

# Whose House? Our House!<sup>1</sup>

**T**ry this halachic riddle: A Judaica store in Yerushalayim has a display of three posters, each touting the religious devotion of certain soldiers in the IDF. The first depicts a unit gathered around their tank as they pray with talis and tefilin. The second projects the image of a lone *chayal* (soldier) somewhere in the Israeli wilderness, brandishing his lulav and esrog alongside his more common weaponry. And the third, thematically consistent, is a picture of a group of warriors in the evening desert, huddled around a tiny menorah serving as a beacon. Two are as halachically sound as they are inspirational. One lacks the legal consensus and bona fides to be unequivocally valid, let alone model behavior. Which one is questionable? Hint: This is the Chanukah issue of *Torah To Go*.

The most basic and essential fulfillment of the Chanukah imperative is described in the Gemara (*Shabbos 21a*) as “*ner ish uveiso* — a candle, a man, a household.” The Talmud curiously links the performance of the mitzva to the home. In the Gemara, and even more explicitly in the discussions of the Rishonim and Acharonim, this peculiar formulation impacts at least three different applications of Chanukah law. First and most generally, there is the possibility that the entire enterprise of Chanukah lighting is in the distinct category of *chovas habayis* as opposed to the more common *chovas hagavra*. That is, the decree obligates the house, and not the individual. Like the



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commandment to affix a mezuzah, the candle lighting might not be incumbent on a particular person, but rather is something that the home must accommodate. Further, this would impact the “who” of the obligation’s reach. Once a house has been sufficiently covered by another’s lighting, there would be no further obligation on any individual. Similarly, one without a home or far from his abode would be exempt. Finally, the apparently binding emphasis on the *bayis* would impact the “where” of the menorah as well.

And here we encounter an enigma of the candle lighting. Centuries of halachic discourse have seen the consideration of many permutations for the placement of the lights. Inside or outside, high or low, yards and gardens, right and left. Yet remarkably, each and every one of these variables and options operate within a very limited framework. They all focus on the house.

In fact, most contemporary decisors conclude that without a house, there is no mitzvah. Thus one camping under the stars would be exempt. While Rabbi Eliezer Waldenberg (*Tzitz Eliezer 15:29*) argues that the house is not an essential requirement, he is in the minority, and in our case

of the soldiers in the desert, the IDF Rabbinate does not advocate lighting with a blessing.

It is striking that the Gemara omits mention of the abundance of seemingly ideal spots for the candles. After all, the dominant force behind this act is the need for *pirsumei nisa*, publicizing of the miracle. This explains the second blessing recited,<sup>2</sup> the placement within the boundaries of the property, and even the timing of the lighting.<sup>3</sup> Thus we would expect a location that maximizes the exposure. Yet there is clearly a competing pressure at work here. If not, we would be untethered from the confines of the home and free to maximize our broadcasting of the Chanukah narrative. Why must our quest for the ideal spot of prominence and visibility be restricted to our homes? My window might be good, my front porch better, but the park on Main Street vastly superior to both. So why not allow that to rise to the level of halachic ideal, as opposed to being rendered invalid? In Israel, the general population observes Yom Haatzmaut with barbecues across the country. The race to lay claim to prime spots for family recreation and celebration can begin days before the actual commemoration. It is an elaborate process of scouting and

selection, and a national pastime in its own right. Would it be so unusual if similar behaviors marked Chanukah too? If an intrepid (and trespassing) Los Angeleno scaled the Hollywood sign and planted his flag there in the form of a proud and public menorah showcase, would that not be grand? If we are serious about our *pirsumei nisa* objectives, why not go for broke?

To be sure, the need to light at home may emerge from the principles of the halachic system, and not from the specific contours of the mitzvah to light. Perhaps the house provides the structure, consistency, and objective standards that our legal system prioritizes. When the menorah is anchored to a local area, it may well provide less exposure of the miracle, but it will also be more compact and transmittable.

