this will result in him not performing the mitzvah. So we have no proof that one must light the Chanukah Menorah within ten *tefachim* of the ground. Nonetheless, the *halachah* is that one should place the Menorah between three and ten *tefachim* from the ground. (21b)

2. Chanukah lights that are placed above twenty Amos from the ground are invalid.

A *sukkah* and *mavoi* (alleyway) are also invalid if the covering of the *sukkah* is higher than twenty *amos* or if the beam placed over the entranceway to the *mavoi* is higher than twenty *amos*.

When the Menorah is paced above twenty *amos*, people passing by will not be able to see it, and this removes the effect of publicizing the miracle of Chanukah. (21b – 22a)

3. The pit that the brothers threw Yosef in was empty of water but filled with snakes and scorpions.

The Torah states that the pit that the brothers cast Yosef into was empty without water. If the Torah states that the pit was empty, it is implicit that there was no water in it. The Torah must be teaching us that even though there was no water in the pit, there were snakes and scorpions in the pit. The brothers did not know this. (22a)

4. The Chanukah Menorah must be placed within a tefach of the doorway of one’s house.

The Chanukah Menorah is placed on the left side of the doorway, so the Chanukah lights will be to the left of the doorway and the *mezuzah* will be on the right side of the doorway. A person will be thus surrounded by *mitzvos*. (22a)

5. One cannot count money in front of the Chanukah lights.

We have learned elsewhere that after slaughtering an animal, one should not cover the blood with his foot, as this is a disgrace to Hashem’s *mitzvos*. Rather, he should use his hand with which he slaughtered the animal. Similarly, one should not count money by the light of the Menorah, as he is disgracing Hashem’s *mitzvos*. (22a)

6. One is forbidden to use the *sukkah* decorations on Sukkos.

One may not use the *sukkah* decoration on Yom Tov because of *muktzeh*, and one may not use the decorations on Chol Hamoed (*Intermediate Days of Sukkos*) because of disrespect to the *mitzvah* of *sukkah*. However, if he made a condition that he wishes to use the decorations during *Bain Hashmoshos* (*twilight*) of the first night of Yom Tov, he may use the decorations during the Yom Tov. (22a)

7. There is a dispute whether one can light one Chanukah light from another Chanukah light.

Rav maintains that one may not light one Chanukah light from another Chanukah light, and Shmuel permits it.

One opinion posits that Rav forbids the lighting from one light to another because it is disrespectful to the *mitzvah* of Chanukah lights, and another opinion maintains that by transferring the light, one is diminishing the *mitzvah*.

If one lights directly from one Chanukah light to another, the reason of disrespect for the *mitzvah* would not apply, as lighting directly is not disrespect for the *mitzvah*.

According to the opinion that it is diminishing the *mitzvah*, even lighting directly would be prohibited, because it appears as if he is drawing from the oil of the Chanukah lights. (22a)

8. One may not weigh gold *dinar* coins against a *sela* coin of *ma'aser sheini* to determine if the *ma'aser sheini* coins are whole, even if one plans on redeeming *ma'aser sheini* food on the *dinar* coins.

The reason one may not weigh gold *dinar* coins against a *sela* coin of *ma'aser sheini* is because his weights may not be equal, and the *dinar* coins may remain unconsecrated, resulting in a sign of disrespect to the *ma'aser sheini* coin. (22a – 22b)

9. The *Ner Maaravi*, western lamp in the Bais HaMikdash, was a testimony that the Divine Presence rests amongst the Jewish People.

All the lamps of the Menorah were filled with half a *log* of oil. This was done so that even in the long winter nights, the candles

would burn throughout the night. The *Ner Maaravi*, the western lamp, however, was unique in that the other lamps were lit from the western lamp, and whereas the other lamps burned out in the morning, the western lamp remained miraculously burning the whole next day. This miracle was a testimony of the Jewish People's closeness with Hashem, and that was reflected in the Divine Presence that was manifest in the Bais Hamikdash. The following evening, the Kohen would clean out the western lamp and refill it with oil and place a new wick in the lamp.

