

# Thanksgiving: Wholesome Holiday or Chukos HaGoyim

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One of the interesting aspects of being American and living in the 'Medina shel Chessed' is dealing with secular holidays. A day off of work, more time to learn, and suspended Alternate Side parking rules are always appreciated. Of these holidays, Thanksgiving is by far the most popular among Yidden, with many keeping some semblance of observance, generally as a way of saying 'Thank You' and showing a form of Hakaras HaTov to our host country. Although all agree that showing Hakaras HaTov is prudent, on the other hand, it is well known that there were contemporary Poskim who were wary of any form of actual Thanksgiving observance. This article sets out to explore the history and halachic issues of this very American holiday.

## Why Thanksgiving?

Americans commonly trace the holiday of Thanksgiving to the 1621 Pilgrim celebration at Plymouth Plantation, Massachusetts. The Pilgrims were expressing gratitude to G-d for a successful harvest after surviving a particularly harsh winter; mainly due to the aid of Squanto, the English speaking Native American, and the Wampanoag tribe, who taught them how to hunt (turkey) and plant (maize, a.k.a. corn) in the New World, and shared food supplies with them. A second Thanksgiving was observed on July 30th, 1623 in appreciation of an abundant harvest after a refreshing 14-day rain following a nearly catastrophic drought. Similar sporadic celebrations occurred locally throughout the New England area for the next century or so, but never on a national level until 1777, during the Revolutionary War, when 'The First National Proclamation of Thanksgiving' was given by the Continental Congress.

In 1782, John Hanson, the first United States president under the Articles of Confederation (and mysteriously somehow forgotten from the history books), declared the fourth Thursday of every November was to be observed as Thanksgiving. Several years later, first U.S. President George Washington issued 'The First National Thanksgiving Proclamation' (under the Constitution), designating November 26th 1789, as a day of Thanksgiving. He did so again in 1795. Yet, it was not until 1863, in the midst of the Civil War [a.k.a. 'The War Between the States' or 'The War of Northern Aggression' (for the Southerners out there)], when the holiday as we know it was formally established by President Abraham Lincoln, at the urging and behest of Sarah Josepha Hale, editor of Godey's Lady Book, who was lobbying for a national day off from work. Thanksgiving has since been observed annually as a national holiday across the United States.[1]

Although we can all appreciate the history lesson, nevertheless, our focus remains determining how Thanksgiving observance is viewed via the lens of halacha.

## Chukos HaGoyim?

In Parshas Acharei Mos, we are exhorted not to follow in the ways of the local non-Jewish populace, "U'Vichukoseihem Lo Seleichu." [2] According to the Rambam and later codified by

the Tur and Shulchan Aruch, this prohibition includes manners of dress, haircuts, and even building styles.[3] Tosafos mentions that this prohibition includes two distinct types of customs: idolatrous ones, and those that are nonsensical; implying even if they are not done l'sheim Avodah Zarah, with specific idolatrous intent, they would still be prohibited to practice.[4]

However, other Rishonim, primarily the Ran, Mahar"i Kolon / Cologne / Colon (known as the Maharik), and Rivash, define the prohibition differently.[5] They maintain that a nonsensical custom of the Goyim is only prohibited when it is entirely irrational, with no comprehensible reason for it, or when it has connotations of idolatrous intent. Likewise, following a custom that would lead to a gross breach of modesty (pritzus) would fit the category. On the other hand, they maintain, observing a simple custom of the Goyim that has no reference to Avodah Zarah, especially if there is a valid reason for its performance, such as kavod, giving proper honor or respect, would indeed be permitted.

Although the Vilna Gaon rejects their understanding of the prohibition, and the Gilyon Maharsha seems to follow Tosafos,[6] nevertheless, the Rema explicitly rules like the Maharik and Ran, as does the Beis Yosef.[7] Accordingly, they hold that as long as a custom is secular, with no connection to Avodah Zarah, such a custom may still be observed.[8]

Most authorities over the generations, including the Mahari Kastro, the Imrei Aish, the Shoel U'Meishiv (Rav Yosef Shaul Nathanson), the Ksav Sofer, the Maharam Schick, the Maharsham (Rav Shalom Mordechai Schwadron), the Mahara"tz Chiyus, and more contemporarily, the Seridei Aish (Rav Yechiel Yaakov Weinberg), and Rav Ovadiah Yosef, zichronam levrachah,[9] all rule in accordance with the Rema's ruling, that as long as one has valid reasons for performing a specific custom, it does not necessarily get classified as the problematic Chukos HaGoyim, unless its origins are rooted in idolatrous practice.[10] [11]

Thanksgiving: Religious or Secular?

