

A Jewish Exploration of Halloween

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Reason for the Research

In 2010, I gave a sermon about the complexities Americans face each year on October 31st, when the neighborhood children run around, knock on doors, and say the words “trick or treat.” In my mind, Halloween is in a category much like Valentine’s Day, where Jews want to celebrate and be a part of the community. Other holidays such as Christmas and Easter, regardless of their festivities, are understood by Jews to be rooted in and symbolic of Christianity. It is clear they are religious in nature, due to the prayer, meal, and festivities surrounding those days. Jews, like any other Americans, celebrate cultural holidays such as Thanksgiving, Fourth of July, and Veterans Day. But Halloween seems to occupy a different category. It is believed to have pagan roots, or at the very least non-Jewish roots. But those religious undertones are not visible or recognizable to most. So the sermon emphasized that rather than just focusing on the idea of not just imitating one’s childhood practices of Halloween, each family should research the issue or speak with a rabbi to decide what it means to celebrate, participate or even abstain from that day. I gave no definitive answer permitting Jews to celebrate Halloween.

Afterwards, I was approached by two different congregants. The first applauded me for being the first rabbi to get up and say that the celebration of Halloween by Jews was wrong, though I said no such thing. The second hugged me because she had been battling this dilemma for quite some time and now was happy her rabbi had permitted her kids to go trick or treating. Again, I made no such claim. At that point, it was clear to me that Halloween is an issue for Jewish Americans. I realized the need for some deeper research into Halloween, its history, and how Judaism should approach this common secular practice.

Findings on Jews Participating in Halloween Activities

This is not the first article published on the topic. Rabbi Michael Broyde wrote a paper entitled *Is Thanksgiving Kosher?* In Appendix A of his paper he writes about Halloween and juxtaposes it with Thanksgiving, basing his opinion on the writings of Rabbi Moshe Feinstein. This paper, too, will look to Rabbi Feinstein for guidance. Broyde claims:

“Halloween, unlike Thanksgiving plainly has in its origins religious beliefs that are foreign to Judaism, and whose beliefs are prohibited to us as Jews. On the other, notwithstanding the origins of Halloween, one must recognize that the vast majority of the people in America who currently celebrate Halloween do not do so out of any sense of religious observance or feeling. Indeed, one is hard pressed to find a religion in the United States that recognizes Halloween as a religious holiday.”¹

But the lack of recognition of the religious origins of Halloween by many Americans does not nullify its *Halakhic* (Jewish Law) status, but it does raise the question: What exactly is Halloween? In order to understand the religious nature of Halloween, I interviewed Halloween scholar Lisa Morton, author of *Trick or Treat: A History of Halloween*. In correspondence with Morton she writes (also see page 64 of her book):

“Halloween has pagan roots (principally the Celtic Samhain), and I believe those were very important in shaping the holiday (not all Halloween scholars share that opinion, by the way). However, the Catholic observances of All Saints Day and All Souls Day were equally important in molding Halloween.

However, in the contemporary observance, I think we can safely say that it has become largely divergent from the Catholic holidays. In some parts of Europe, they now celebrate both Halloween and All Saints Day as completely separate entities. In America, I suspect that most of those who enjoy the holiday probably don't even know exactly what the name means, and may be partly or completely unfamiliar with All Saints Day on November 1st (only one state in the U.S., Louisiana, has November 1st listed as an official state holiday).

The holiday's importation from Britain and Ireland also figures into its American history. The British actually banned the celebration of all Catholic festivals in the 17th century, but of course the Irish continued to celebrate All Saints and All Souls. When the Irish

came to America after the Potato Famine in the mid-19th century, they brought Halloween with them, but the middle-class American Victorians (who tended to copy their British kin) claimed it as a secular celebration.

By the time you get to the latter part of the 20th century, retailing gets involved, further removing the holiday from any religious connotation.”²

Morton’s understanding of Halloween jives with Broyde’s claims, with a few differences. While they both agree on its origins and lack of religious adherence or recognition, Morton points out that the holiday itself diverged from its own origins. That is why in Europe some separated Halloween and All Saints Day, allowing All Saints Day to take on the religious customs and Halloween to be removed from religiosity. In America, while there is almost no recognition of the separation of All Saints Day, it seems that in the mid-19th century it was brought to the States and treated as a secular holiday which it, according to both Broyde and Morton, remains today. As Broyde writes, “The vast majority of people who celebrate Halloween have absolutely no religious motives at all—it is an excuse to collect candy and engage in mischievous behavior.”³

