


# HALOCHOSCOPE



fast on the days that this is permitted. The hope is to fast a total of ten days, by fasting the six days in this period [excluding *Rosh Hashanah*, *Shabbos*, and *Erev Yom Kippur*], and an additional four days prior to *Rosh Hashanah*, that are one of the sources for the *selichos* days. Many have the custom to refrain from eating certain foods. Some of them are considered kosher with some reservations. For example, bread baked by a non-Jewish baker is forbidden Rabbinnically. However, under certain circumstances it may be eaten. During this period one should not rely on this. Some refrain from eating vegetables that require checking for bugs, rather than checking them. Rather than 'taking the chance' they wish to 'be on the safe side'.

Such practices are *chumros*, self-imposed stringencies, not obligatory but with *halachic* basis. One such stringency is recorded by the Talmud, to ensure that one is ritually clean before eating any food. Ordinarily this is only required for one eating foods that become forbidden if they become ritually unclean, including *terumah* or *challah*, tithes given to *kohanim*, or parts of offerings that are eaten. Some people undertook to eat everything in ritual purity. Most people do not adhere to this high standard all year, but should make an effort to do so during *aseress yemai teshuva*. Based on this, one who is not on this level adopt the rules of *seuda* that apply to a scholar during this time.

In addition, during this period one should avoid undue frivolity. Some have the practice to refrain from holding weddings during this period. There are two reasons for this. First, it lends itself to frivolity, which is not in the spirit of the time. While some are fasting, and everyone is solemnly concerned about his or her judgment, others should not be celebrating frivolously. We are taught that when people are involved in eating and drinking and merrymaking, the Satan arouses prosecution. The second reason is based on a *kabalistic* principle, extending the custom not to marry in the latter half of the month. Based on this, it would seem appropriate to refrain from holding a birthday party during this period. If one is invited to a party at this time, he may attend. However, if he does not feel comfortable with the idea, he may politely decline or leave after a short time. [See *Rosh Hashanah* 16b *Kidushin* 40a-b *Yerushalmi Shabbos*1:1, *Rosh End of Rosh Hahsanah*, *Poskim. Tur Sh Ar OC 602-603*, commentaries [Chochmas Shlomo]. *Matei Efraim* 602:5 36, *Ketzai Hamateh*.]

**On the Parsha ...** For their *yom aid* has drawn near ... [29:17-20.] *Yom aid* is translated as the day of their being broken up, their catastrophe or their disaster. The same term is used by the Talmud to describe the pagan holidays. [See *Avoda Zara 2a*] [There is also a term 'ides' as in 'beware the ides of March!'] While it is used pejoratively, why choose this specific term? There are many other terms that also fit the bill. The actual word, occurs in *Beraishis*, and means a mist. It gathers from their sins and rises, until it breaks overhead in a storm. They bring their own calamity upon themselves. [R. S.R. *Hirsch*] Perhaps, the pagans create a mist with their idols, clouding their view of the true Hashem.

♣ In memory of Reuvain Shmuel Mordechai ben Chaim Yitzchok z'l, whose *yahrzeit*

is on the 5<sup>th</sup> of *Tishrei*. ♣ גמר וחתימה טובה

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**This week's question:**

**Is there anything wrong with celebrating a birthday with a party (for an adult) during the *aseress yemai teshuva*, ten days of repentance?**

**The issues:**

- A) Birthdays and birthday parties
- B) *Seudas reshus*, a party for no *mitzvah* reason
- C) Frivolity during *aseres yemai teshuva*

**A) Birthdays**

*Yom halaidah*, the day of birth is not generally recognized as a day of significance in Judaism, with certain exceptions. A *bar-mitzvah* is really the celebration of a birthday. However, it is not the birthday *per se* that is being celebrated, but the joy of being fully obligated in *mitzvos*. The same is obviously the case with a *bas-mitzvah* for a girl. We also find that some people celebrate reaching certain landmark ages in Judaism, such as the age of full adult responsibility, twenty, the age of 'retirement' from this responsibility, sixty (which has other significance as well) seventy, and various other specific ages. In actuality, some of these ages are really causes for serious contemplation, rather than specific joy. They would often be commemorated solemnly, rather than with a party.