But to understand how this affects us and possible Thanksgiving observance, we must first ascertain whether Thanksgiving is truly a religious holiday or a secular one. Of the aforementioned Thanksgiving observances, all were declared as a unique day expressly designated to thank G-d for all of his 'gracious gifts.' This implies that it is meant to be a religious holiday. Yet, only the Continental Congress's proclamation made reference to the Christian deity. Additionally, there is no actual religious service connected with the day at all. Furthermore, nowadays, the vast majority of Americans simply associate Thanksgiving with food (mainly turkey), football, and family, and take the day off. This implies that its observance is strictly secular. Which is the real Thanksgiving?

Contemporary Rulings

As with many issues in halacha, there are different approaches to Thanksgiving observance. In fact, Rav Moshe Feinstein alone has written four different responsa on topic, spanning several decades.[12] Although in the earlier teshuvos he seems to be against the idea of a

Thanksgiving celebration (there possibly was more religious connotations involved in the early 1960s celebrations than in the 1980s), nevertheless, in his later teshuvos he does allow a Thanksgiving observance (he notes that it is not a religious celebration) with turkey being served, as long as it is not seen as an obligatory annual celebration,[13] but rather as a periodical 'simchas reshus.' All the same, Rav Moshe concludes that it is still preferable not to have a celebration specifically for Thanksgiving.

Other contemporary poskim who allowed eating turkey on Thanksgiving include Rav Eliezer Silver, Rav Yosef Dov (J.B.) Soloveitchik,[14] the Rivevos Efraim,[15] and Rav Yehuda Herzl Henkin.[16] They explain that Thanksgiving is "only a day of thanks and not, Heaven forbid, for idol celebration." They therefore maintain that merely eating turkey on Thanksgiving cannot be considered Chukos HaGoyim.

On the other hand, other contemporary authorities disagree. Rav Yitzchok Hutner, Rosh Yeshivas Rabbeinu Chaim Berlin, is quoted as maintaining that the establishment of Thanksgiving as an annual holiday that is based on the Christian calendar is, at the very least, closely associated with Avodah Zarah and therefore prohibited.[17] He explains that its annual observance classifies it as a 'holiday' and celebrating Gentile holidays is obviously not permitted.

It is well known that Rav Avigdor Miller was a strong proponent of this view as well, as Thanksgiving's origins belie that it was actually established as a religious holiday.[18]

Similarly, Rav Menashe Klein ruled that it is prohibited to celebrate Thanksgiving.[19] Aside from citing the Vilna Gaon's opinion, which would outright prohibit any such celebration, he mentions that although the Thanksgiving holiday was originally established by Pilgrims rejoicing over their own survival, that they didn't starve due to their finding the turkey, and might not be considered Chukos HaGoyim, nevertheless there is another prohibition involved. The Shulchan Aruch, based on a Mishnah in Masseches Avodah Zarah, rules that if an idolater makes a personal holiday for various reasons (i.e. his birthday, was let out of jail, etc.) and at that party he thanks his gods, it is prohibited to join in that celebration.[20]

Rav Klein posits that the same would apply to Thanksgiving, as it commemorates the original Pilgrim Thanksgiving, thanking G-d for the turkey and their survival, and would be certainly prohibited, and possibly even Biblically.

An analogous ruling was given by Rav Feivel Cohen zt"l (author of the Badei HaShulchan) and yblch"t Rav Dovid Cohen shlit"a (of Gevul Ya'avetz), albeit for different reasons.[21] Rav Feivel Cohen takes a seemingly extreme position, maintaining that not only is it forbidden for a Jew to celebrate Thanksgiving, it is even prohibited for a Gentile to do so as well!![22]

Rav Dovid Cohen, on the other hand, writes that for a Jew to eat turkey on Thanksgiving expressly for the sake of the holiday should be prohibited by the rule of Tosafos, as it would be deemed following an irrational rule of theirs that is improper to follow. Yet, he concedes that it is

not prohibited for a family to get together on a day off from work and eat turkey together, as long as they do so not to celebrate Thanksgiving, but rather because they like turkey. Even so, he concludes that it is still preferable not to do so.

### Trotting Out the Turkey?

With several differing major approaches to Thanksgiving advanced by contemporary authorities, which is the prevailing custom? Should turkey be on our plates this Thursday? The answer is that it depends. As shown, there are many authorities who maintain that Thanksgiving dinner should be avoided at all costs. However, many people do eat turkey on Thanksgiving, albeit many with non-Thanksgiving related intent. (Remember, even kosher turkey prices drop for the holiday!) Yet, it certainly seems preferable not make an 'exclusively for Thanksgiving' party. With Thanksgiving falling out on Rosh Chodesh Kislev some years, perhaps turkey may be served at a Rosh Chodesh Seudah.[23] As is usually the case, everyone should follow his community practice and the lead of their knowledgeable halachic authority.

