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*העילוי נשמת ר' יצחק מאיר בן אליהו וברינתא בת אברהם ע"ה ור' גדליה בן אברהם מנחם הכהן ומרים בת ישראל ע"ה*

## Lighting Chanukah *Neiros* When One is Away from Home

Rabbi Mordechai Fleisher

*What should a person away on business do to fulfill the mitzvah of lighting Chanukah *neiros*?*

*If one is at his parents' home for a Chanukah party, where should he light?*

It is not unusual for a person to be away from home when the time comes to kindle the Chanukah *neiros* (lights), which creates a question of what one should do to fulfill the mitzvah in such situations. While there are many different scenarios that can occur, this article will seek to establish guidelines for basic common situations.

There are several halachic principles that need to be established in order to be able to determine the halacha for different cases.

**1) Lighting in one's place of residence:** The Gemara (Shabbos 23a) discusses the halacha of making a blessing upon merely seeing the Chanukah *neiros*. Rashi (ibid. s.v. *haro'eh*) explains that this halacha applies to a person who has not yet lit or is on a ship. Rabbi Moshe Feinstein (Igros Moshe Yoreh De'ah 3:14[5]) explains that one who is on a ship is unable to light the *neiros* because he is not at his residence, for one can only light *neiros* at one's place of residence. Tosafos (Sukka 46a s.v. *haro'eh*) echoes this sentiment, as they write that the Sages instituted a blessing upon merely seeing the Chanukah *neiros* since there are many people who do not have a place of residence and cannot fulfill the mitzvah. From Tosafos it is clear that one may only light in his place of residence. Indeed, the Taz (Orach Chaim 677:2) rules that one who eats at his friend's home cannot light there, as it is tantamount to lighting in middle of the street, where one cannot light.

**2) One who is a guest in another's home may contribute toward the host's *neiros*:** The Gemara (Shabbos 23a) cites Rav Sheishes as saying that a guest must light *neiros* in the host's home. Rav Zeira adds that when he was away in yeshiva, he would contribute a *peruta* (a coin that is the minimum level of monetary value in halacha) toward the cost of his host's *neiros*.

**3) Others at home may light on one's behalf:** Rav Zeira continues that after he married, he did not need to contribute toward his host's *neiros* when in yeshiva away from home, as he relied upon his wife lighting at home. The idea behind this halacha is that since the obligation is upon the household, another member of the household may light the *neiros* on behalf of the man of the house<sup>1</sup>.

**4) Lighting outside or inside:** The Gemara (ibid. 21a) states that one should place the *neiros* outside the entrance to one's home. Tosafos (ibid. s.v. *mitzvah*) add that if one's house is situated in a courtyard, the *neiros* should be placed at the entrance of the courtyard next to the public thoroughfare. The Gemara continues that in times of danger, the *neiros* are to be placed indoors. In the Diaspora, it has become the custom

over the centuries to light indoors<sup>2</sup> (Rema Orach Chaim 671:7). In Eretz Yisrael today, many do light at the entrance to the public thoroughfare.

**5) One must light his own *neiros* to avoid suspicion:** The Gemara (ibid.) states that one whose courtyard has two openings on different sides of the street must light at both entrances, as those passing by the entrance without the *neiros* will suspect the resident of not having lit *neiros*. The Tur (Orach Chaim 677:1) cites his father the Rosh that one who is a guest and has his own entrance to the street for sleeping cannot rely on his wife nor on contributing to the host's *neiros*, but must light at the entrance to avoid a similar suspicion. There is significant discussion regarding whether this concern applies when lighting indoors, as well. Some say that the other people inside the residence will be aware of the situation and not be suspicious. Others say that on the contrary, a guest must be concerned for suspicion even when he does not have his own entrance since those in the house will wonder why he has not lit (see Bi'ur Halacha 677:1 s.v. *pesach*).

Based on the above sources, the following principles emerge: 1) One may only light at his place of residence. 2) One who is away from home but staying at a residence is obligated to light *neiros*. 3) A guest may contribute toward the host's *neiros* to fulfill his obligation. 4) A person who is away from home may rely upon a household member at home to light on his behalf. 5) If there is concern that others will think the guest has not fulfilled his obligation to light, he must light on his own. 6) Where the custom is to light indoors, there are those who say there is no concern for suspicion of the other household members, while others say there is concern.