The *Gemora* states that the lighting of the Menorah was done with the Menorah's own wicks, circumventing the issue of lighting one light from another with a wood chip. (22b)

10. Lighting the Menorah is considered performing the *mitzvah*, not placing the Menorah.

The *Gemora* offers many proofs that the lighting of the Menorah is the *mitzvah*. One proof is from a case where one lights the Menorah and then holds it until it is extinguished. It is considered as if he has not lit the Menorah, and this indicates that the placing of the Menorah makes the *mitzvah*.

The *Gemora* rejects this proof, because in that case, people will assume that he is holding the Menorah for his own needs and not for the *mitzvah*.

The *Gemora* attempts to prove that lighting the Menorah is the *mitzvah* from a case where one lights the Menorah inside and then places it outside. In this case he has not fulfilled the *mitzvah*, so it must be that lighting is what makes the *mitzvah*, because if placing the Menorah is the *mitzvah*, then by placing it outside he has performed the *mitzvah*.

The *Gemora* rejects this proof also, because by placing the Menorah outside, it appears as if he lit the Menorah for his own needs.

The *Gemora* then proves that lighting is the *mitzvah* from one who lit the Menorah before *Shabbos* and it burned the whole *Shabbos*. After *Shabbos* he extinguished the light and relights the Menorah. If placing the Menorah was the *mitzvah*, he should have extinguished the light, lifted the Menorah and placed it down, and then relit the Menorah. By merely extinguishing the



light and then relighting the Menorah, it is evident that the *mitzvah* is to light the Menorah. (22b – 23a)

INSIGHTS TO THE DAF

Removing excess ink from letters in a Sefer Torah to make it dry faster

The Rosh (Teshuvos 3:15) was once consulted in regard to a *sofer* (scribe) who performed the necessary corrections to the letters of a Sefer Torah. After completing his work, he wished to roll up the Sefer Torah, but was forced to wait until the ink had dried. In order to hasten the drying process, he used his quill to remove a thin layer of excess ink from the letters. The remaining ink dried quickly, and he was then able to roll up the Torah.

The Rosh was asked if the *sofer* had acted improperly. Our *sugya* mentions the prohibition against *ak'chushei mitzvah* - 'weakening a *mitzvah*'. Perhaps drawing ink away from the sacred letters of a Sefer Torah falls under this prohibition.

Rav and Shmuel disagree whether one may light one Chanukah candle from another. Rav forbids this, and Shmuel permits it. Rav Ada bar Ahava explains Rav's opinion, that by lighting from a Chanukah candle it appears as if one is weakening its light and drawing from its oil, and one must not lessen in any way an object used for *mitzvah* purposes. The *Gemora* rejects Rav Ada's interpretation of Rav, and concludes instead that Rav saw lighting from a Chanukah candle as *bizoi mitzvah* – showing disdain for a *mitzvah* – despite the fact that one is lighting a second Chanukah candle from it. [The *Gemora* explains that this prohibition applies only when lighting a match from a Chanukah candle, and using it to light a different Chanukah candle. Lighting one Chanukah candle directly from another is not disdainful and is permitted].

The Shach (Y.D. 274, Nekudos Hakesef on Taz s.k. 4) explains that although the *Gemora* rejects *ak'chushei mitzvah* as Rav's reason for prohibiting lighting one candle from the next, it is nevertheless true as a general principle. In the specific case of lighting one candle from another, the first candle is in no way weakened. However, it would be prohibited to weaken one object of *mitzvah* even for the sake of another.

In the case of the *sofer* who drew off a layer of ink from the letters, it would seem that he transgressed both the principle of *bizoi mitzvah* and that of *ak'chushei mitzvah*. Yet, the Rosh permitted him to do so, and explained how this does not fall under either prohibition.

Ak'chushei mitzvah applies only when one lessens the *mitzvah*. For example, if one were to remove oil from a Chanukah candle, it would burn out quicker. By removing a thin layer of superfluous ink from the letters, however, the *mitzvah* of the Sefer Torah is in no way lessened since the letters remain intact.