The traces of pagan origins in Halloween may preclude Jews from participating in the holiday. Broyde draws his conclusion based on the Rama who writes; “Those practices done as a [Gentile] custom or law with no reason one suspects that it is an idolatrous practice or that there is a taint of idolatrous origins; however, those customs which are practiced for a reason, such as the physician who wears a special garment to identify him as a doctor, can be done; the same is true for any custom done out of honor or any other reason is permissible.”⁴ To Broyde, and seemingly the Rama, the slightest essence of pagan custom can nullify the observance of the holiday by Jews. Broyde concludes that in order for Jews to celebrate Halloween one must acknowledge and agree that one of the following is true:

- 1) Halloween celebrations have a secular origin.

- 2) The conduct of the individuals “celebrating Halloween” can be rationally explained independent of Halloween.
- 3) The pagan origins of Halloween or the Catholic response to it are so deeply hidden that they have disappeared, and the celebrations can be attributed to some secular source or reason.
- 4) The activities memorialized by Halloween are actually consistent with the Jewish tradition.⁵

Broyde claims that none of these statements are true and prohibits the celebration of Halloween, since he believes its origins are pagan and “lacks any overt rationale reason for its celebration.”⁶ However, he does permit giving out candy to those trick or treating, if one feels it necessary, on the accounts of *darachai shalom* (ways of peace) and *eva* (creation of unneeded hatred towards the Jewish people).

Broyde’s four permissible bases are questionable. We know from Morton’s beliefs that some celebrations do have secular origins. Broyde’s permitting of handing out candy also implies that at very least some pieces of the holiday “can be rationally explained independent of Halloween” which he has done using other Jewish principles. Is handing out candy the only practice associated with Halloween that can be explained in this context? Finally, it is possible to believe that the true origins have been lost or are at very least hidden as he points out in subject three.

The Avoidance of Non-Jewish Practices

The fear of following the practices of non-Jews stems from Leviticus 18:3 and the commandment to not follow the practice of the “other.”

כַּמַּעֲשֵׂה אֶרֶץ־מִצְרַיִם אֲשֶׁר יִשְׁבְּתֶם־בָּהּ לֹא תַעֲשׂוּ וּכְמַעֲשֵׂה אֶרֶץ־כְּנָעַן אֲשֶׁר אָנִי מְבִיא אֶתְכֶם שָׁמָּה
לֹא תַעֲשׂוּ וּבַחֲקֹתֵיהֶם לֹא תִלְכוּ :

“You must not do as they do in Egypt, where you used to live, and you must not do as they do in the land of Canaan, where I am bringing you. Do not follow their practices.” This verse lends itself to a massive amount of commentary, none more conclusive than that of Rabbi Samson Raphael Hirsch (excerpt from his book *Horeb*):

“You may imitate the nations among whom you live in everything which has been adopted by them on rational grounds, and not on grounds which belong to their religion or are immoral; but do not imitate anything which is irrational or has been adopted on grounds derived from their religion, or for forbidden or immoral purposes. You may not, therefore, join in celebrating their holy days, or observe customs which have their basis in their religious views. You must not, however, do anything which will disturb their holy days or mar their festival spirit; and do not parade your non-participation in their holy days in a manner that might arouse animosity.”⁷

Hirsch makes it very clear that customs of non-Jews, which are practiced due to immoral or religious ground, are to be avoided and Jews may not imitate them. Surely, not all of the customs of Halloween are immoral and those that are should be immediately dismissed from the conservation. For example, throwing eggs or toilet paper at people’s homes and cars is frowned upon and I would claim prohibited by Jewish law since it is immoral and harmful. Also, wearing immodest clothing, which is often associated with Halloween, is certainly prohibited not just because of the holiday but also Judaism’s emphasis on modest dress. However, the problem with Hirsch’s statement is that some of the customs, such as passing out and possibly collecting candy, have been adopted on rational grounds and, as we learn from Morton, are secular practices.

