

HALOCHOSCOPE



This week's question:

A convert is invited to a family reunion barbecue with non-Jewish relatives. They are prepared to make every effort to accommodate her kosher needs. She will keep herself and her food separate. May she attend?

The issues:

- A) Relationship of a convert to his biological parents
- B) Attending a gentile's party
- C) *Aivah*, prevention of antisemitism

A) Relationship of a convert to his biological parents

A convert to Judaism is considered *halachically* new born (born-again). We do not simply consider him an adopted child, but a true *halachic* child of Avraham. In general, a convert would wish to keep his distance from his non-Jewish family members. In part, this is to protect himself from reverting and from their influence to reconsider, and to avoid arguments about his Judaism. However, *halacha* recognizes his relationship to his biological parents in regard to various applications.

There are two positive *mitzvos* with regard to parents, and two negative *mitzvos*. *Kibud* involves honoring parents, including clothing and feeding them. *Morah* involves showing them awe, refraining from showing disrespect towards them. The prohibitions are *haka'ah*, not to strike a parent, and *klalah*, not to curse him or her. The capital punishments for these are among the most severe administered by *Bais Din*, when it functions.

Gentiles are not Scripturally obliged to honor parents as part of the seven Noachide laws. Rabbinical obligations cannot apply to gentiles either. Nonetheless, there are indications that a gentile must show some form of respect and honor to a parent. It is a logical *mitzvah*. The Talmud relates that when the Ten Commandments were given, the gentiles though Hashem did it for His own benefit. They conceded on all of them when they heard the fifth commandment. This proved that He was not a 'selfish G-d'! In the same passage gentiles who perform it without being obliged to are praised. Our standards can be measured by theirs. Accordingly, some poskim maintain that the gentiles adopted these practices as part of their *nimusim*, social code. Parents are compared to Hashem in the Torah. Some say that since gentiles may not curse Hashem, this is extended to their parents as well. This was why Cham, son of Noach was punished.

Halachically 'newly born' brother and sister converts could marry. However, a convert should never think that he has converted to a less serious religion. Therefore, Rabbinical restrictions are placed on him with regard to his biological family. Since gentiles have adopted some form of respect for their parents, converting does not remove this. The earlier poskim discuss this with regard to refraining from striking and cursing. Some

poskim add *kibud* and *morah*. In addition to the idea of comparing a parent to Hashem, a convert treating his parents badly can also desecrate the Name of Hashem. This last concept can be applied to other family members as well. [See Yevamos 22a 23a Nazir 62a Kidushin 31a, Poskim. Tanchuma Noach 15. Rambam, Mamrim 5:11 (Or Sameach). Tur Sh Ar YD 241:8-9 (RAE, Yad Avraham). Malbim Ki Savo 27:16. PMG Psicha Koleles 2:19-20. Minchas Chinuch 33, 260. Igros Moshe YD:II:130.]

B) Attending a non-Jew's parties

If a gentile invites a Jew to a festive affair, the Jew may not attend. This general prohibition is linked to a Scriptural passage, '*Beware, lest you draw up a covenant with the [gentile] inhabitants of the land ... and they will slaughter [livestock] to their gods, and he will invite you and you will eat of his slaughtering, and you will take of his daughters for your sons ...*' The context of the Talmudic passage recording this prohibition discusses religious celebrations. Gentiles are forbidden to worship idols as one of the seven laws for the children of *Noah*. A Jew may not aid and abet another in sinning. This is a Scriptural *mitzvah*, under the category of *Lifnei ivair lo sitain michshol*, do not place a stumbling block before the blind. The sinner is being led to 'stumble' by the one helping him. This also applies to helping gentiles sin. Causing a gentile to increase his idol-worship is thus forbidden. A number of activities that could lead to this are therefore forbidden. These include some other interactions that could cause additional joy to a gentile around the times that he would anyhow be involved in his religious rites and celebrations.