Anecdotally, my own grandmother, Mrs. Ruth Spitz a"h, would buy a turkey, but instead of serving it for Thanksgiving dinner, would rather save it and serve it l'kavod Shabbos on the Shabbos immediately following Thanksgiving. This way one is not compromising on tradition nor halacha, and additionally receives the benefits of kavod and oneg Shabbos (as well as gaining the 'Mitzva' of saving money by buying said turkey on sale).

Although nowadays for many in Yeshivish and Chassidic circles the idea of observing even some semblance of Thanksgiving may seem an anathema, it is interesting to note that many authorities of the previous generation did not seem overly concerned. In fact, as is widely known, the annual Agudas Yisrael Convention, attended by many Gedolim, was traditionally held over Thanksgiving weekend for many decades, with turkey on the menu.[24] Additionally, Rav Yosef Eliyahu Henkin's authoritative Ezras Torah calendar (with halachos for the whole year) noted Thanksgiving along with other secular holidays.

Come what may, with Chanukah on the way, we can concentrate on the upcoming days of true thanks giving, lehodos u'lehallel. In fact, although there generally is no need to be talking turkey while giving our thanks, nonetheless, this past year (5783/2022), due to a calendar quirk, turkey actually merited an honorable mention. You see, during Hallel on this past Thanksgiving - due to it being Rosh Chodesh Kislev - we all proclaimed "Hodu Lashem Ki Tov!"[25] [26]

### Postscript: Turkey - Fowl Territory?

As an aside, and although widely eaten among Klal Yisrael, the turkey's acceptance as kosher fowl is an interesting inyan unto itself, as well as a halachic and historic seeming anomaly.

The Torah enumerates twenty-four various non-kosher "birds." [27] Since so many thousands of avian species exist, Chazal specify four necessary anatomical indicative features (simanim) that identify a specific type of fowl as kosher: an extra toe, a crop, a peelable gizzard (meaning the

gizzard's inner lining can be peeled from the outer muscle wall), and being non-predatory (doreis).[28]

However, as the exact translation of the non-kosher birds listed in the Torah is unknown, as well as the fact that we cannot be assured of the absolute non-predatory nature of any given species of bird, many early authorities contend that we do not rely on our understanding of these simanim, but rather we only eat fowl when we have a tradition (mesorah) that this specific species is indeed kosher. Indeed, Rashi cites precedent from the case of the "Swamp Chicken" (Tarnegolta D'Agma), with which even Chazal made a mistake, not realizing at first that it is truly predatory in nature (doreis) and therefore non-kosher.[29] He therefore maintains that since we are not experts, we additionally need a mesorah to allow fowl to be eaten. The Rema, in fact, and concurred by virtually all halachic authorities, definitively rules this way lemaaseh, that we may not eat any species of bird without a mesorah.[30]

The issue is that our ubiquitous turkey is the quintessential as well as symbolic New World fowl,[31] and yet, is eaten by the vast majority of world Jewry, even though a mesorah pre-Columbus would be a seeming impossibility. One solution, proposed by the Netziv, Rav Naftali Tzvi Yehuda Berlin, venerated Rosh Yeshivas Volozhin, permitting turkey to be eaten, is on the basis that it has been eaten by Frum Yidden for several centuries and is now considered as having a mesorah.[32] Although there are certain prominent families, including descendants of the Tosafos Yom Tov and the Shlah, as well as the Frankel and Kamenetsky families, who are known to be personally stringent with partaking of turkey, nonetheless, it is widely considered not having any kashrus concerns and is indeed consumed by Klal Yisrael.[33]

Additionally, and quite interestingly, we find that several Acharonim, including the Bach, Magen Avraham, Ateres Zekeinim, Ba'er Heitiv, Aruch Hashulchan, and Mishnah Berurah,[34] understand the Yerushalmi's 'Red Chickens' (Tarnegolim Aduma),[35] which we must distance ourselves from its excrement while davening,[36] (as opposed to the understanding of red excrement from a chicken) to be referring to a turkey; giving implicit consent that it is indeed a kosher bird. (However, accordingly, and quite interestingly, it remains unclear how an American New World fowl was seemingly extant in Eretz Yisrael at the time of the writing of the Yerushalmi.)

In fact, the Chazon Ish ate turkey, based on a teshuva of his father's, Rav Shemaryahu Yosef Karelitz.[37] Obviously, the mainstream opinion that turkey is considered an acceptable fowl is also seen by the contemporary poskim who allowed it being eaten on Thanksgiving, as otherwise there would be nothing to debate.