In *halacha*, there is a concept of *yom halaidah*, but it does not have very positive connotations. One of the classic (*yemai*) *aidaihem*, days of pagan holidays, is *yom halaidah*. The *poskim* debate which type of holiday this refers to. There are two types of pagan holiday, public or national, and private. The difference between them is almost not applicable nowadays, since the adherents to other religions are not considered truly devout. Rather they are considered observing customs and habits, with no deep philosophical meaning and understanding. Accordingly, some rules relating to how Jews should interact with the worshipers are relaxed somewhat. In early times, especially in *Eretz Yisroel*, the pagans were considered devout. When a national holiday occurred, Jews were restricted from dealing commercially with the adherents around the time of the celebration. Though the actual periods of restriction are subjects of debate, for our purposes we will assume that it is restricted one to three days prior to the holiday. For a private holiday it is only restricted on that day and only with the particular idolater celebrating his own holiday. Many *poskim* conclude that nowadays, especially outside *Eretz Yisroel*, we do not distinguish between the two, due to the lack of true idolatry.

*Yom halaidah* is listed between what are known to be national holidays and what are clearly private holidays. Thus, the *poskim* debate which of these is meant. Assuming it is a national holiday, it refers to the birthday of a king or prince. Religious significance was attached specifically to this date, due to the way royalty was viewed in pagan society. [There is actually one such example in the Torah, that of *Pharo's* birthday party. *Pharos*

often considered themselves pagan gods.] Private birthdays would not be considered religious holidays. According to the other view, a private birthday was considered cause for religious observance. The difference would apply in the days when national holidays were treated differently from private holidays. In addition, if a non-Jew indeed celebrates his own birthday, one would have to follow the laws of interaction with him on a holiday, if it is considered a pagan holiday for him.

Relating this to Judaism could work two ways. On the one hand, the opinion counting a birthday as a private holiday lists it together with celebrations for arriving back from a sea voyage and being released from jail. These are recognized as causes for celebration in Judaism. However, the list also includes the days he gets his hair or beard cut, which are definitely not considered causes for celebration in Judaism. The issue is whether the birthday is a superstitious celebration, like the haircut, or a thanksgiving celebration, which would be commendable. The absence of any Jewish mention of celebrating thanksgiving on a birthday implies that it is not a Jewish idea. However, this could mean that it is not as important as the other types of thanksgiving. Maybe the other types of thanksgiving are considered compulsory, while birthdays are considered voluntary.

We do not find any condemnation of a birthday celebration, other than it might be a form of *chukas hagoy*, copying meaningless gentile practices. We find some negative reference to celebrating national birthdays, especially the birthday of a certain man who founded a religion. In fact, we have a name for this birthday, corrupted from the Latin original, [*dies natalis*], meaning [day of] birth. In the tradition of changing a word that has significance to pagans from the laudatory to the derogatory, we use the word *nitul*, which can mean 'taken away' or 'hung'. This is done to reinforce our resistance to attaching significance to idols. In reality, our tradition maintains that the original cause for this pagan holiday is not a birthday, but dates back to Creation. However, since the Roman pagans celebrated such birthdays, even after a major personality died, this was incorporated into the religion. [It is possible that the lack of reference in Jewish literature to any birthday celebration was due to the resentment felt towards the pagan overlords. The Greeks and Romans both celebrated such feasts, as is evident in the Talmud. It seems that they also tried to force the Jewish population to celebrate with them.]

The day of birth of a *tzadik* is considered a day of good omen. We find that when Haman was casting lots to find the day to eradicate the Jews, he rejoiced when it fell in *Adar*. This was the month of the death of Moshe, on the Seventh of *Adar*. However, the opposite was true, since it was also the day of Moshe's birth. Though we do not always consider the day of death to be negative, clearly, the day of birth of a *tzadik* is good.

