

# HALOCHOSCOPE

This week's question:

A couple is spending *Shabbos* and Sunday, *Chanukah*, with relatives. They are eating all meals and participating in all activities with their relatives. However, for sleeping arrangements only, they will be staying with a neighbor of their relatives. They will be leaving on an overnight flight on Sunday evening, and will arrive home after dawn. What should they do about kindling *Chanukah* lights? Should they kindle them at the home of the relatives, where they will be spending most of their time? Or should they kindle where they will be sleeping? Or both? On Sunday, when they will not be spending the night at the neighbors', should they still, possibly kindle at the neighbors' home?

The issues:

A) *Ner Chanukah*, the basic *mitzvah* and enhanced performance

B) Location of the *nairos*

C) *Achsanai*, lodgers or guests

A) *Ner Ish Uvaiso; Mehadrin*

The Talmud suggests three ways to fulfill the *mitzvah* of kindling the *chanukah* lights. The basic *mitzvah* is *ner ish uvaiso*, the head of the household kindles one light each night. The second way is for the *mehadrin*, those scrupulous in their *mitzvah* observance, or those who wish to enhance the performance of the *mitzvah*. One light should be kindled for each member of the household. Some say this means that the head of the household should add a light for each member, similar to the way many women kindle *Shabbos* lights. Others say this means that each member of the household kindles a light of their own. The third method is for the *mehadrin min hamehadrin*, those who are exceptionally *mehadrin*. An additional light is kindled for each night, so that one can tell which night it is by looking at the row of lights. Some say this means that the head of the household is the only one who kindles, increasing his lights each night. Others say that each member kindles his or her own set of lights.

This last method is the customary way Ashkenazim perform it. While any of the three methods is acceptable, the *Shulchan Aruch* only mentions the third. This is taken to mean that this is the ideal method. Some explain these methods as a form of *hidur mitzvah*, enhancing the performance of the *mitzvah*. Generally, *hidur* applies in relative terms, such as using better oil and wicks. In this case, specific *hidurim* were instituted. The other explanation is that these methods are recommended for the more scrupulous. The reason offered for why specific levels are instituted for *ner chanukah* is to better publicize the miracle. In many ways, the entire purpose of this *mitzvah* is this publicizing.

Usually, women are not obliged to perform time-bound *mitzvos*. However, they are obliged to perform *ner chanukah*, because they were involved in the miracles commemo-

rated. Thus, *mehadrin min hamehadrin* should include the women. However, generally, a married woman does not kindle, even as a *hidur*. This is due to the husband-wife bond. The husband kindles, and his wife is considered united with him as one. It also seems to be common for single women not to practice *mehadrin min hamehadrin*. The poskim reconcile the practice of those who refrain. However, there is some indication in earlier sources that even a married woman may kindle her own, and possibly should do so.

From at least one source, it appears that both husband and wife could kindle *mehadrin*. While *ishto kegufu*, his wife is like part of him, this does not mean that they may not kindle separately if they wish. It would not count as a *brocha levatalah*, in vain. This posek discusses where the husband is away. The Talmud recommends relying on the wife's kindling. Nonetheless, some poskim maintain that as *mehadrin*, they may both kindle in their respective locations. Thus, the husband's obligation can be viewed as double-edged. He has the basic obligation, in which he also discharges that of the household. He also has a *mehadrin mitzvah*. His first obligation can be discharged by his wife, but he may still fulfill the second. In our second case, too, the husband may follow this method. He should state that he does not wish to be discharged by his wife's earlier kindling. Others maintain that this is problematic on a number of fronts: The main issues relate to *brocha levatalah*, a *brocha* said in vain. Since he is exempt if his wife kindles, he may not exclude himself from being covered by her. Only if he is unsure whether she will do it, may he kindle his own. The consensus is to follow the first view.

In our case, both the husband and the wife will not be able to kindle at home. There will be someone home, who will be kindling. However, this might work for the "home", but will not work for the couple. They also have a personal obligation. Their obligation will begin hours after the family members kindle at home. Therefore, they cannot rely on that kindling for their personal obligation. They must somehow fulfill the *mitzvah* in their current location. Either they will participate with the *neiros* of their host, or they will kindle their own. Which is the main host, and which is the main location? [See Shabbos 21b-23a, Poskim. Tur Sh Ar OC 671:1-2 677:1-3, commentaries. Terumas Hadeshen 101. Mikraei Kodesh (Chanukah) 14. Chovas Hadar Chanukah 1:1 n6. 2:5 6.]

#### **B) The Location of the Neiros**

The ideal *mitzvah* of *ner chanukah* applies to the home. Each additional member of the home can also kindle lights. However, the *mitzvah* remains in the home. To further publicize the miracle there is a *mitzvah* to kindle them in *shul*. There is no *mitzvah* to kindle them anywhere else. Since it is primarily to publicize the miracle, the lights should be somewhere that people outside the house can see them. Thus, to show which house they are associated with and also be in a public place they are placed at the entrance from the public thoroughfare to the home. In Talmudic times this was the entrance to the courtyard. If more than one member of the household kindled, there had to be enough space between them to show that each was an individual person's lights. They were placed within a *tefach* of the left side of the entrance. If a courtyard had two entrances on different sides, both would require *ner chanukah*. However, since the second one was only to dispel *chashad*, suspicion that the homeowner was not kindling (because the passersby did not see the first lights), the *brocha* is not recited for the second lights.