Come what may, at least, from a kashrus perspective, it seems that turkey, the All-American fowl, is here to stay.[38]

This article was written L'iluy Nishmas my beloved Bubby, Mrs. Ruth Spitz a"h,

Chana Rus bas Harav Yissachar Dov.

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Rabbi Spitz's recent English halacha sefer,

"Insights Into Halacha - Food: A Halachic Analysis," (Mosaica/Feldheim)

has more than 500 pages and features over 30 comprehensive chapters discussing a myriad of halachic issues relating to food, in an engaging manner. It is now available online and in bookstores everywhere.

[1]However, until 1942, when it was changed by a joint resolution of Congress, Thanksgiving was observed on the last Thursday in November, not the fourth Thursday. (The only practical difference is if there happens to be five Thursdays in November; otherwise, Thanksgiving remains the last Thursday).

[2]Vayikra (Ch.18: verse 3).

[3]Rambam (Hilchos Avodah Zara Ch. 11: 1- 3), Tur and Shulchan Aruch (Yoreh Deah 17: 1), based on the Sifra (Parshas Acharei Mos, Parshata 9, Ch. 13: 8).

[4]Tosafos (Avodah Zarah 11a s.v. v'ee); answering the seeming contradiction between the Gemara in Avodah Zarah ad loc. and Sanhedrin 52b).

[5]Ran (Avoda Zara 2b s.v. Yisrael), Chiddushei HaRan (Sanhedrin 52b), Shu"t Maharik (Mahar"i Kolon/ Cologne/ Colon Shores 88, Anaf 1), and Shu"t Rivash (vol. 1: 158 s.v. v'yesh and v'im).

[6]Biur HaGr"a (Yoreh Deah 178: end 7) and Gilyon Maharsha (ad loc. 1). The Gr"a is bothered by the fact that the sugya in Sanhedrin seems to imply differently than the views of the Maharik, Ran, and later, the Rema, that a Chok Goyim, even one that is not a Chok Avodah Zarah should still be prohibited. Others who ask this question and conclude tzarich iyun on the Maharik's shittah include the Minchas Chinuch (Mitzvah 262: 2) and the Maharam Bennet (Divrei HaBris; cited in Shu"t Imrei Aish, Yoreh Deah 55). However, there are those who do resolve the Gr"a's difficulty, such as the Maharam Schick (Shu"t Yoreh Deah 165).

[7]Darchei Moshe and Rema (Yoreh Deah 178: 1). Although he does not cite either side of this machlokes in his Shulchan Aruch, nevertheless, in his Beis Yosef commentary, Rav Yosef Karo elucidates the shittah of the Maharik at great length and does not even cite Tosafos. Although one may infer that the Rambam (and later the Shulchan Aruch who codified his words as halachah) actually meant similar to Tosafos's understanding, as the implications of the prohibition of not copying actions of the Goyim, is seemingly unrelated to actions smacking of idol worship (and that is what the Ra'avad was arguing on and ruling akin to the Maharik), nonetheless, from the lashon of many other authorities, including the Maharik himself (ibid.), Sefer HaChinuch (Mitzva 262), Mabit (Kiryas Sefer on the Rambam ibid.), Meiri (Sanhedrin 52b), Bach (Yoreh Deah 178), and Divrei Chaim (Shu"t Yoreh Deah vol. 1: 30), it is clear that they understood that the Rambam himself was only referring to actions that had some relation to Avodah Zarah. See Shu"t Seridei Aish (old print vol. 3: 93; new print Yoreh Deah 39, Anaf 1: 5-14) who explains this at length. See also Shu"t Melamed L'Hoyeel (Orach Chaim 16), Shu"t Igros Moshe (Yoreh Deah vol. 4: 11), Shu"t Minchas Yitzchak (vol. 1: 29, 3 and 31), Minchas Asher (vol. 3, Vayikra, Parshas Emor, 33, pg. 197-205), and the Aderes's recently published Ovar Orach (Shema Eliyahu, 275, pg. 271-272; 2003), who discuss the parameters of the prohibition of "U'Vichukoseihem Lo Seleichu" and its nuances at length.

