

# HALOCHOSCOPE

**This week's question:**

**May an *avail* attend a Thanksgiving dinner hosted by extended family? What if it doubles as a *Chanukah* party?**

**The issues:**

**A) *Availim* attending a *seudah***

**B) Thanksgiving dinner from a *halachic* perspective**

**C) *Chanukah* parties**

**A) *Avail* attending a *seudah***

Most *availus* practices are based on references in the Navi, including Yechezkel, but are not considered fully Scriptural obligations. They follow themes of grief, repentance due to divine judgment, and respect for the departed soul. It is inappropriate for an *avail* to conduct himself in a carefree, merrymaking, frivolous or overly joyous manner. The practices that relate to our question are the restrictions on greeting and *simcha*.

The restriction on special greeting includes others refraining from greeting the *avail* and the *avail* refraining from extending greetings to others. As an extension of this, he should reduce his social activity. Pleasure trips in the company of friends, festive gatherings, joyous small talk and the like all involve some form of the greeting restriction.

*Simcha* includes attending festive meals like weddings. The poskim discuss exemptions for a *seudas mitzvah* and situations where the *avail* is indispensable. One does not openly demonstrate *availus* on *Shabbos* or *Yomtov*. Some poskim extend this to include minor holidays like *Purim*. Greeting on *Shabbos*, attending *Shabbos* meals, a *kiddush*, a communal *seudah shlishis* and the like are debated. This could depend on the practice in different communities. An interesting outcome of this debate is whether one may send *mishloach manos* to an *avail* on *Purim*. One may not send a gift to an *avail*. This would be included in socializing and greeting. Assuming one relaxes the restriction on greeting on *Shabbos* and on *Purim*, may one then send *mishloach manos*? Some maintain that the type of greeting we engage in on *Shabbos* is not true greeting. Therefore, though we restrict it on weekdays, relaxing it on *Purim* does not mean that we consider *Purim* an exception to the restriction of true greeting. Accordingly, one would not be allowed to send *mishloach manos*, which is closer to true greeting, even in these communities.

The poskim add a restriction on inviting others to the home of the *avail*, or accepting an invitation to another home when no meal is involved. At these gatherings snacks are offered, but there is no *seuda*. Nonetheless, the nature of the invitation is that it is a social meeting, and is intended to be a light-hearted, small-talking, joyful, type of gathering.

*Simchas meraius* is an exchange of friendly meals. This involves two friends who invite and reciprocate socializing meals. The reciprocal meal is considered an obligation.

If the mourner was obliged to reciprocate right as he was bereaved, he may reciprocate after the *shiva*. However, if the timing is not that important, he must wait until after the *availus* period. For a parent, even if obligated, he must wait twelve months. [See Moed Katan 15a 21b 22b Yerushalmi 3:8, Poskim. Tur, Sh. Ar. YD 380:25 (Ar. Hash.), 385:1 3, 391:2, commentaries. Availus Bahalacha 36:n15.]

**(B) Thanksgiving dinner from a halachic perspective**

Part of the answer to our question depends on how the particular dinner is defined. The connection to a true festive meal can be very loose. This depends on how the company sees the gathering. This can range from those who view the matter in a quasi-religious sense to those who use it as an excuse for a family gathering on a day off work.

A Jew may not celebrate a holiday associated with another religion. It is forbidden to give the appearance of observing it. One must avoid being seen walking in the direction of the site where the holiday celebration is held. The best known of the ancient pagan holidays are those around the end and beginning of the solar year – that is, the point at which the sun is at its furthest or lowest before it begins rising again. This is associated with many pagan cultures that recognized the force of the sun in nature as a god. Likewise, any calendar event in the solar cycle that is invested with religious significance must be viewed as a pagan holiday. The ancients attached superstitions to the positions of the constellations at that time.