For centuries Jews have adopted customs which, have at the forefront, been a custom of the land, religious or not, and now have only secular meaning. Bernard Bamberger comments on Leviticus 18:3:

“Jews have always had to struggle with the question: To what extent should they adopt the ideas and practices of the outside world? Such influences are in some measure inescapable. They have affected not only those who welcomed new cultural values, the medieval Jewish philosophers and the modern Reformers for example, but also the spiritual isolationists. The custom of Yahrzeit was borrowed from the Catholics after the massacres that accompanied the First Crusade; present-day Chasidim wear garb that was fashionable among Polish Gentiles two centuries ago! In general, Judaism has been able to absorb values, ideas and customs that are compatible with its basic outlook, while rejecting what could not be reconciled with the religious and ethical teachings of the Torah.”⁸

Bamberger is not an authority of law, but understands the social constructs which seem to oppose Hirsch. Jews have taken on customs that originated, not with Jews but with the “other,” and have altered them to fit into Jewish observance. Halloween, none of it, will ever be seen as a Jewish holiday. Certainly, it has begun and will continue to be celebrated as a secular holiday, even with its remote pagan roots. The question remains: Are there some elements we can permit due to their secular origins even if they are associated with Halloween?

Rabbi Moshe Feinstein writes; “Thus, it is obvious in my opinion, that even in a case where something would be considered a prohibited Gentile custom, if many people do it for reasons unrelated to their religion or law, but rather because it is pleasurable to them, there is no prohibition of imitating Gentile custom. So too, it is obvious that if Gentiles were to make a religious law to eat a particular item that is good to eat, *Halacha* [Jewish law] would not prohibit eating that item. So too, any item of pleasure in the world cannot be prohibited merely because Gentiles do so out of religious observance.”⁹ It is this quote that Broyde uses as the basis for his permissive stance on celebrating Valentine’s Day. But Broyde, does not feel the same way about

Halloween because he assumes that all modern customs of Halloween are linked to the historically religious nature of the holiday.

I agree with some of Broyde's arguments, but not all modern Halloween practices come from the pagan observance of All Saints Eve, including "trick or treating." Morton writes, "Trick or treat is completely secular. It came about mainly in the 1930s as a way to buy off mischievous pranksters. Occasionally someone will try to claim that the costuming and begging aspects come from the earlier tradition of 'souling' - when beggars went house-to-house in Britain begging [for] food in exchange for offering songs or prayers on behalf of souls in Purgatory - but there's absolutely no evidence for this at all."¹⁰ Therefore, one could conclude that trick or treating is not, as Feinstein would put it, related to the religion or law of pagans or non-Jews and that Jews trick or treating have no intent on mimicking idolatrous or pagan rituals.

In her book *Defining Jewish Difference*, Beth Berkowitz centers chapter nine around the responsum of Rav Ovadia Yosef and Rabbi Moshe Feinstein. But it is Feinstein's multiple responsum on the dilemma of Thanksgiving that is most curious. The celebration of Thanksgiving in the 1960s, was an obvious concern not only for the people Feinstein *poskened* (made religious decrees) for but also for Feinstein himself who wavers back and forth during his deliberations. Feinstein wrote about Thanksgiving on four different occasions, once in 1963, and three times in 1981. Berkowitz captures a bit of Feinstein's 1963 stance:

"It may be an overstatement to call Feinstein a supporter of secularization, yet it is the emergence of separate religious and secular spheres that forms the core of the question posed to Feinstein about Thanksgiving: Should Thanksgiving be seen as a fully secular holiday that in no way impinges on Jewish religious practice and is therefore permitted, or is it an alternative religious practice that competes with Jewish obligations and is therefore prohibited?"¹¹

The same question could be asked about Halloween. While Feinstein had never written on the topic (to my knowledge), probably because it was not as widely accepted in 1963, as it is today, can, as Berkowitz asks, [Halloween] “be seen as secular holiday that does not impinge on Jewish religious practice?” The timing of the year opens up the gate a little. Since holidays like Hanukkah and Pesach correlate annually with Christmas and Easter, we should be extra careful not to see these as American holidays but solely as religious days for Christians. But Halloween, usually like Thanksgiving, has its own place and time on the calendar, and does not impinge on religious practice with the exception of Shabbat. Berkowitz continues:

“Feinstein affirms the fully secular character of the celebration of Thanksgiving yet sees it as still potentially violating Jewish strictures. Feinstein’s earliest statement on the subject from June 1963 is brief: ‘And thus Thanksgiving, one should not prohibit by law, but pious people (*ba’ale nefesh*) should be strict.’ The issue here is not, as it might sound, whether Jews can celebrate Thanksgiving, but whether Jews can hold their own joyous occasions such as weddings and bar mitzvahs on Thanksgiving and thus risk appearing as though they are celebrating Thanksgiving.”¹²

This would preclude Jews from potentially hosting Halloween parties or allowing any Halloween practices to trump Shabbat or other Jewish observances.