[8]Perhaps the most famous manifestation of this machlokes is the well-known one regarding festooning shuls with grass and/or trees on Shavuos. While the Rema (Orach Chaim 494:3) and Magen Avraham (ad loc. 5, s.v. nohagin) cite precedence for this widespread minhag from earlier authorities, the Vilna Gaon (as cited in Chayei Adam, vol. 2, 131:13, Chochmas Adam 89:1, and Maaseh Rav 195) maintained that this minhag should be banned due to potential violation of Chukos HaGoyim. For an extensive discussion of the topic, see previous article titled 'Adorning the Shul with Greenery on Shavuos: Minhag Yisraelor Chukos HaGoyim?' (see also Mishpacha Magazine's Kolmus, Shavuos 2016, "Festooning with Foliage"). Another interesting contemporary machlokes regarding flowers is whether planting flowers around a grave, ostensibly for kavod hameis, is considered a violation of Chukos HaGoyim. On this topic, see the Rogatchover Gaon's Shu"t Tzafnas Pane'ach (vol. 1:74), Shu"t Minchas Elazar (vol. 4: 61, 3), Rav Dovid Tzvi Hoffman's Shu"t Melamed L'Hoyeel (Yoreh Deah 109; also citing the opinions of Rav Samson Raphael Hirsch and Rav Ezriel Hildesheimer), Shu"t Minchas Yitzchak (vol. 1:31), Rav Betzalel Zolty's maamar printed in Kovetz Noam (vol. 2: pg. 170), Shu"t Seridei Aish (new print, Yoreh Deah 108), Shu"t Yaskil Avdi (vol. 4, Yoreh Deah 25), and Shu"t Yabia Omer (vol. 3, Yoreh Deah 24).

[9]Erech Lechem L'Maharikash (Glosses to Yoreh Deah 178:1; he adds that in his opinion we may not categorize instances not mentioned by Chazal as potential 'Chukos HaGoyim'), Shu"t Imrei Aish (Yoreh Deah 55), Yosef Daas (Yoreh Deah 348 s.v. v'hinei), Shu"t Ksav Sofer (Yoreh Deah 175), Shu"t Maharam Schick (Yoreh Deah 351), Daas Torah (Orach Chaim 494 s.v. v'nohagin and glosses to Orchos Chaim ad loc. 8), Shu"t Mahara"tz Chiyus (6), Shu"t Seridei Aish (old print vol. 3:93; new print Yoreh Deah 39, Anaf 2), and Shu"t Yabia Omer (vol. 3 Yoreh Deah 24: 5). Also of note, see Hagahos Maimoniyos (on the Rambam ad loc.) who maintains

that we cannot categorize new items as “Chukos HaGoyim,” as those explicitly enumerated by the Chachamim are specifically due to a Kabbalah they had to include them as such.

[10]Rav Asher Weiss, the renowned Minchas Asher, in a recent maamar on the subject (“Shetichas Asavim B’Chag HaShavuot”; available here:), adds that several Acharonim, including the Chasam Sofer (Shu”t, Orach Chaim 159; in a teshuva to the Maharatz Chiyus) and Beis Shlomo (Shu”t Yoreh Deah vol. 1:197) made an important distinction – ruling that even if a custom started due to goyim (i.e., a specific style of dress), once it is common for Jews to act similarly, it can no longer be considered Chukos HaGoyim. Rav Weiss illustrates this salient point with the minhag of Kaparos. Although the BeisYosef(O.C. 605) cites the OrchosChaim(Erev Yom Kippur<sup>1</sup>) quoting the Ramban, that ‘shluggingKaparos’is considered DarcheiHa’Emori, with the Tur and Rema(ad loc.; and in DarcheiMoshe ad loc. 5) defending this practice as a kosher common one, would anyone nowadays think that Kaparos is DarcheiHa’Emori? Has anyone ever heard of a single, solitary non-Jew waving a chicken around his head on an October morning? Quite assuredly not. Hence, even if a minhag may have started out as a non-Jewish custom, it possibly may no longer be considered as such.

[11]Furthermore, it must be noted that the Seridei Aish (Shu”t old print vol. 3: 93; new print Yoreh Deah 39, Anaf 2) at length proves that the Gr”a’s shittah actually runs contrary to the vast majority of Rishonim who conclude that unless there is at least a ‘shemetz’ of Avodah Zarah in their actions, copying them would not be a violation of Chukos HaGoyim. See also Shu”t Bnei Banim (vol. 2: 30) who writes that the minhag ha’olam is to follow the Rema in this dispute, as even according to those who generally follow the Gr”a’s psakim, that is only when it is a machlokes Acharonim. Yet, he posits, when the Gr”a argues on both Rishonim and Acharonim, then the normative halachah does not follow his shittah. However, there are recent Acharonim who seem to disagree with this assessment. For example, see Shu”t Mishnah Halachos (vol. 10: 116) who does take the Gr”a’s opinion into account (in his specific case) and seems to side with him. The Minchas Yitzchak (vol. 1: 29, 3), as well (in his specific case) implies that if all factors were equal, it would be preferable to be machmir for the Gr”a’s shittah. Rav Betzael Zolty (maamar printed in Kovetz Noam vol. 2; see pg. 170) as well, regarding military funerals ostensibly performed for ‘kavod hameis,’ after citing many poskim and rationale why it should not be a violation of “Chukos HaGoyim,” nonetheless concludes that according to the Gr”a it most certainly would be, and therefore such ceremonies should be prohibited.

