

HALOCHOSCOPE

If someone is spending Shabbos as a guest in someone's home Should he light his own Chanukah lights? If he plans to leave on Motzoei Shabbos without eating at the host's home, where should he light his Chanukah lights on Motzoei Shabbos? Should he rather rely on his host's lights, light his own at the host's home, or light his own when he arrives back at his own home?

A family practices the Ashkenazic custom of having each member light his or her own lights. They are the guests of a family that follows the Sephardic custom of lighting one per family. Should the guests follow their own custom, the custom of the host, or should they rely on the host for their lights?

The issues:

- (A) The obligation for individual lighting versus inclusion with the host
 - (B) The two Minhagim for *Mehadrin Min Hamehadrin*, the best way to arrange Chanukah lights; and when such Minhagim come into conflict
 - (C) Following the practices of the *Baal Habayis*, host
- (A) *Individual obligation versus inclusion with a host*

The basic obligation is to kindle lights for each household. This is based on the object of the Mitzvah, *Pirsumei Nisa*, publicizing the miracle of Chanukah. Each home must display the lights to publicize the miracle. The Talmud then gives two ways to enhance the performance of this Mitzvah. *Mehadrin*, those who wish to do the Mitzvah nicely (or, according to another translation, those who chase after Mitzvos) should have one light per member of the household. Some say that the head of the household lights them all. Others say that each member lights his or her own light. *Mehadrin Min Hamehadrin*, the exceptionally conscientious, have lights according to the particular day of Chanukah, thus showing the miracle of the *Menorah* lasting for eight days. According to one view each member of the house lights an additional light each night, (or the householder does for each member.) Another view is that the head of the house lights one set, adding one each day, rather than lighting one a day per member.

If two households live in one home, each must light their own set or sets. This bears on the case in our question, where the guest has no other household, or where the entire household is being hosted as guests in another house.

The Talmud says that a lodger must pay a minimal amount toward the cost of the oil of his host. If he is married, and has a family member lighting on his behalf at home, he need not participate in his landlord's Mitzvah. In both of these cases, the lodger performs the Mitzvah through a *Shliach*, designated agent. Normally, performance of a Mitzvah in person is considered a greater level of fulfillment than when it is performed through a *Shliach*. Therefore, it is definitely better for a lodger to find a way to fulfill the Mitzvah in person. In our cases, the lodgers do not have a family member lighting at home. Many Poskim maintain that in modern times, since most people do not contribute to the hosts lights, there is a definite obligation to light one's own lights. Thus, in our cases the guests should light their own lights.

When the lights are lit at the entrance to the home, one set of lights is sufficient for the entire home. When a guest has a separate entrance, it would be necessary to have his own lights. Many Poskim maintain that in modern times, when the lights are placed indoors, a guest should be obliged to light his own lights. Since the basic *Pirsum Haness* can not be attributed to the home, he must fulfill his Mitzvah personally. An additional factor is where the lodger eats. If he is considered dependent on the homeowner for his food, he is less likely to be obliged to light, or in some circumstances, even to contribute towards the lights of the homeowner. If a visitor will not be staying overnight, or if he sleeps at home, he should not light at the home of his host. If one spends the night at the host's home he is obliged to light there, since he will not be returning later that night to light at home. With regard to Motzoei Shabbos, though the guests have spent Shabbos at their host's home, it seems that each day of Chanukah is treated on its own merit. Since they will be returning home that night they should light at home. Though the main time to light is at the beginning of the evening, the Poskim follow the ruling that when the lights are lit indoors, the main *Pirsum* is for the people inside. They will be awake when they return and this is the best time to perform the Mitzvah. [See Shabbos 21b 23a, Poskim Tur Shulchan Aruch Orach Chaim 571:2 577:1-3, commentaries.]

(B) The conflicting Minhagim

We have already referred to the differing opinions on *Mehadrin* and especially on *Mehadrin Min Hamehadrin*. Ashkenazi communities follow the view that each person in the house lights his own set. Though the Talmud specifically obliges women in the Mitzvah, some justify a practice that women do not light. Children are also obliged to light. There is a view that they fulfill their basic obligation with the homeowner's lights, and are not included in the *Mehadrin* aspect. However,

others disagree, and the prevailing practice is to include them in *Mehadrin Min Hamehadrin*. [See O.C. 571:2 575:3 577:3.]