Nowadays, partly due to antisemitism, the prevailing practice is to kindle them indoors. The miracle is publicized internally, for members of the household. According to some Poskim, this was an official institution due to specific circumstances, and still applies nowadays. They would say that nowadays one can not fulfill the obligation outdoors. Within the home, one could kindle them on the table. The most ideal place for them is in a doorway, on the side opposite the *mezuzah*. Thus, one entering the room or home passes between the two *mitzvos* connected to the home. The ideal height for the lights is between three and ten *tefachim*. [A *tefach* is subject to debate, ranging to about four inches.] They may not be placed higher up than twenty cubits. They would then be outside the range of vision, and the miracle would not be publicized. Many follow the practice of placing the lights in a window. This way they can also be seen by the public.

In choosing a room to kindle them, the most used area of the home is considered the center of the home. The idea is to publicize the miracle to all members of the house. Therefore, the area must be common to everybody. This would be the eating room. Either the table used by all, or a window in this area would be ideal. [See Shabbos 21b-22a 23a, Poskim. Tur Sh Ar OC 671:5-8, commentaries.]

#### **C) Guests in another home during Chanukah**

The Talmud discusses *achsanai*, lodgers or guests in another home. If the lodger has a wife kindling on his behalf back at his own home, he fulfills his obligation this way. The Poskim debate whether he is permitted to kindle his own lights [with a *brocha*] anyhow. If he is single there are two ways he fulfills this *mitzvah*. He could participate in the *mitzvah* of the homeowner or he could kindle his own lights. Many poskim maintain that the optimum is to kindle his own lights, although the Talmud cites a great scholar who relied on buying a share in the oil. One can at least consider himself a member of the household who fulfills *mehadrin*. Family members have the same choice. However, guests can not automatically rely on the owner. They need to pay him a nominal amount (some say, to be counted as part of his family), and gain a share in his oil and wicks. If they also eat at his table, besides lodging in the home, some say that they are like family members. This would apply in our case.

However, if the guest only eats in this home, but has separate lodgings, with his own 'entrance', the poskim debate his obligation. On the one hand, eating is considered the "home base" in other contexts in the Talmud. On the other hand, he keeps his belongings in the room where he sleeps. Some say he must kindle lights next to his own entrance. Others maintain that nowadays that we do not kindle at the entrances but indoors, one's 'home' is determined by where he eats his meals. Therefore, he is treated like an in-house lodger. From here, some poskim infer that if one uses two different locations, one for eating and the other for sleeping, he should kindle at the place of eating.

This would mean that a couple spending *chanukah* with their in-laws but sleeping in a different location may contribute to the father-in-law's lights or kindle in his eating area. Others maintain that the couple should kindle their own lights at their place of sleeping. Even if they sleep in the house of the in-laws, this view maintains that they should kindle their own lights. Someone might occasionally eat at a friend's home but has a home where he both sleeps and eats. In this case, all would agree that he must kin-

dle at home, even on a night when he eats as a guest in the other home.

In our case, the reason that the guests are not sleeping in the home of the relatives is due to a shortage of space. They have no connection to the neighbors. They are not renting the room from them on their own. Therefore, the room in the neighbors' home is on loan to their relative, who is their real host. Thus, the separate location for sleeping is really no different than a bedroom in the home of the host. In this case, they would be kindling in the home of the host, and the optimum location would be the dining area. In addition, on *Shabbos* night, if they kindle early on *Erev Shabbos*, they will not even see the lights until later, after eating, by which time they will probably be extinguished.

Furthermore, on Sunday, they will already have packed their belongings and left the house of the neighbor by the time of kindling. They will not get home before morning. They need to kindle on Sunday evening before leaving. At that time, they are definitely members of the relatives' household. The only time it would make sense for them to kindle at the neighbor's home would be *Motzai Shabbos*. The only location in that home that makes any sense would be the bedroom. However, in light of the other considerations, it would appear that all poskim would agree in our case that the neighbor's home is not their second place of lodging. It is an extension of the relatives' home. Therefore, they should kindle in the home of the relative.

There is an opinion that in such situations, one should kindle in both places, due to *chashad*. However, the consensus of poskim maintain that members of both households are well aware of the fact that these guests are either kindling with their main host or participating by buying a share in his oil. In a twist, a number of poskim maintain that since the *minhag* is that everyone kindles as *mehadrin min hamehadrin*, there is a new *chashad* if a guest relies on buying a share in the oil. Other members of the household might think that he did not kindle at all. Therefore, he is obliged to kindle himself. He should not buy a share of the oil, so that he has an obligation to recite the *brocha*. Once the husband kindles, he satisfies the obligation of his wife, in the same way that they would do at home. [See *Shabbos* 22a, Poskim, Tur Sh Ar OC 677:1, Taz etc., commentaries.]

In conclusion, the couple should kindle *nairos* on all three nights at the home of the relative, in his dining area.

**On the parsha ...** *Hashem was with Yosef, he was a successful man, and he was in the house of his master ... [39:2]* Why does it need to say that he was in the house of his master [see *Sforno, Kli Yakar, Or Hachaim*]? Where else could he be? Further on, the Torah says that his master placed everything in the hands of Yosef, except for the bread which he ate. While there are euphemistic interpretations of this, the simple meaning is that Yosef was not allowed to touch the bread of Potiphar. Egyptians did not let Hebrews eat with them [see *Ibn Ezra*]. If so, the Torah needs to inform us that although he did not share the same eating quarters, Yosef was still considered to be part of the household. This was because he did sleep in the home. Indeed, he might have been given quarters to sleep right near his master.

Sponsored to commemorate the *hafsakah* of *kaddish* for R. Yosef Yitzchok z"l ben R. Yisroel Gedalyahu Halevi

shlit"א on the 27<sup>th</sup> of Kislev. א

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