The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
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סימן תרע"ז סעיף א'

Overview

Siman 677 Seif 1:

A guest who does not have someone kindling lights for him in his home should give a perutah to his host to become a partner in the oil that will be used to kindle the Chanukah lights. If he has an entrance of his own he must kindle lights at that entrance even though he only sleeps in that house and eat together with his host. The same is true of a son who eats at his father's home. Some maintain that nowadays that we kindle the lights inside the lighting should be done where one eats and this is the custom.

- Young men who study Torah away from home must also partner with their host but if they are members of their host's household they do not have to partner with him and fulfill their obligation with his lighting. (M.B. 1)
- Taz in the name of Maharshal asserts that this applies only when one knows that his wife is lighting on his behalf but if he is not certain he should kindle lights for himself and recite the *beracha* as well. For this reason if one did not know whether they were kindling for him in his home he must kindle his own lights even if it turns out that they did kindle lights on his behalf since he likely had in mind to kindle lights himself. Magen Avrohom maintains that in this case he should kindle the lights without a *beracha*. (M.B. 2)
- Some authorities assert that the host must add a little more oil for him beyond that which is necessary to burn for half an hour. The host can also convey ownership of some of the oil to him. If the guest has his own lamp it is preferred for him to kindle lights for himself. (M.B. 3)
- As a guest who is not regularly supported by his host he must partner with him even if he happens to eat with him one night of *Chanukah*. The guest must hear the host recite the *berachos*. (M.B. 4)
- This is true even though he knows that they are kindling for him in his home. (M.B. 5)
- This implies that if he doesn't have his own door he can discharge his obligation by partnering with his host or if he is married, rely on the lighting that is done in his home. Some *Poskim* maintain that nowadays that we kindle the lights inside all the guests must kindle lights for themselves out of concern that people will suspect that he did not kindle lights. Magen Avrohom asserts that it is unnecessary to be stringent unless one has his own room. (M.B. 7)
- According to some since the kindling is done only to address the suspicion that he did not kindle lights, he should not recite the *beracha* if he knows that they are kindling lights in his home. If they are not kindling lights in his home he must recite the *beracha* since it is clear that he is not partnering with his host. (M.B. 8)
- Later authorities contend that even the first opinion agrees that nowadays that lighting should be where one eats. (M.B.11)
- The place of eating is primary only for a guest or child eating at his parent's home but someone who happens to be eating by a friend's house must return home to kindle *Chanukah* lights and does not kindle them at his friend's house where he is eating. (M.B. 12)

Halacha Highlight

Guests

Shulchan Aruch Siman 677 Seif 1

אכסנאי

A guest

Shulchan Aruch discusses the *halacha* of an אכסנאי—lit. a guest. The *halacha* is that a guest who does not have someone kindling lights for him in his home is obligated to give a *perutah* to his host so that he could become his partner in the oil. By becoming a part owner of the oil he thereby fulfills his obligation to kindle *Chanukah* lights. In order to qualify as a guest regarding this *halacha,* it is necessary for the guest to generally eat by himself (מ"ב סק"ד). If he eats regularly with his host he is considered a member of the host's household and automatically fulfills his obligation to kindle lights via his host's lighting. Mishnah Berurah (סק"ג) explains that the obligation to give a *perutah* means that the guest is not obligated to pay for half of the expenses in order to become a partner in the lighting. There is a discussion amongst the *Poskim* whether it is necessary for the guest to give a *perutah* for each night or whether it is sufficient for the guest to give the host a single *perutah* for all the nights (חיי משה). Mishnah Berurah (סק"ג) also cites authorities who maintain that the host must add additional oil for the guest who is partnering with him.

Later authorities question how giving money to the host makes the guest a partner in the oil. Rabbinically, giving money (כסף) does not constitute a *kinyan* and it is necessary for the buyer to lift the object (הגבהה) in order to acquire it. Some suggest that when it comes to acquisitions necessary for a *mitzvah* Chazal allow the Biblical principle of giving money to serve as an effective proprietary act. Alternatively, there are those that suggest that to become a partner it is sufficient for one to merely give his partner money and it is not necessary to take physical possession of the acquired merchandise (חיי משה אות א' והע' א').