But the emphasis on the home does suggest an element further integral and specific to Chanukah. While initially somewhat unexpected, this focus on lighting the candles in the *bayis* can be revelatory for the goals and objectives of the mitzvah. At least two perspectives can explain the phenomenon. The first views the home as the recipient of the *pirsum/* publicizing. The second suggests the home as the source and subject of that which we proclaim.

*Pirsumei nisa* appears in a variety of contexts, most often associated with our holiday commemorations and affirmations of the Jewish historical record. But at its heart, it references an even more familiar motif in our tradition. *Pirsumei nisa* is education. The full range of mitzvos associated with *pirsumei nisa* represent visual and experiential forms of teaching and learning. This is particularly relevant on Chanukah, which derives its very

name from an allusion to *chinuch*, or preparation. While the *chinuch* of Chanukah is more closely related to the dedication and reinitiation of the Temple services, there is a decided undertone promoting the value of standard education too. And this is most pronounced when we commit ourselves to publicizing and relating our history and legacy of miracles.

In this context, the laws of charitable giving establish an important model. There we find the notion of *aniyei ircha kodem* — the local poor take precedent over more distant charities.<sup>4</sup> This localization originates with the home, not only with the larger community, and the law is indicating a specific approach to generous giving and sharing. Charity begins at home. There are already many parallels between monetary donations and other forms of contribution. As such, education begins at home as well. The appropriate inclination to share Chanukah's message to a global audience cannot come at the expense of our most close disciples. The priority is to the home first, and the methodology of how we disseminate the message involves ever widening circles of influence.

Alternatively, it is the home itself that we choose to broadcast. The references to *bayis* are not the only time that our personal lives are injected into the Chanukah ritual. In the second *beracha* of candle lighting we thank God for the miracles of yore, but also of today. This mention of contemporary Divine intervention can, and likely should, be understood in at least two distinct ways. First, we assert that God's direct involvement in our lives is ongoing, and not merely part of our historical record. But second, those open miracles in

## Lighting Chanuka Lights on a Train

R. Shalom Schwadron, *Teshuvot Maharsham* 4:146 (written in 5666/1907) discusses lighting Chanukah lights on a train:

אם מותר להדליק נ"ח על הבאהן לא מצאתי הדבר מבואר אבל הלא מי ששילם בעד כל הלילה הוי כשכר לו בית דירה לאכול ולישן שם וחייב בנ"ח ומ"ש רש"י ביושב בספינה י"ל שהיו אז ספינות פתוחות בלא קירו והרוח מנשב ולא הי' בגדר בית כלל. ואף דהבאהן אינו עומד במקום א' ורכוב כמהלך לא נמצא בשום מקום שיהי' צריך בית קבוע למה שמצותו בשביל פרסומי ניסא כנלענ"ד מסברא.

*If it is permissible to light Chanukah lights on the train, I didn't find any explicit discussion about this, but if one paid for the entire night, it is as if he rented a home to eat and sleep there and is obligated to light Chanukah lights. Although Rashi mentions someone on a boat as being exempt, one can argue that in those days, the boats had no roofs and were exposed to wind and this is not considered a home at all. Even though the train is not stationary, and ordinarily, riding is considered like walking, there is no evidence that one needs a permanent home for Chanukah lights since the purpose of the mitzvah is to publicize the miracle. This is my opinion based on logical analysis.*

**Torah To Go Editors**

the past still resonate and impact our lifestyle today. The events of Chanukah then did not merely provide salvation and victory for that generation of warriors and Maccabees. They shaped our modern lives and defined our homes. In this sense, the "miracle" that we publicize is the more perpetual miracle of Jewish

survival. This does not dilute the specific celebration of Chanukah, but amplifies how history and Jewish practice have made us what we are. We publicize and promote the house.

Rabbi J. David Bleich<sup>5</sup> makes this point even more strongly and directly. He quotes the Rambam (from his letters) as identifying some of the Greek decrees against Jewish life. One of them was the prohibition against closing the doors to the home. The Greeks were weary of clandestine activity that might further separate Jewish identity from the broader culture. Rabbi Bleich contends that our placement of the menorah at the doorway or in a place of public prominence *connected to the house* is the ultimate act of defiance, and a refutation of their scheme. We are in fact distinct, and our homes are defined as such. And we don't whisper this from behind closed doors, but we shout it from the rooftops. The rooftops of our homes.