[12]Shu”t Igros Moshe (Even HaEzer vol. 2:13; Orach Chaim vol. 5:20, 6; Yoreh Deah vol. 4:11, 4; and Yoreh Deah vol. 4:12).

[13]See also Shu”t Igros Moshe (Yoreh Deah vol. 4:57, 11) where Rav Moshe reiterates this klal not to add new dates and observances to the calendar. The Chazon Ish as well (Kovetz Igros Chazon Ish vol. 1:97), and echoed by the Minchas Yitzchak (Shu”t vol. 10: end 10) and Rav Ovadia Yosef (Shu”t Yabia Omer vol. 6, Orach Chaim 41:6), famously wrote very strongly against setting new dates and obligatory observances into our Jewish calendar. A similar sentiment is expressed by Rav Moshe Sternbuch (Shu”t Teshuvos V’Hanhagos vol. 2:721), quoting the Brisker Rav, as well as by Rav Yosef Dov (J.B.) Soloveitchik (as stressed numerous



times throughout his Mesorat HaRav Kinnos). An opposing viewpoint regarding commemorating the Holocaust was given by Rav Aryeh Leib Spitz (no relation to this author), former Av Beis Din of Riga, and later, Newark, NJ, and renowned talmid of Rav Chaim Ozer Grodzenski in a maamar published in Kovetz Hamaor (vol. 262, May-June 1981).

[14] Nefesh HaRav (pg. 231). This author has heard from several talmidim of Rav Soloveitchik's that he would go home early on Thanksgiving, but only after making sure to give shiur, which sometimes lasted several hours. Apparently, he wanted to show his talmidim that a secular holiday is by no means an excuse to take a day off from Torah.

[15] Rav Silver's and Rav Greenblatt's opinions appear in the RJJ Journal of Halacha and Contemporary Society (vol. 30, pg. 59).

[16] Shu"t Bnei Banim (vol. 3:37).

[17] Pachad Yitzchak - Igros U'Michtavim shel HaRav Hutner (109). Interestingly, Rav Hutner does not specify Thanksgiving by name.

[18] Aside from hearing this from several people who heard from Rav Miller directly, including my father-in-law, Rabbi Yaacov Tzvi Lieberman, Rav Miller publicly averred this in his famous Thursday night shiur (#529; titled 'The Mitzvah of Happiness'): "What's my opinion of Jews eating turkey on Thanksgiving? What's my opinion of going to church on Thanksgiving? I've consulted three encyclopedias... Each one states as follows. Thanksgiving is a church holiday. Forget about a legal holiday, forget about an American holiday. It's a church holiday. And it's made for the purpose of going to church and holding services... I don't ask Gedolim about Thanksgiving. I ask goyim what Thanksgiving is. And three kosher goyim wrote in encyclopedias that Thanksgiving is a church holiday, they're my poskim."

[19] Shu"t Mishnah Halachos (vol. 10:116). He does however concede on one point and clarifies that having a Thanksgiving seudah is not b'gader 'Yaharog V'al Yaavor,' notwithstanding what was written in his name on a Kol Koreh!

[20] Shulchan Aruch (Yoreh Deah 148:7), based on a Mishnah in Masseches Avodah Zarah (8a).

[21] The Rabbis Cohen's opinions appear in the RJJ Journal of Halacha and Contemporary Society (vol. 30, pg. 59). Many of these Rabbonim have written letters on topic to the author of this extensive article, Rabbi Michael J. Broyde of Atlanta, Georgia.

[22] The Badei Hashulchan's reasoning is based on his understanding of the Rambam (Hilchos Malachim Ch. 10:9), referring to the prohibitions of a Gentile to make for himself a day of rest akin to Shabbos or a Yom Moed. Rav Cohen posits that such a day is Thanksgiving which in essence, is an attempt by Gentiles to create a special day of festivities, and is therefore prohibited. However, it is not clear to this author why Thanksgiving should be considered similar to a Moed or Yom Tov, as there is no shevisas melacha involved with anyone's observance of

the day. In fact, there is no actual observance of the day. The Rambam's intent regarding inclusion in the category of Goyim establishing a new Yom Tov would surely not incorporate the mere actions of sitting down to eat a specific food. As Rav Asher Weiss explains (Minchas Asher on Bereishis, Parshas Noach 11, pg. 66-67), according to the Rambam, in order for a Gentile's actions to qualify for this prohibition it needs to be a 'shevisa l'sheim chiddush das,' and not just for rest (menucha); an example being where he would create a 'Moed Gamur' with its own version of Kiddush, Tefillah, and Mitzvos of the day, akin to a Yom Tov. This would certainly preclude Thanksgiving, which its observance meets none of this criteria. Perhaps this explains why the other machmirim do not make use of this halachic rationale to prohibit Thanksgiving celebrations.