In many ways this outlook would prove Broyde’s conclusion about Valentine’s Day. He writes “I think it is conduct of the pious to avoid explicitly celebrating Valentine’s Day with a Valentine’s day card, although bringing home chocolate, flowers, or even jewelry to one’s beloved is always a nice idea all year around, including February 14.”¹³ For Feinstein, Berkowitz, and Broyde it seems that there is a difference between participating (i.e. eating turkey or giving chocolates) versus celebrating (i.e. holding a feast or giving specific Valentine’s Day cards). Are there moments of Halloween, which might be participatory versus celebratory? For example, decorating one’s house with ghosts and goblins might be celebrating, but giving out candy would be participating. Also, attending a party in a costume (i.e. Bugs Bunny, superhero,

etc.) might be celebrating, but attending in an everyday clothing item one already owns (i.e. football jersey, doctor scrubs, etc.) could be regarded as merely participating.

According to Feinstein, even gentiles might view Thanksgiving to be uninvolved with idolatry and accept that a holiday may lose its past religious character in today's world. In this case there is no prohibition on participating in what is secular.

“And [the prohibition] is not because there is a suspicion of looking as though one were rejoicing on the idolatrous festival (*yom ed shel avodah zarah*) like the gentiles, for behold this is not a festival that the priests created, but rather they (gentiles) created the joyous event of their own accord. And even if perhaps then the gentiles who did this were idolaters, and in their words were expressions of praise for idolatry, it is no longer relevant in more recent years, when others also began to establish festive meals on this day, and they had no involvement in any idolatry...And also they do not offer sacrifices, and there is no offering to idolatry...even on their festivals.”¹⁴

Berkowitz comments:

“Feinstein offers multiple proofs that Thanksgiving is not a religious holiday: it was not created by priests; it is no longer practiced largely by religious people but by secular ones; it is not marked out religiously in any way, either by the celebrants themselves or by the typical rituals of idolatry.”¹⁵

According to this logic, Halloween is in the same category. There may have been a religious attachment in the 1960s, but there certainly is not in 2013. There is almost no religious attachment to the holiday of Halloween. When measured by the yardstick of meal and prayer, two central features of Jewish holiday and ritual, Halloween is not religious; there are no prayers, at least said by the majority of Halloween participants, and there is no “meal” or ceremony attached to Halloween. It is a night for children to dress up and run around the streets. In many ways it can be categorized, as Feinstein in 1981 did of Thanksgiving, as a *Simchat ha-reshut*, an optional joyous event.

However, Feinstein points out it is not the idolatry that concerns him but it is rather the “vanity and foolishness” that is encompassed in Leviticus 18:3 and the Tosafot’s dual definition of “vanity and foolishness”¹⁶ and idolatry laws. Certainly, Halloween implicates this concept.

Berkowitz explains:

“On the one hand, we have a secular sphere drained of religion, which the Orthodox Jews might occupy so long as they do not endow it with any religious character (it should not become like an ‘obligation and a commandment’). Christianity is clear idolatry in Feinstein’s set of assumptions and totally off limits; the secular is something different. On the other hand, we have the possibility that even the secular sphere might still be religiously problematic. By participating in it, one risks practicing ‘laws of vanity and foolishness’ and ‘ways of the Amorites.’”¹⁷

Berkowitz explains that Feinstein believes that the *intention* of gentiles when they perform a particular practice becomes vital in determining whether Jews may perform that custom as well. He differs from one of his key sources, Maharik, who instead believes it is the Jews’ intention that is determinative. It is seemingly clear that Jews are not participating or even celebrating Halloween with any religious intention. As for gentiles, it also seems fairly evident that their participation or celebration has little, or nothing at all, to do with religious ties or ritual observance. It is more a fun-filled American custom than anything remotely resembling idolatrous practice, or even religious celebration. Berkowitz concludes:

“If Feinstein can show the gentiles’s intention to be devoid of idolatry, then Feinstein can establish that practice’s secularity and, potentially, its permittedness to Jews. Feinstein’s approach to ‘their laws’ thus reflects and contributes to the trend in the United States towards the privatization of religion...For most cases that come up, what we do and what they do need not be different, whether that is because the practice is reasonable, or because the practice is originally Jewish, or because the gentile’s intention is secular, or because the Jew’s intention is pure, as [both Yosef and] Feinstein indicate it always should be and often is.”¹⁸

Jews and gentiles in the U.S. today are pure in intention as Feinstein insists. Some of the Halloween practices are reasonable, and in the U.S., the holiday has scant and very remote religious affiliation, if any at all. The foolishness that surrounds Halloween is possibly the only

deterrent for certain customs; after all dressing, up can be foolish, but it is not the same foolishness inferred by “their laws.” As we see in other holidays, most recognizably Purim, dressing up is a fun and joyous activity, not an act of “foolishness and vanity.”

