

RIETS PRACTICAL HALACHAH: CHANUKAH

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THE HAPPILY HOMELESS ON CHANUKAH

Question: A young couple is planning to get married on Chanukah. The wedding is called for 4 p.m. on Sunday afternoon. While this is an especially wonderful and appropriate time to celebrate a simcha, the young couple has a very basic question: Where should they light? When the Gemara, *Shabbos* 21b, formulates the fundamental mitzvah of ner Chanukah, there are three elements to the formulation: *ner, ish, u'beiso* (a candle, a man, and his home). It would seem that the bride and groom, who are planning on staying at a hotel on their wedding night, do not really have a home. They have already moved out of their parents' home and have not yet moved into their new joint home. **Where should they light the menorah?** The problem is exacerbated by the fact that, due to potential fire hazards, most hotels have a strict policy against lighting candles in the hotel room.

Before getting to the opinion of our roshei yeshiva shlit"za, we will outline no less than five other approaches in poskim. It is important to note here that some of the answers reflect cultural differences between the American practice of the chosson and kallah staying at a hotel and the Israeli practice of staying at their new home.

First, the sefer *Beis Chasanim* (15:4) records that Rav Yosef Shalom Elyashiv held that if the chuppah takes place after the proper time of lighting, the chosson and kallah are able to fulfill the mitzvah through the lighting of their parents, since they are still members of their parents' household until the chuppah. This

solution, though, is highly impractical, considering that in all likelihood their parents will only be able to light after the wedding (since family normally arrives at the wedding very early for pictures).

If the chuppah will be before the earliest time to light, Rav Elyashiv held that the chosson should light in his new house (as he seems to assume they aren't staying at a hotel that night).

Second, Rav Benzion Abba Shaul (quoted in *Yemei Hallel V'hoda'ah* ch. 35 note 21) says that if a person has a hard time getting home, he can appoint a *shaliach* to light for him in his new home. This is difficult on both a practical and halachic level.

Practically, it may be challenging to find someone who will light in your home when all of your family and friends are at your wedding. Additionally, it is dangerous to leave candles unattended, so the person lighting would have to stay with the candles the entire time. Halachically, this is a difficult solution because if the couple has not lived in the apartment for a single day, it may not yet be considered their home.

Third, Rav Shlomo Zalman Auerbach (quoted in *Yemei Hallel V'hoda'ah* ibid) offers another highly impractical suggestion — the bride and groom should go home after the chuppah, have a small meal to establish their home, light, and then return to the

wedding hall for the festive meal.

Fourth, Rav Moshe Shternbuch, *Teshuvos V'Hanhagos* 3:215 (10), suggests that the bride and groom can still fulfill the mitzvah through lighting at their parents' house regardless of the timing of the chuppah, because they are not considered to have moved out of their parents' home until they move into their new home. This, too, is difficult, considering that the couple never plan on living in their parents' home again.

Fifth, and finally, Rav Shmuel Kamenetsky shlit" a, *Kovetz Halachos* 12:22 and note 22, suggests that the chosson and kallah can light in the wedding hall (whether they will go to a hotel or to their apartment after the wedding). He offers several suggestions as to why lighting at the wedding hall would suffice. First, while the *Taz* 677:2, says that somebody who is *so'ed etzel chavairo b'akrai* (eating at a friend on a temporary basis) doesn't light where he eats, the wedding hall seems to be much more permanent due to the size and significance of the meal. Second, the chosson and kallah aren't just eating there, but dressing, grooming, taking pictures, dancing etc., thus rendering the wedding hall a home for them. Third, the chosson and kallah are essentially homeless, and it would seem clear that a homeless person should light where he eats. Even if you sleep in one place and eat in another (neither of which are your home) you would light in the place that you eat. [Interestingly,

Rav Moshe Feinstein (*Iggeros Moshe, Yoreh Deah* 3:14) indicates that a homeless person simply does not have an obligation to light *ner Chanukah*.] Rav Shmuel rejects the possibility of lighting in the hotel, as he considers it to be an "*achsaniah kelusha me'od*," an extremely weak form of lodging because it is almost like a rest stop on the road. In the *Piskei Teshuvos* 677:5, the author suggests another proof that it is permissible to light at the wedding hall from *Teshuvos Maharsham* 4:146, who says that you can light on a train since you pay for your room on the train. The same would seem to be true of a wedding hall that was paid for. [This comparison, though, is difficult to understand, since we could argue that people would sleep in a private cabin on a train, making it much more like a temporary home.]

Our roshei yeshiva shlit" a take a different approach to this issue. Moreinu HaRav Schachter shlit" a was initially unsure what the appropriate course of action would be, and encouraged people to get married before Chanukah in order to avoid this question and the many other questions of lighting that inevitably come up with wedding guests. But given that people will be getting married on Chanukah, Rav Schachter rules that the real obligation is to light in the place that they will be sleeping on the wedding night. However, if the hotel does not allow lighting in the room, it would constitute an act of theft to light in the hotel, thereby making it impossible to do

the mitzvah properly. As far as what to do given this reality, the two most likely possibilities, according to Rav Schachter, are to light an electric light in the hotel, which is where the real obligation is, or to say that since it is impossible to light in the hotel, the place of eating becomes the chosson's home and he can light at the wedding. If one chooses either of these options, he should be careful not to recite a beracha.

When a talmid suggested lighting a flashlight with a bulb and a battery in the hotel room (assuming the major problem with electric lights is that there isn't a half hour worth of fuel in them — see *Har Tzvi* 2:114 and *Tzitz Eliezer* 1:20 (12) — which isn't a problem when there is a battery), Rav Schachter wasn't sure this works because it is not *domeh L'Menorah shel Mikdash* — sufficiently similar to the lighting of the menorah to qualify as a proper fulfillment of the mitzvah.

Moreinu HaRav Mordechai Willig shlit" a had a different approach. Rav Willig suggested that the hotel is not so worried about a single properly guarded candle, they just don't trust people to practice proper safety. But if it is done extremely carefully, Rav Willig said to light a single candle in the hotel room and watch it for half an hour. If this were expressly prohibited by the hotel, it would be problematic. If possible, it is preferable for the chosson and kallah to sleep in their own apartment on their wedding night, and to light there.



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