In the absence of a real prohibition, people do celebrate birthdays, often with a *kiddush* and the like. It might even be considered a celebration of thanksgiving. Some people consider each birthday to be another accomplishment, having completed one more year of service to Hashem. In addition, Hashem 'fills' the days of the righteous. *Tzadikim* die on the same calendar day they were born, so that they have complete years. Thus, if a person is a *tzadik*, it is possible that he might die on any given birthday. For this reason, some have the practice to spend this day in repentance and contemplation. [See Megillah 13b Sotah 12b Kidushin 31a Bava Kama 87a Avoda Zara 2a 8a, Poskim. Tur Sh Ar YD 148:7, commentaries. Igros Moshe YD III:96:6. Halochoscope V:21 VII:37.]

## **B) Seudas reshus**

Even if one considers a birthday party to be a positive way to express thanksgiving, it is not a *seudas mitzvah*. This would be a meal to celebrate a *mitzvah* event, such as a *bris milah*. In fact, the poskim labor to define the meal at a *bar-mitzvah* celebration as a *seudas mitzvah*. Some consider the meal at a *bas-mitzvah* celebration 'no more than a birthday party', implying clearly that the birthday party itself is not a *mitzvah* meal. There are many who maintain that one can convert a non-*mitzvah* gathering into a *seudas mitzvah* by saying *divrei Torah* at the meal. However, the main purpose of these meals or parties, the birthday, is just another party. This is also the thought of those who attend.

There is something called a *seudas hareshus*. The Talmud forbids scholars from attending such *seudos*. The Talmud then defines these *seudos*, mainly, as celebrations of inappropriate marriages. These are not forbidden, but the match is viewed unfavorably. In addition, a scholar who spends too much time socializing at parties is condemned, with many misfortunes foretold for him and his family. This seems to apply mostly to scholars. However, it is also understood as an ideal for others to try to live up to. Scholars should also be careful about the company they keep at any *seudah*. This even applies to a *seudas mitzvah*. Finally, one should always be deliberate about the food he eats and the intent he has when eating. It should always be for the sake of maintaining good health to be able to fulfill his obligations in serving Hashem. From all of this, one can learn that attending a party for no good reason is to be avoided.

Nonetheless, one must maintain good relations, which is also one of the attributes of a scholar. This might mean gracing a friend's celebration with his presence. Furthermore, if the celebration is neither meaningless nor inappropriate, one could attend and make sure to stay in the company of the right people there. One could make sure not to indulge in fancy food, but to eat sparingly. It also seems that unless bread is served, the event does not qualify as a *seuda*. Nonetheless, this does not mean that one may indulge as much as he wants there. If bread is served, but the person attending does not partake of the bread, it is debatable whether he is considered a participant. If the *simcha* is celebrated with a *kiddush* on *Shabbos*, there is nothing wrong with attending. [See Brochos 43b Psachim 49a 113b-114a Sanhedrin 23a, Poskim. Rambam, Da'os 5:2. Orchos Chaim 17 121. Sh Ar OC 157, commentaries. Igros Moshe OC I:104 II:97 IV:36.]

## **C) Aseress Yemei Teshuva, and frivolity**

The ten days between *Rosh Hashanah* and *Yom Kippur* are an extended period of both judgment by Hashem, and closeness to Hashem. The Talmud says that the obviously righteous and the obviously wicked, whose verdicts are clear-cut, are judged by Hashem, and sentenced, right away on *Rosh Hashanah*. Anyone who is considered 'average', with an equal amount of merits and sins, is given the chance to change things. He can improve and add to his merits before *Yom Kippur*. He can, *chas veshalom*, lose merits or add sins as well. He is then rejudged on *Yom Kippur*. Everyone should consider himself average. He should use all opportunities available for doing good deeds during the interim period. The period is treated with added seriousness and caution. Everything that one does normally, is done with extra thought.

To this end, some meritorious practices are adopted during this time. These include addition of some extra *tefilos* and refraining from idle chatter. Some have the practice to