[23]See Tur and Shulchan Aruch (Orach Chaim 419:1) and main commentaries: "Mitzvah L'Harbos B'Seudas Rosh Chodesh."

[24]See, for example, Rabbi Mordechai Kamenetsky's 'Streets of Life' column in Ami Magazine (#143, October 2, 2013, pg. 94, titled 'Tagging Along' and in Ami Magazine #195, December 3, 2014, pg. 100, titled 'Let's Talk Turkey'). This author has also heard this tidbit from noted historian Rabbi Berel Wein. Parenthetically, Rabbi Kamenetsky also mentions that his grandfather, Rav Yaakov Kamenetsky zt"l did not partake of the turkey, due to issues of mesorah. For more on this topic, see the postscript, as well as a previous article titled 'Buffalo Burgers and the Zebu Controversy'(see also Yated Ne'eman 19 Adar II 5774 | March 21, 2014).

[25]Aside from "Hodu" meaning "Give thanks", as well as referring to the country of India, in Modern Hebrew it actually refers to "turkey."

[26] Interestingly, there may more to this minhag, even when Thanksgiving does not coincide with Rosh Chodesh. As related to this author by R' Avi Brummer, as told to him directly by Rav Yitzchok (Irving) Chinn, longtime Rav of the Cong. Gemilas Chesed of McKeesport, Pennsylvania [see Shu"t Igros Moshe (Y.D. vol. 2:54) for a fascinating teshuva from Rav Moshe Feinstein to Rav Chinn regarding the permissibility of erecting a JFK statue in tribute for the fallen president]] and talmid muvchak of Rav Shraga Feivel Mendlowitz, that Rav Shraga Feivel was of the opinion that one should say Hallel with a brachah on Thanksgiving. This is due to the fact that the settlement of North America by Europeans allowed numerous Jewish lives to be saved over the centuries, and thus the celebration of such an event was worthy of being considered a Neis. Although this was not the official minhag of Torah V'Daas, Rav Chinn recounted that several talmidim did take it upon themselves personally after hearing Rav Mendlowitz discuss it. In the concluding words of Rabbi Brummer, "I'm not sure if it was meant as a full Hallel or a Chetzi Hallel. Now, Rav Chinn did say that this was a severely minority opinion, but it does further add to the discussion."

[27]Vayikra (Parashas Shemini Ch. 11:13-24) and Devarim (Parashas Re'eh Ch. 14:11-21).

[28]Mishnah and following Gemara (Chullin 59a-61b). There is much debate among the Rishonim how to properly define these simanim, especially a "non-doreis," as well as if the

Gemara's intent was that all four features are necessary to render a bird kosher, or if the three physical characteristics are sufficient proof that the fowl is non-predatory and therefore kosher.

[29]Gemara Chullin (62b) and Rashi (ad loc. s.v. chazyuha).

[30]Rema (Y.D. 82:3). The Shulchan Aruch (Y.D. 82:2) actually rules this way as well, but allows several more leniencies (see ad loc. 82:3) than the Rema's stronger language.

[31]It is told that Benjamin Franklin even wanted the turkey to be the official bird / National Symbol of the USA, and not the Bald Eagle. It seems he lost that vote. See <http://birdnote.org/show/national-symbol-turkey-vs-eagle>.

[32]Shu"t Meishiv Davar (Yoreh Deah 22).