Conclusion

Through my research I believe that there are elements of Halloween in which Jews should be permitted to participate. I agree with Rabbis Moshe Feinstein and Michael Broyde that if there are those who wish to remain extra cautious and pious then all elements of Halloween should be prohibited. However, due to much of its current practices being secular, it is my opinion that many of the customs of Halloween can be permitted, although never required. “Obligatory status is reserved for Jewish practice. If a Jew attributes obligatory status to a secular practice, he violates Jewish law.”¹⁹ Halloween, like Thanksgiving yet not to the same extent, is viewed to the average consumer as an American holiday in regards to the customs surrounding it. I do concede that participating in Thanksgiving is certainly more “American” and joyous, even if it did not fully please Rabbi Moshe Feinstein, while Halloween is the lesser of the two holidays which is why there is an emphasis on “participation” over “celebration.” Below are various activities associated with Halloween and my understanding of their status for the Jewish people.

Permitted

- 1) Passing out candy or other acceptable items to those trick-or-treating both non-Jewish and Jewish, which has already been approved by Broyde.
- 2) Trick-or-tricking with no religious intent because of its secular origin and current state.
- 3) Carving pumpkins, ideally not in the shapes of ghosts or the undead, to celebrate the time of year (same conclusion as Broyde allowing Valentine’s Day presents).

- 4) Dressing up in already owned or reusable ordinary clothing (same conclusion as Broyde allowing Valentine's Day presents).
- 5) Attending parties as a participant with no religious association to the holiday including prayer, meal, or Halloween specific celebrations (same conclusion as Broyde allowing Valentine's Day presents).

Prohibited

- 1) Dressing up in immodest clothing due to *Tzniut* (modesty).
- 2) Wearing costumes of ghost, zombies, etc. which transfer one from participating to celebrating.
- 3) Hosting of parties that include any prayers, celebration of the religious nature of the holiday, or meals. I would suggest not hosting parties at all.
- 4) Decorating one's home in celebration of Halloween.
- 5) Vandalizing of any kind including, but not limited to, the common use of toilet paper to and eggs to ruin property.

¹ Broyde, Michael J. *Is Thanksgiving Kosher?* <http://fdixie.com/special/thanksg.htm>

² Morton, Lisa. Interview. 12/15/12

³ Broyde, Michael J. *Is Thanksgiving Kosher?* <http://fdixie.com/special/thanksg.htm>

⁴ Rama Yoreh De'ah 178:1

⁵ Broyde, Michael J. *Is Thanksgiving Kosher?* <http://fdixie.com/special/thanksg.htm>

⁶ Broyde, Michael J. *Is Thanksgiving Kosher?* <http://fdixie.com/special/thanksg.htm>

⁷ Leviticus 18:3 Commentary. Artscroll Series. Brooklyn NY. 1998. P.649

⁸ The Torah: A Modern Commentary by Bernard J. Bamberger. Leviticus. Bamberger. Union of American Hebrew Congregations. Page 193.

⁹⁹ Broyde, Michael J. From Thanksgiving Day to Valentine's Day: Celebrating Secular Holidays in America According to Halacha. http://www.yutorah.org/_materials/broyde_101010.pdf. October 2010. (Iggrot Moshe, Yoreh Deah 4:11(4))

¹⁰ Morton, Lisa. Interview (continued). 12/21/12

¹¹ Berkowitz, Beth. *Defining Jewish Difference: From Antiquity to the Present*. Cambridge University Press. Cambridge UK. 2012. P.219

¹² Berkowitz P.220 (*Igrot Moshe* Heleq Even ha-Ezer 2 Siman 13. Translation partially drawn from Broyde's Web site "Is Thanksgiving Kosher?")

¹³ Broyde, Michael J. From Thanksgiving Day to Valentine's Day: Celebrating Secular Holidays in America According to Halacha. http://www.yutorah.org/_materials/broyde_101010.pdf. October 2010.

¹⁴ Berkowitz P.221 (*Igrot Moshe* Heleq Oreh Hayyim 5 Siman 20)

¹⁵ Berkowitz P.221

¹⁶ Tosafot on Avodah Zara 11a and Sanhedrin 52b. (See Berkowitz P.195)

¹⁷ Berkowitz P.227

¹⁸ Berkowitz P.234

¹⁹ Berkowitz P.229