At communal idolatrous celebrations, participation, including interactive activities, is universally forbidden to Jews. At personal celebrations, such as the day that the gentile was released from imprisonment or the day of his son's wedding, participation and interaction is also forbidden. However, in the former, interaction with all gentiles must be curtailed on those days, and in Eretz Yisroel, on the days prior to them. In the latter, only interaction with the particular gentile is forbidden, and only on that day. Partying, however, is forbidden before and after the event, as long as it is connected to it.

The Poskim debate a connection between the passages. The implication is that at the root of this prohibition is the problem of supporting the gentile in his celebration, which leads to his idolatry. He will thank his gods for success in garnering the friendship of the Jew. Yet the verse cited indicates that the problem is from the Jew's perspective. He must avoid covenants that could lead to intermarriage. True, the reason the Torah gives for prevention of intermarriage is eventual seduction to idolatry. However, this does not necessarily typify the actual prohibition. It clearly stands in its own right. In reality, it seems to be Rabbinical in origin. Nonetheless, the juxtaposition leads to debate on the root cause for the prohibition. Accordingly, some consider this a Scriptural or quasi-Scriptural prohibition. As such, the reason is based on a Scriptural need to distance oneself. If it is Rabbinical, though linked to the verse, it could be related to the other institutions to avoid being party to the gentile's idol-worship.

This has some bearing on our case. One possible difference is whether the prohibition applies in a case of *aivah*, antisemitism. If the reason is to create a distance, *aivah* would not come into consideration. In fact, the entire purpose is to create some *aivah*. If it is connected to joining in with an idol-worshiper's celebration, there might be a dispen-

sation based on *aivah*. Another difference could arise if the gentile is not an idol-worshiper. If the concern is about causing him to thank his idols, this gentile will not do so. If it is to deter friendships leading to intermarriage, it would apply to all gentiles equally.

The prohibition applies primarily to a feast held in the home of the gentile. He 'invites' the Jew to his feast. However, if the gentile is ultimately the host inviting, many forbid it even on the premises of the Jew. It is permitted only when the Jew comes to pick up the food to take home with them. If the gentile sends some of the food to the Jew's home it is permissible [assuming it is kosher].

The Talmud extends the prohibition to visiting a gentile when he prepares for the wedding and the period following it. The poskim thus debate the nature of the prohibition. Some include it in idolatrous festivities, with their accompanying dispensations. Others consider it a separate ordinance to prevent socializing. This might even be Scriptural. Some consider a combination. Some consider it somewhere in-between, or are unsure. One view considers benefit from the party a separate prohibition. Accordingly, there might be a lenient view to permit attending this party. However, a family reunion has some similarities to a wedding. Furthermore, others forbid attending any party. [See Avoda Zara 8a-b (Ritva) 31b-32a, Poskim. Rambam Avoda Zara 9:5 15 Isurei Biah 17:10. Tur Sh Ar YD 114:1 3 148:7 152:1-2, commentaries.]

C) *Aivah*

In our case, the natural feelings of family closeness are still present. The poskim apply these to certain *halachic* issues. For example, a Jew may not be secluded with a forbidden member of the opposite sex. A mother and son may be secluded, because their relationship is such that it will not lead to sin. Some poskim permit a convert to be secluded with his non-Jewish (or converted Jewish) mother, because the same feelings exist. In addition, the gentile family has made an effort to accommodate the Jew. This raises the issue of *aivah*, arousing antisemitism. If the Jew does not attend after all, the non-Jew, or more likely, others who know about this, might turn against Jews. The concern is that non-Jews will react directly to the incident, and that they might harbor a negative feeling that could indirectly affect a later situation. Making this determination is dependent on specific precedents in *halacha*, as well as the specific factors in the case. Thus, *aivah* may not be invoked wholesale, even to apply to a 'minor' *halachic* ruling.

