

I. Introduction

One of the obvious differences between living in *chutz la'aretz* and living in *Eretz Yisrael* is the necessity of dealing with non-Jewish holidays appropriately. A Jew living in *Eretz Yisrael* can go through the months of October, November, and December without ever confronting Halloween, Thanksgiving, X-mas, and New Years. Those of us who live in *galut*, however, are constantly bombarded with reminders of the fact that we live amongst the nations. Practically, there are many decisions that must be made and issues to be dealt with relating to these non-Jewish holidays. Since Halloween will be celebrated this Friday night, we will focus our discussion on those issues that relate to Halloween.

Unfortunately, due to the influence of our surroundings, many Jewish children express the desire to go trick or treating themselves. Jewish adults rationalize allowing their children to go “trick or treating” on the grounds that it is “harmless fun” with no religious significance. They sometimes further their arguments with absurd comparisons to Purim. Furthermore, many of us are confronted with trick-or-treaters looking for candy and must decide whether it is appropriate to participate in the holiday in this manner.

In order to appropriately address the issues of allowing one's children to “trick or treat” and of giving candies to “trick-or-treaters”, we must first briefly explore the origin of the celebration of Halloween.

II. Background to the Celebration

According to the Encyclopedia Britannica Halloween originated with a pagan Celtic festival on which the devil was invoked for various divinations. It was said that ghosts, witches, and demons of all kinds would roam about on this day. In the early Middle Ages the Roman Catholic Church instituted All Hallow's Eve on October 31 and All Saints Day on November 1 to counteract the occult festival.

The entry under Halloween in Webster's family Encyclopedia reads: October 31 is the eve of All Saints' Day. The name [Halloween] is a contraction of All Hallows (hallowed or holy) Eve. In Pre-Christian Britain, Oct. 31 was the eve of New Year, when the souls of the dead were thought to revisit their homes. After it became a Christian festival supernatural associations continued and Halloween customs include the shaping of a pumpkin into the face of the devil.

There is considerable debate regarding when and why dressing in costumes and demanding candy became part of the celebration, but for our purposes it is sufficient to state that there is some sort of connection between these practices and the holiday.

Based on the above information, it is clear that there is a connection between the Celtic concepts of resurrection, Roman Catholic responses to it, and the modern American holiday of Halloween. The fact that the American courts label Halloween as a secular holiday is certainly not a true barometer for determining the essence of the day, as courts have ruled holidays such as Good Friday, X-mas, and Chanukah to be secular holidays.

Having established the clear religious nature of the origins of Halloween it is important to point out that the overwhelming majority of people who celebrate this holiday today do not do so with any religious feeling or observance.

III. The Halachic Background

We have established that Halloween is a holiday with clear pagan roots, but is usually celebrated without any attention being paid to those roots. We must therefore

determine whether the *halachah* allows one to participate in such a holiday either directly, by dressing in a costume and going “trick-or-treating”, or indirectly by giving candies to children who do go “trick-or-treating”. Since most people celebrate Halloween without any religious feeling, there is no prohibition of *avodah zara* in celebrating this holiday. The primary issue to be dealt with in determining the *halachah* is the prohibition to imitate gentile customs (*chukat akum*).

A. The opinion of Tosafot. Tosafot (*Avodah Zara* 11a s.v. v’ee) writes that there are two categories of *chukat akum* (prohibited gentile customs). The first category consists of those things that gentiles do for the purpose of idol worship. The second category consists of customs that are nonsensical (even if the origins of the practice are not idolatrous).

B. The opinion of the Ran and Maharik. The Ran (commentary to *Avodah Zara* ibid and to *Sanhedrin* 52) and the Maharik (Responsa 58) disagree with Tosafot and states that customs rooted in idolatrous practices are included in the prohibition. Customs that are merely foolish, however, are only included in the prohibition if they are either immodest or have no reasonable explanation whatsoever.

C. *P’sak Halachah*. The Rema (*Yoreh Deah* 178:1) rules that any practice with no logical reason is suspected of originating in idolatry and is therefore prohibited. Practices that are known to originate in idolatrous practices, even if they currently lack such significance, would certainly be forbidden. Practices that have reasonable explanations (i.e. a doctor’s white coat to identify him as a doctor) are permissible.

IV. Specific Practices of Halloween.

A. Going “trick-or-treating”. In many communities, Jewish, and sometimes even Orthodox, families allow their children to collect [presumably only kosher] candy on Halloween. We have shown that Halloween does indeed (or at least at its inception did) have religious significance. Furthermore, even if it did not have religious significance, it would certainly constitute a practice that has no logical explanation. Based on the sources we outlined above, it seems clear that active participation in such a holiday, while not constituting a violation of *avodah zara*, would be a blatant violation of *chukat akum*.

B. Giving candies to “trick-or-treaters”. Whether or not one may give candies to trick-or-treaters on Halloween may depend on the community that one lives in. In certain communities people have reported vandalism and sometimes even violence directed at people who do not give candy. In other communities, not giving candy may further the perception that Jews are “cheap” and cause deep seeded negative feelings toward Jews in gentile children. In other communities the gentile children may know in advance not to go to a house with a mezuzah because Jews don’t celebrate Halloween, and no ill feelings will result.

As a general rule, it seems that when one is in a community where *darchei shalom* (keeping the peace) or *eiva* (possible fear of non-Jews) are potential problems, one may give the candy to trick-or-treaters, especially considering that “trick or treating” may not have been part of the original pagan festival (based on the ruling of *Ha’Rav* Dovid Willig, *shlit”a*). A further lenient consideration is that giving candy to those who ask for it can hardly be considered participation in the holiday (ruling of *Rav* Hershel Schachter *shlit”a*). The prohibition of *lo tichaneim* (giving gifts to non-Jews) seems to be a non-issue as these gifts are given with the intention of protecting one’s house from vandalism or with the intention of stifling anti-Semitism and are therefore not truly “free” gifts.

Additionally, it would seem to be permissible to give candies on Shabbat as well because the consideration of *eiva* would override the Rabbinic prohibition to give gifts on Shabbat.

Mr. Yakov Paneth reports that when he brought his future wife to meet Rav Pam *zt"l*, the famed *Rosh Hayeshiva* of *Torah V'da'at*, it happened to be Halloween night. While Rav Pam refused to take any phone calls during the meeting because he felt speaking on the phone while guests are in his home involves a lack of basic *derech eretz*, the Rosh Hayeshiva did answer the door for the “trick-or-treaters” and dropped a piece of chocolate into each basket with a smile on his face.

V. Conclusion.

We have discussed the pertinent historical and *halachic* issues relating to the celebration of Halloween and how *halachic* Jews must handle such celebrations. It is important to note that the conclusions reached over here can not necessarily be applied to other secular holidays because the historical background of other holidays may differ vastly from the historical background of Halloween. May we soon merit to live in our land where the only holidays we will encounter will be truly holy days.