Thanksgiving is not celebrated on a particular date, but roughly at the same time each year. There is little deep religious significance to it. It is unique to North America, and historically quite recent. Its theme is relatively religious (to whom were they giving thanks?) It is not connected to a particular pagan, superstitious, or 'miraculous' event. Thus, celebrating it with a dinner is less problematic. Anyone can give thanks in the manner they see fit to whomever they feel! In the writing of one major contemporary posek, the issue of fixing a family *simcha* on this day is discussed. Fixing a *simcha* on a religious holiday, to observe both together would be forbidden. If it happens to coincide one must be concerned with appearances. Regarding the less religious holidays, such as Thanksgiving, he writes that it cannot be forbidden *halachically*. One who is able to, should refrain anyhow. This could be viewed as the moderate stand.

Some consider it a religious holiday. Some historians suggest this might have roots in an old Native American harvest festival, possibly with a fixed date. Others cite a Midrash. A gentile asked the sages: “We have, Saturnura, Calendula, (solar cycle holidays) and Kartisim (Roman independence day). You have *Pesach*, *Shavuos* and *Sukos*. Is there a day that we rejoice together?” He responded: “The day the rains come!” This implies that one may participate in Thanksgiving for rains, or harvest. It does not necessarily permit following new customs associated with this celebration. The Midrash does not designate a day. It refers to spontaneous thanksgiving. We both celebrate, but not together, and not in the same way. Jewish thanksgiving includes prayer more so than food.

The more problematic issue with regard to a dinner on this holiday is *chukas hagoy*. Having become an established custom, replete with a traditional menu, eating this dinner amounts to copying an aimless gentile practice with quasi-religious undertones. There is nothing wrong with eating turkey. A party for no good reason is frowned upon, but is

only forbidden to a Torah scholar. A gentile custom, however, is forbidden Scripturally.

This *mitzvah* forbids copying practices of the culture of the countries where we reside. The Talmud and poskim interpret this as identifying with the host gentiles, doing what they do for the reasons they do them. It is not forbidden to do what they happen to do as well; the prohibition applies to customs singularly gentile. Some such practices are *darkei Emori*, ways of the Emorites, an example of an alien culture in *Eretz Yisroel*. The Talmud lists such practices, including: hair styles like a crest/Mohawk or rat tail; dancing and singing around a fire; tying red string around the index finger; and superstitious expressions. The list is quite detailed. Thus, some forbid only those practices listed. Most poskim maintain that this refers to practices in the Talmudic era, to be updated in later periods. Practices are classified as: *mishum chock* and *mishum pritzus*.

***Mishum chok*** is based on the Scriptural terminology, *uvechukosaihem lo sailaichu*, do not go in their *chukos*. *Chok*, a statute, implies something instituted with no apparent reason. The Talmudic examples are either superstitious, known as *nichush* and related to the occult, or *divrei taimah*, nonsensical. By following such practices, a Jew shows his desire to identify with gentiles, for he has no other reason to do them. *Nichush* is also forbidden Scripturally under *lo senachashu*, forbidding spells and incantations. Some maintain that though apparently irrational, many of these practices have ancient pagan roots.

***Mishum pritzus*** literally means immodest or ostentatious practices. This refers mainly to hairstyles, clothing and buildings. The principle behind these prohibitions is: “the Jew should separate from [the gentiles] and distinguished by his dress and behavior, just as he differs in his philosophy and ideology” [Rambam].

A remote possibility of paganism must be avoided. *Chukas hagoy* is usually only forbidden when evident. Particular attention is given to *maris ayin* of *avoda zara*. Such attention is not given to *chukas hagoy*. Thus, fixing a *simcha* on Thanksgiving is less problematic than on a pagan holiday. Celebrating it directly raises the disturbing specter of *chukas hagoy*. The usual justification for holding a Thanksgiving dinner is as an innocent opportunity for family to gather when they are off work and when turkey is cheap! Most people joke about it. [See Acharei Mos 18:3, Toras Kohanim. Shabbos 67a-b (Tosefta 7-8) Sotah 49b Sanhedrin 52b Avoda Zara 11a-12a, Poskim. Rambam AZ 11:1-4, HgM 1. Maharik 88 Tur BY Bach, Sh Ar YD 149:1-2 178, commentaries. Tzeephaniah 1:8 Rashi, Ibn Ezra. Igros Moshe EH:II:13. Beraishis Rabah 13:4 Devarim Rabah 7:8.]