Literally translated, *aivah* means enmity. In *halachic* terms it refers to strife between two parties. *Tikun olam*, institutions for the good of society or to prevent laxities in *halacha*, and *darkei shalom*, institutions to promote harmony and common decency, are related to and sometimes overlap with *mishum aivah* institutions. The basis for these institutions is the *mitzvah* to avoid disputes, and the verses, '*The ways of Torah as peaceful and pleasant*' '[Hashem] is good to all beings and His mercy extends to all of His works.'

These reasons are used to prevent fights due to jealousy. They are invoked to avoid a dispute based on honor, when distributing the order of *aliyos* in *shul*. They protect financial interests of neighbors. They are also invoked frequently to avoid angering gentiles, who might not understand or agree with Jewish laws and practices. The conditions for employing *aivah* as a dispensation include that it be done infrequently. It may not involve direct violation of something intended to create a distance. The predicted *aivah*

must be quite obvious. To defuse a possible *aivah* one must find a diplomatic solution, but not override a prohibition. If there is any plausible excuse acceptable to the gentile party, one may not rely on *aivah*. This includes using a religious practice that the gentile is familiar with, that would not arouse *aivah*. One would say “I'm sorry, you know I can't do that due to religious reasons.” This applies even if the true reason is different, but one that could arouse *aivah*. (It is better to hide behind a falsehood. Unfortunately, it is sometimes easy for the gentile to discover the truth. In this case, lying would definitely make matters worse. Good judgment should be exercised.)

Some restrictions on interaction with gentiles are relaxed when they could lead to undue hardship for Jews. The principle behind this is *sakanta*, danger. If the restriction is Rabbinical in nature, the Rabbis did not intend to cause antisemitism. In truly dangerous cases, even Scriptural violations are permitted. Situations where the gentile is in a position to cause harm to the Jew, or to others, call for this consideration.

Aivah permits accepting a gift from a gentile on his holiday, if the Jew interacts with this gentile the rest of the year. If a gentile insists on buying something from a Jew close to his holiday, the Talmud debates whether *aivah* plays a role. One view forbids it but permits benefit after the fact. Another even allows it before the fact when the gentile is well acquainted with the Jew, but not on the holiday. A third view allows it on the holiday. One who enters a gentile town and finds them celebrating may join in to flatter them. One may not go to greet a gentile on his holiday. If he meets a gentile, one may greet him softly, due to *darkei shalom*.

The poskim debate whether *aivah* would permit participation in a gentile's family event, depending on the reason for the ban. *Aivah* and *darkei shalom* might be invoked in cases where there is a debate. One might rely on a lenient view. Where *aivah* is invoked to permit an activity, the Jew may still not violate the portions that apply to him personally. [See Avoda Zara 2a 6b 7b 26a 64b-65a Gitin Perek 4-5 esp. 62a, Yerushalmi A.Z. 1:1, Etc., Poskim. Tur Sh Ar YD 148:5 9 12 152:1 154:2 158:1, commentaries. Teshuvos Chasam Sofer CM 94. Igros Moshe CM IV:77, etc. Betzail Hachochma IV:14 Lehoros Nasan VII:87. Teshuvos Vehanhagos I:776.]

In conclusion, a reunion is similar to a wedding celebration, to which attendance would be forbidden. Some poskim might permit it due to *aivah*, or in our case, due to respecting family members. However, others consider it Scripturally forbidden to prevent socializing. It would also be extremely difficult to observe *kashrus*. A diplomatic way should be found to excuse oneself from attending.

On the parsha ... The daughters are my daughters and the sons are my sons .. Now let us make a covenant .. [31:43-44] While they were Lavan's biological daughters and grandsons, Yaakov certainly considered himself separate *halachically*. Indeed, Rachel and Leah said that Lavan had abandoned them [31:14-16]. Why did Yaakov agree to make a covenant with Lavan? In addition, he made a party with Lavan! It seems that whole purpose of the deal and the party were to formalize the break between them. For that, it is permitted.

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