Furthermore, it is not considered a *bizoi mitzvah*, since the ink was not removed in order to use it for mundane purposes. It is not therefore considered disdainful to the Sefer Torah to do so. The Taz (ibid., s.k. 4) challenges the Rosh's decision, raising a number of questions. Among them, he writes that Rav forbids using one Chanukah candle to light another indirectly, considering it a *bizoi mitzvah* even though the mundane match is used for a sacred purpose. Surely, then, we should forbid taking sanctified ink from a Sefer Torah's letters if the ink will not be used at all! In order to defend the Rosh and resolve his own questions, the Taz concludes that the Rosh only permitted removing ink with a quill to write other letters in the Sefer Torah. Since the self-same ink is removed from one letter only to be used for a different letter, it is not considered a desecration of the ink.

The Shach (s.k. 5 and Nekudos Hakesef, ibid.) defends the simple interpretation of the Rosh's decision, that one may remove the ink even if he does not then use it to write elsewhere. Utilizing the ink from a Sefer Torah for other purposes, whether mundane or even sacred, would be considered *bizoi mitzvah*. However, in this case the *sofer* did not remove the ink to use it at all, he removed it for the sake of the very same letters in order that they might dry faster and not smudge. Therefore, it is not considered *bizoi mitzvah*.

DAILY MASHAL

The Divine Presence amongst the Jewish People during the Second Bais HaMikdash

The *Gemora* states that the *Ner Maaravi* was a sign that the Divine Presence rested amongst the Jewish People.

The Sifsei Chaim notes that this phenomenon apparently occurred even while the second Bais HaMikdash stood. This is implied in the *Gemora* Yoma that states that while Shimon HaTzaddik was the Kohen Gadol, the *Ner Hamaaravi* was never extinguished. After Shimi HaTzaddik's reign, sometimes the *Ner Hamaaravi* would stay lit, and sometimes it would be extinguished. On the other hand, we find in many instances in the words of Chazal that the Divine Presence was not manifest in the second Bais HaMikdash. Chazal even state that the Jews did not want to build the second Bais HaMikdash until Hashem reassured them that in lieu of the Divine Presence, Hashem would reveal to them the secrets of the Torah.

The Sifsei Chaim explains based on the words of the Gra and the Maharal that the first Bais HaMikdash existed in the merit of the Patriarchs, and when the Bais HaMikdash was destroyed, the merit of the Patriarchs ceased to function. The second Bais HaMikdash, however, endured in the merit of Jewish People's service of Hashem. When needless hatred was rampant amongst the nation and caused a rift amongst the Jewish People, and they were not united in serving Hashem, they had no merit to have the Bais HaMikdash. It follows that the Divine Presence was always present. In the first Bais HaMikdash the Divine Presence was manifest, but was not dependant on the merit of the nation. In the second Bais HaMikdash, the Divine Presence was reflected through the strong connection that the Jewish People had with Hashem. This manifestation of the Divine Presence, however, was different, as it was only manifest in the hearts of those who merited the Presence, i.e. the righteous scholars of that generation. The statement that the *Ner Maaravi* is a testimony means that just like a witness bears testimony on a matter, so too the *Ner Maaravi* was a testimony that the Divine Presence was manifest amongst the righteous scholars of that generation.

It is understandable, then, why the Jewish People agreed to build the second Bais HaMikdash, after Hashem promised them regarding the revelation of the Oral Law [as the revelation of the Oral Law was more pronounced during the Second Temple Era

than any other time period in Jewish history]. Although the Jews were not promised the return of the Divine Presence that was manifest during the First Temple Era, since they were promised the revelation of the Oral Law, this in a sense was a form of the Divine Presence. The manifestation of the Divine Presence in the second Bais Hamikdash was certainly different than in the first Bais Hamikdash, but nonetheless the Divine Presence was manifest and the Jewish People agreed to rebuild the Bais Hamikdash.