## Endnotes

1 The title of this piece is taken from a popular sports pregame responsive chant, particular to the host team. It refers to their commitment to winning on the home field or court. Our beloved MTA is one of many schools to have adopted it as a rallying cry. The phrase was not in vogue during my years at MTA, and even if it had been, I would have only heard it from the stands. Regrettably, my organized high school sports experiences were as spectator, not player.

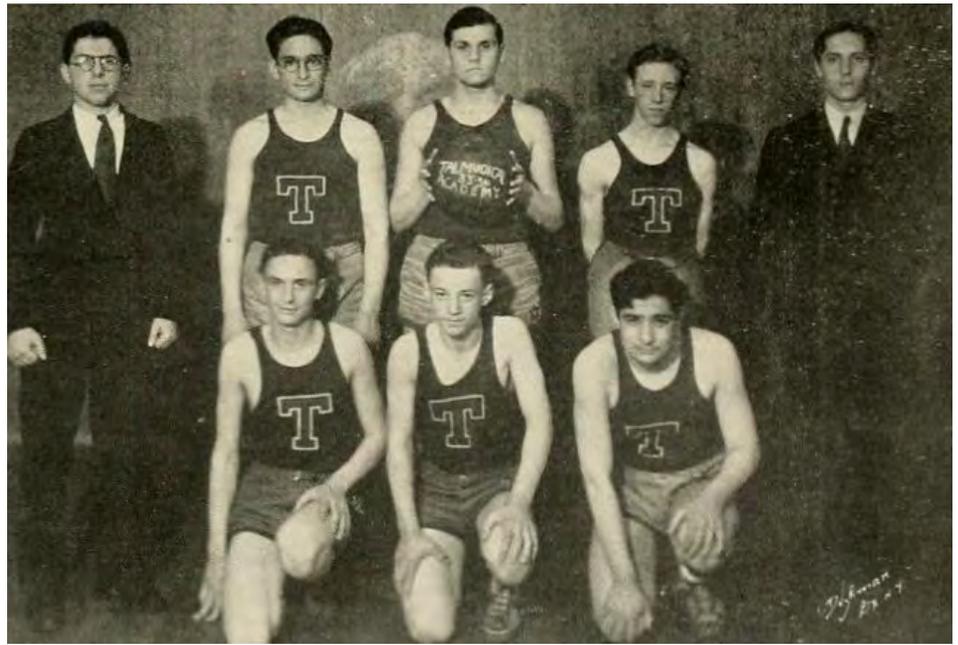
2 See Tosfos, *Sukkah* 56a.

3 Described by the Gemara, *Shabbos* 22a, as *ad shetichleh regel min hashuk*, until there are still people in the market.

4 See Gemara, *Bava Metzia* 71a:

אם כסף תלווה את עמי את העני עמך ונכרי עמי קודם עני ועשיר עני קודם ענייך וענייך עירך ענייך קודמין ענייך עירך וענייך עיר אחרת ענייך עירך קודמין

The verse states, "If you shall lend money



Top: YUHSB Basketball Team, 1934  
Bottom: YUHSB Basketball Team, 2015

to My nation, to the poor among you." My nation and a gentile, My nation takes precedence; a poor person and a wealthy person, the poor person takes precedence; your poor (i.e. family) and the poor of your city, your poor take precedence; the poor of your city and the poor of another city, the poor of your city take precedence.

See further, Rambam, *Hilchos Matnos Aniyim*, 7:13:

עני שהוא קרובו קודם לכל אדם. עניי ביתו קודמין לעניי עירו. עניי עירו קודמין לעניי עיר אחרת שנאמר לאחיך לענייך ולאביונך בארצך

A poor person who is a relative takes precedence over others. The poor of one's home take precedence over the poor of one's city. The poor of one's city take precedence over the poor of another city as it states, "to your brother, to your poor, and to your indigent in your land."

<sup>5</sup> *Beis Yitzchak* 5764.