Let us now examine some common scenarios:

**Away from home on Chanukah but others are still at home:** One who is travelling on Chanukah and staying at a residence away from home, but has adult household members at home, may technically rely upon the lighting being done at home. If one is in a different time zone, there is a significant complication. Many *poskim* (halachic authorities) rule that the traveler may rely upon the lighting of the household so long as the time of lighting at home coincides with the time that the traveler himself would be able to light which, for this purpose, is from nightfall until dawn. Thus, one who is in an earlier time zone must ensure that his household is lighting when it is already night at his location. Conversely, if the traveler is in a much later time zone, he must ensure the household is lighting

<sup>2</sup> There is much discussion as to why today, when for most Jews in the Diaspora there is little imminent danger in lighting outside, the custom has not reverted to lighting outside. Many reasons are given, and the custom to light indoors remains prevalent.

<sup>1</sup> Even if the person is lighting his own *neiros* at his place of residence, the household members still have an obligation to light at home.



while it is still night in his location (Minchas Yitzchak 7:46; Rabbi Chaim Pinchas Scheinberg [Ta'arich Yisrael 22:18]; Rabbi Yosef Shalom Elyashiv [Shevus Yitzchak 8:13(1)]; Rabbi Moshe Feinstein [Shima'atsa DiMoshe, Shemu'os Moshe]). However, Rabbi Shlomo Zalman Auerbach (Shu"t Minchas Shlomo Tinyana 58:4(3); Halichos Shlomo 2:13[4]) and Rabbi Nissim Karelitz (Chut Shani Chanukah pg. 311) rule that the time zone makes no difference.

If one is a guest in the home of another, he also technically has the option of contributing a small amount toward the *neiros*, thus fulfilling his obligation with his host.

The Shulchan Aruch rules (ibid.:3) that despite these options, one may be stringent and light on his own, and concludes that this is indeed the custom. In addition, there are several other potential halachic complications with relying on these options. One potential pitfall is the question of suspicion from other household members (see Bi'ur Halacha 677:1 s.v. *pesach*). There may be additional complications, as well, that are beyond the scope of this article. It is therefore preferable that one light his own *neiros*. (If one does rely on one of these two options, a halachic authority should be consulted to avoid the aforementioned complications.) The Mishna Berura (ibid.:15) says that if one is lighting on his own, and his household is lighting at home, he must have in mind not to fulfill his obligation with the lighting taking place at home. The Mishna Berura continues (ibid.:16), however, that there are *poskim* who rule that one does not have the ability to choose to not be *yotzei* (fulfill one's obligation) with the lighting of his household. Therefore, says the Mishna Berura, it is preferable to either light without reciting the blessings, or to hear the blessings from another. Alternatively, one can make sure he lights before his household does, avoiding the entire question.

**Eating at another home but sleeping at home:** If one is eating at another's home but sleeping at home, he must light at his home (Magen Avraham 677:7; Taz ibid.:2). If one will not be coming home until late at night, this can pose a challenge, as one is not supposed to eat a meal within half an hour of the time for lighting until one has actually lit, though a snack is permitted<sup>3</sup> (see Shiurei Halacha [Rabbi Shmuel Felder's halacha *shiurim*] Hilchos Chanukah 5767 ed. pgs. 7-8). One may have a family member at home light on his behalf, though it is preferable that he do it himself. There are other possible solutions to allow eating; a halachic authority should be consulted.

**Entire family staying at another's home:** If the entire family is staying at another's home – for example, a married couple staying at parents – and is sleeping there, this becomes their residence (Bi'ur Halacha ibid.:1 s.v. *bimakom*). As discussed earlier, one may technically be able to fulfill one's obligation by contributing toward the cost of the *neiros*, but this is a fraught option, and it is therefore preferable that one light his own *neiros*.