Sefardim follow the opinion that only the homeowner lights an additional one each night. Thus, a guest at the home of a Sefardi is faced with a dilemma. His personal obligation is fulfilled with one light each day. If he wishes he may light an additional one to fulfill the *Mehadrin Min Hamehadrin*. If his family accompanies him they all wish to fulfil the *Mehadrin Min Hamehadrin*. If they do not light their own lights, he should not light more than the single light. This way he fulfills the basic requirement for his household. If he adds any, he has demonstrated that he is not relying on the basic Mitzvah, and to be properly *Mefarsem* the miracle, must be clear about how many people are involved and what day of Chanukah it is. However, since the onlooker sees the host fulfilling the custom of the *Sefardim*, he would understand the practice of the guest in the same way. Nonetheless, there are good reasons for the disparity of the *Minhagim*, and one should never change his personal practices. This raises the issue of *Lo Sisgodedu*, a Scriptural Mitzvah that is interpreted to forbid making "factions," i.e., two people or groups following opposing views in the same location. However, the Poskim permit these two practices in terms of *Lo Sisgodedu*. Therefore, two homeowners who are neighbors may follow both practices. [See Yevamos 13b Pesachim 50b etc., Poskim. Halocho-scope II:33 35 III:34 37. Shaarei Teshuva O.C. 571:3.]

(C) Following the practices of the host

In our case, these two *Minhagim* are being practiced in the home of a person who only follows one of them. While *Lo Sisgodedu* might not apply to independent neighbors, other reasons can stop the guest from practicing his own *Minhag*.

In general, in areas of mere preference a guest follows the wishes of his host. In the area of *Minhag*, following one opinion in matters of Halachic dispute, one should usually follow the practice of his host as well, as the *Passuk* says, each man is ruler in his own home (Ester 1:22). This does not mean that a guest may relax his own practice. For example, if the guest has a stricter, rather than equally strict but different view, he may not practice leniency on the basis of following his host. He must inconspicuously adhere to his own stringencies. In the area of personal *Chumra*, self-imposed stringency, a host can not make a guest abandon his *Chumra*. The difference between *Minhag* and *Chumra* is that a *Minhag* follows an accepted view in Halacha, though differing from another view. A *Chumra* generally follows a stringent minority view that was not accepted on a communal level,

but may still be followed on a personal level.

However, it is possible that the principle that the host's Minhag is decisive could apply only to situations where the issue is whether to follow only one or the other. For example, at a meal hosted by the host there are different Minhagim. The guest might need to follow the Minhag of the host, since both can not be done. In our case, both practices can be followed. This is especially true since the guest has his own personal obligation to light Chanukah lights. He is not imposing on his host in any way, to change his practices to suit his guest.

One may not upset his own family harmony to satisfy the whims of guests. In our case, this could also become an issue. Maybe the solution to this problem lies in the reason that Lo Sigodedu does not apply. One reason that one may not make factions is not to challenge the ruling of an existing *Bais Din*, i.e., not to practice differently from the existing community and their Rav. A second reason is not to foment discord. This will result from one community member demonstrating his differences, which will be taken as a show of perceived superiority. It is possible that since the issue at hand involves *Hidur Mitzvah*, the more enhanced way to perform a Mitzvah, the issue of Lo Sigodedu does not apply. Since everyone knows that the basic Mitzvah is really sufficient, one light per night per home, yet people choose to enhance it according to one opinion or another, this does not mean that one practicing one Minhag invalidates the practice of others. Nor does he seriously believe himself to be better than those who do not practice as he does. The Talmud debates how to light Mehadrin Min Hamehadrin, whether to add from one to eight, the opinion of *Bais Hilel*, or to decrease from eight to one, *Bais Shamai*'s view. This should have been settled decisively in favor of Bais Hilel, as is customary. Yet, we find later generations still following both practices. One explanation is that since it is a matter of *Hidur*, rather than conclusive Halacha, it is possible that later sages chose to follow Bais Shamai. [See Derech Eretz Raba 6, Bamidbar Raba 21:23 Pesachim 106a Chulin 84a, Tosafos 107b, Poskim. Ahavas Chesed 3:2 Tur Sh. Ar. O.C. 170:5, Y.D., 88:2, commentaries. Halocholescope IV:18. Biur Halacha 571:2.]

Accordingly, just as Lo Sigodedu does not apply, due to the aforementioned reason, the variation of Minhagim should not disrupt the harmony in the house. Therefore, in conclusion, the guest may follow his own personal Minhag.