### **C) Chanukah parties**

Only the type of *seudos* that have been singled out for the restriction are indeed restricted for *availim*. This includes a socializing meal and a festive celebration, such as a wedding. Even if the meal is termed a *seudas mitzvah*, the *avail* is usually not permitted to participate. Certain *seudos* that the *avail* is directly involved in are excluded from the restriction. For example, the *avail* may participate in the wedding of his child. A meal that does not involve specific joy, such as an everyday meal, is not restricted. Accordingly, the *avail* may eat his regular meals with the regular company he keeps. If he usually eats together with workmates, or with casual friends, he may continue. He may also invite his regular *Shabbos* guests, or accept invitations to homes he regularly attends, according to many poskim. However, it is a common custom for *availim* to restrict their at-

tendance at meals outside the home unless absolutely necessary.

To qualify as a meal, bread must be served. In former times, a convened formal *seuda* was called a *mesiba*. The parties would recline, rather than sit. In modern times they sit together, at least in one room, and likely at the same table. They are all served by the same people. To qualify as festive, there must be a reason for the party. Usually this is a celebration. This need not be a *simcha* in the traditional sense, but any cause for rejoicing, including milestones and reunions. One usually invites friends to share his joy. Any meal that is convened by invitation thus fits the definition. It is either a celebration or a social party. Usually, it is a meal where alcoholic beverages could be served if desired.

A *simcha* with a religious cause need not include bread or wine. For example, a *kidush* for the birth of a girl, or a *shalom zachor* are considered *simchos*. *Availim* refrain from attending these functions, for they are, by definition, joyous occasions.

On *Purim*, there is a specific *mitzvah* to eat a festive meal. On *Chanukah*, the main *mitzvah* is to offer prayers of thanksgiving and to publicize the miracle through lights. It has become customary to celebrate with a *seuda* as well. The poskim debate whether this is a true *seudas mitzvah*. Singing *zemiros* makes it meaningful, but still not an obligatory festivity. Some say *Chanukah* marks the *Chanukas Hamizbaiach*. There is some minor reason for festivities. Furthermore, the joy of the soul is helped by the joy of the body!

For the *avail*, if there is no real reason for a festive meal, it is merely a case of socializing. Just meeting with extended family should be permitted. If it becomes a specifically festive occasion, he would be restricted from attending. If it is like *Purim*, or *Shabbos*, he should not demonstrate *availus* publicly. However, the early phases of *availus* are practiced on *Chanukah*, including *shiva*. Thus, while there are restrictions on some practices at the funeral, and some have a *minhag* to refrain from public mourning, there is no excuse to attend a *Chanukah seudah*. Thus, the poskim debate whether an *avail* may attend a *Chanukah seuda*. [See Brochos 42a-43a, Moed Katan 22b, Poskim. Tur Sh Ar OC 670:2-3 (Ar Hash 10) YD 385, commentaries. Igros Moshe YD:III:161. Mitzvas Ner Ish Uvaiso 1:4-5 n21-22. Av. Bahal. 25:29 34:n50 36.]

In conclusion, if by definition, this dinner is an excuse for only close family to meet, the *avail* may attend. However, if it includes friends and festivities, he should not go.

**On the parsha ..** [The brothers] drank with [Yosaif] and they were intoxicated. [43:34] This was the first time they drank since the day he was sold. [Rashi] Presumably, the brothers refrained from drinking in mourning. Why did they agree to drink now? [See Gur Aryeh] They had just been informed that they were no longer under suspicion of being spies. This was a *seudas mitzvah* of thanksgiving. They included Yosaif because one invites others to share in his thanksgiving feast. [Harchev Davar] Apparently, even those who are conducting themselves in mourning may celebrate a feast of personal thanksgiving. They may also invite others to join in their party.

**Sponsored by the Dlinn family to merit a speedy *refuah shelaimah* for Hirsh Zalman ben Devorah, together with all who require a *refuah*.**

© Rabbi Shimon Silver, November 2013.

Subscriptions and Sponsorships available. (412) 421-0508. [halochoscope@hotmail.com](mailto:halochoscope@hotmail.com)