Interestingly, the Bi'ur Halacha (citing the Pri Chadash 677) mentions this halacha in the case of one who is staying elsewhere for the eight days of Chanukah. While most *poskim* say that the same holds true even when staying for a day or two (such as Shabbos Chanukah), Rabbi Yosef Shalom Elyashiv (Shevus Yitzchak 5:6(3); Peninei Chanukah pgs. 101-102) ruled

<sup>3</sup> The parameter of a "snack" as opposed to a "meal" is not always easy to determine. Fruits and vegetables are permitted in any quantity, while meat, fish and the like may be problematic if one consumes meal-like amounts. An egg's-volume of bread may be eaten, but more than an egg's-volume of non-bread grain products such as cake, cookies, crackers and pasta is less clear. See Shiurei Halacha Hilchos Chanukah 5767 ed. pg.8 fn. 13.

## **Points to Ponder:**

***Can multiple travelers staying at one residence chip in and light one set of neiros?***

***If one is on an airplane and will be unable to light, and has nobody at home lighting, what should he do?***

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*Please consult with a qualified halachic authority for all practical questions of halacha*

Halachic Editor: Rabbi Shachne Sommers · General Editor: Rabbi Mordechai Fleisher

1395 Wolff Street, Denver, CO 80204 · 303-820-2855 · [info@denverkollel.org](mailto:info@denverkollel.org) · [www.denverkollel.org](http://www.denverkollel.org)

To receive Halacha Weekly by email, contact [info@denverkollel.org](mailto:info@denverkollel.org)

and they must appoint someone to light there. The custom seems to be in accordance with the first opinion of lighting at the current location even when only staying there for a day or two.

**Other common scenarios:** If one is at home at the time for lighting *neiros*, but is planning on departing for another residence later that evening and is planning on sleeping there, he may nonetheless light at home. This is because at the time he is lighting, his home is still his residence, as he has not yet departed (Kuntres Yemei Chanukah pg. 104, citing Rabbi Nissim Karelitz).

Conversely, if one departed from his home prior to the time for lighting the *neiros* and is sleeping at his new location, he may light at the new residence, even though he has neither eaten nor slept there yet. This author believes that it would seem logical that one also has the option to leave his first location after the time for lighting has arrived and light at his new location. This is relevant when someone is leaving his current residence to reside elsewhere for the night, but doesn't want to light in his current location because he is nervous to leave the *neiros* unwatched.

It often happens that a family stays at another's home for one night and is planning to return home to sleep on the following night, but are still at their host's home when the time for lighting arrives. This scenario is common on Shabbos Chanukah, where the visiting family plans to return to their own home on Motzoei Shabbos. Oftentimes, they will arrive home quite late. In such a scenario, Rabbi Shlomo Zalman Auerbach (Halichos Shlomo 2:14[19]) ruled that the *neiros* may be lit at the host's home, provided that the guest remains there for at least thirty minutes after lighting (the minimum amount of time the *neiros* must be able to burn), since once he leaves, this will no longer be his place of residence. There are others, however, who rule that one should eat his meal at the host's home (on Motzoei Shabbos, this would be Melave Malka) (see Kuntres Yemei Chanukah pg. 98 citing Rabbi Shlomo Zalman Auerbach and pg. 103 citing Rabbi Nissim Karelitz). Rabbi Moshe Feinstein is quoted as ruling that one should light upon arriving home. (As mentioned earlier, it is problematic for one to eat anything more than a snack before lighting. A halachic authority should be consulted.)

A child who dorms in yeshiva or the like and visits his parents on Chanukah but is planning on returning to his dormitory to sleep may light at his parents' home if he so wishes, as his parents' home is still considered his place of residence<sup>4</sup>. This is true even if he is not eating at his parents' home (Shiurei Halacha Chanukah 5767 ed. pg. 41). Of course, the child can light in his dormitory, as well, as that is also his residence<sup>5</sup>.

In conclusion, the halachos of where a traveler should light Chanukah *neiros* is somewhat complex. This article has enumerated a number of common scenarios, but when one is faced with a more complicated situation, it is an excellent idea to consult with a halachic authority to ensure one fulfills the great mitzvah of lighting the Chanukah *neiros* properly.

<sup>4</sup> This is true insofar as the child is still "living at home" and merely dorms in the school. A child who has moved out, however, is regarded as a guest in his parents' home.

<sup>5</sup> There are differing opinions as to where a student dorming in yeshiva/school should light. Many authorities rule one should light in the dormitory, while others say the *neiros* should be lit in the dining hall. There a number of considerations to take into account, including fire codes and fire hazards. A halachic authority should be consulted, although most yeshivos have a standard policy in place.