[33]For more on the topic of the kashrus status of turkey, and its more kashrus-wise complicated companion fowl, the Muscovy Duck, Posen Hen, Guinea fowl, and/or Cochin, and how they are/were viewed from a halachic perspective through the ages, see Nachal Eshkol (on the Sefer Ha'Eshkol, Hilchos Beheima, Chaya, v'Of 22:10; he understands there to be an Indian mesorah on the turkey), Knesses HaGedolah (Y.D. 82:31), Shu"t Shoel U'Meishiv (Mahadura Telita'ei vol. 1:149 and Mahadura Chamisha'ah vol. 1:69), Shu"t Chasam Sofer (Y.D. 74), Shu"t Divrei Chaim (O.C. 9 and Y.D. vol. 2:45-48), Shu"t Maharam Schick (Y.D. 98-100), Shu"t Tuv Taam V'Daas (Mahadura Telita'ei 150-152), Shu"t Ha'Elef Lecha Shlomo (Y.D. 111), Shu"t Beis Yitzchak (Y.D. vol. 1:106), Shu"t Yehuda Yaaleh (vol. 1, Y.D. 92-94), Shu"t Tzelosa D'Avraham (7), Shu"t HaRim (Y.D. 8), Shu"t Tzemach Tzedek (Y.D. 60), Shu"t She'eilas Shalom (Y.D. 22), Arugas Habosem (Kuntress HaTeshuvos 16), Shu"t Ori V'Yishi (vol. 1:11), Damesek Eliezer (51:84 and Ch. 4, 12:73), Shu"t Binyan Tzion (vol. 1:42), Shu"t Dvar Halacha (53), Rav Yissachar Dov Illowy's Shu"t Milchemos Elokim (pg. 162-165; also citing teshuvos from Rav Samson Raphael Hirsch and Rav Nosson Adler, the first Chief Rabbi of England; regarding the Muscovy Duck), Shu"t Avnei Nezer (Y.D. 75), Shu"t Michtav Sofer (Y.D. 3), Shu"t Melamed L'Hoyeel (vol. 2-Y.D. 15), the Maharsham's Daas Torah (Y.D. 82:3), Shu"t Mei Be'er (19; who opines that the turkey actually came from India and even has a mesorah dating back to Moshe Rabbeinu!), Zivchei Tzedek (Y.D. 82:17), Darchei Teshuva (Y.D. 82:26), Rav Yehuda Leib Tsirelsohn's Maarchei Lev (Chelek HaTeshuvos, Y.D. 30; regarding the Posen Hen), Shu"t Divrei Malkiel (vol. 4:56), Rav Yosef Aharon Teren of Argentina's Zecher Yosef (pg. 1a-6b; regarding the Muscovy Duck), Shu"t Nishmas Chaim (Y.D. 63), Kaf Hachaim (Y.D. 82:21), Shu"t Igros Moshe (Y.D. vol. 1:34; also citing the opinions of Rav Naftali Carlebach and Rav Yosef Eliyahu Henkin; regarding the Posen Hen), Shu"t Har Tzvi (Y.D. 75; regarding the Muscovy Duck), Shu"t Minchas Yitzchak (vol. 5:31), Kovetz Mesorah (vol. 3, pg. 60-65; in a maamar from the Beis Avi, Rav Yitzchak Isaac Liebes, regarding Rock Cornish Hens), Rav Yisroel Belsky's Shu"t Shulchan Halevi (Ch. 19:1; pg. 169-170; regarding the turkey and vis-à-vis the Muscovy Duck), Rav Shmuel Salant's recent posthumously published Aderes Shmuel (222; pg. 225-228), Sichas Chullin (pg. 429, on Chullin 63a; who astoundingly posits that the turkey mesorah possibly came from the Ten Lost Tribes who might have been early Native Americans, as per Rav Menashe ben Yisrael's unsubstantiated theory (in his seminal Mikveh Yisrael), who then contacted Indian and English

Poskim!!), and Rav Yaakov Yedidiah Adani's fascinating halachic history of the Muscovy Duck, published in Kovetz Eitz Chaim (vol. 26; Elul 5776, pg. 430-455). The mainstream opinion that turkey is considered an acceptable fowl is also seen by the contemporary Poskim who allowed it being eaten on Thanksgiving.

[34]See Bach (O.C. 79, s.v. kasav Beis Yosef), Magen Avraham (ad loc. 14), Ateres Zekeinim (ad loc.), Ba'er Heitiv (ad loc. 12), Aruch Hashulchan (ad loc. 16), and Mishnah Berurah (ad loc. 26).

[35]Yerushalmi (Eruvin Ch. 3, Halacha 5).

[36]See Shulchan Aruch (O.C. 79:6).

[37]This teshuva was recently published in Shu"t V'Chiddushim Chazon Ish (132); see also Orchos Rabbeinu (new edition - 5775; vol. 4, pg. 9, 1).

[38]See Rabbi Ari Zivotofsky's excellent and thorough treatment of the Turkey at Kashrut.com.

Disclaimer: This is not a comprehensive guide, rather a brief summary to raise awareness of the issues. In any real case one should ask a competent Halachic authority.

L'iluy Nishmas the Rosh HaYeshiva - Rav Chonoh Menachem Mendel ben R' Yechezkel Shraga, Rav Yaakov Yeshaya ben R' Boruch Yehuda.