

Insights into Halacha

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(PhiloTorah editor's notes in green)

Adorning the Shul with Greenery on Shavuot: Minhag Yisrael or Chukot HaGoyim?

Festooning with Foliage

In honor of Shavuot, many shuls receive entire forest-like makeovers. With branches forming a Chupa-like canopy over the bima, trees set up next to the Aron Kodesh, and greenery abounding, many entire shuls are festively festooned for Zman Matan Torah.

Yet, we find that other shuls do perform some adorning, but in a much more minimalist manner, using only flowers and grasses. And of course, there are shuls where no special Shavuot decorating is done at all. Indeed, there is quite a varied spectrum of minhagim, with each Kehila and shul following its own traditions. This article sets out to explore the main prevailing minhagim customary throughout Klal Yisrael in relation to this inyan, as well as their halachic background.

Minhag Replicating Matan Torah

The great codifier of Ashkenazic halacha, Rav Moshe Isserlis, better known as the Rama, in Hilchot Shavuot

(Orach Chaim 494:3) writes - V'NOHAGIN...- 'the custom is to spread grass(es) on Shavuot in the shuls and in houses, as a remembrance to the joy of Matan Torah.' Mentioned in various formats as the tradition of several early Ashkenazic authorities, including the Maharil and T'rumat HaDeshen... the Rama codified this minhag of greenery on Shavuot as proper practice.

There are several rationales given by our luminaries to explain the connection between our adornment of a shul for Shavuot and the actual day of Matan Torah - history's very first Shavuot, including:

The Levush explains that since at the time of Matan Torah, the pasuk specified (Sh'mot 34:3) that the cattle and sheep were prohibited to graze in the area, implying that Har Sinai (which was in a desert) became surrounded by grass at that time. Therefore as a ZECHER L'MATAN TORAH, we do the same.

The Maharil, who seems to be the earliest mention of this minhag, states that the custom is to festoon the shuls specifically using fragrant grasses and flowers. Several s'farim source this to the Gemara Shabbat (88b) that elucidates the pasuk in Shir HaShirim (5:13), 'Your cheeks are akin to bundles of spices... your lips like flowers', to be referring to Matan Torah. Every dibur that HaShem spoke filled the world with an ethereal fragrance. Therefore, in commemoration, we spread aromatic

flowers on Shavuot.

The Midrash Talpiyot adds an additional interesting reason based on the Alshich's explanation... that Reuven found the DUDA'IM BIMEI K'TZIR CHITIM to be referring to Erev Shavuot. The Ramban cites several definitions of what the DUDA'IM might be, including a fragrant flower and fertile plant. Accordingly, this means that Leah conceived Yissachar, the greatest Talmid Chacham of the Sh'vatim, on Shavuot night. To allude to this we festoon the shuls with fragrant flowers on Shavuot, Z'man Matan Torateinu.

An alternate, but similar approach is given in the Pardes Yosef... citing one of the previous Gerer Rebbes zy"o. Since we know Moshe Rabeinu was born on the seventh of Adar and was hidden for three months, before he was placed in the reeds on the banks of the Nile, this means that he was actually saved by Batya on Shavuot.

[Side point, although Bat Par'o's true name was Bitya (Divrei HaYamim Alef 4:18), the Midrash Rabba explains that this act of saving Moshe's life merited her to be called "Batya" - daughter of HaShem.]

As Moshe was the leader through whom we received the Torah, we commemorate by spreading grasses on Z'man Matan Torateinu...

The Bnei Yisaschar cites a mashal of the Midrash Rabba about a king in his orchard, to explain that Bnei Yisrael at Har Sinai were K'SHOSHANA BEIN HACHOCHIM, akin to a rose among thorns (Shir HaShirim 2:2), to mean that in the z'chut of Bnei Yisrael's united and unequivocal declaration of NAASEH V'NISHMA, the world was saved. Therefore, to symbolize this, on Shavuot

we adorn our shuls with flowers.

Interestingly, the Chid"o cites an early, albeit infamous, source for this minhag that also evidences its antiquity: none other than the vile and villainous genocidal madman, evil Amalakite, and overall arch-enemy of the Jews, Haman HaRasha. According to the Targum Sheini on Megilat Esther, during Haman's diatribe to king Achashveirosh haranguing Klal Yisrael, and regaling him of all the 'bizarre' customs of the Jews, one of them was about the spreading and gathering of apples and flowers on the roofs of their shuls on Shavuot. Although we generally do not learn halacha from Agadda, on the other hand, the Noda Bi'Yehuda explains that we still can and do glean Minhag Yisrael. Accordingly, and although performed in various communities with variations, nonetheless, we clearly see that this Shavuot minhag has early origins.

Trees Are Terrific

When discussing this minhag, the Magen Avraham adds another element: Placement of trees in the shuls, to commemorate the fact that Shavuot is Rosh HaShana for PEIROT HA'ILAN, tree fruits (Gemara Rosh HaShanah 16a). Many later eminent authorities... follow his precedent, citing this minhag as well. Consequently, in addition to the festooning of grasses and flowers, many Kehilot add trees, granting their shuls a full forest-like effect.

The Minchat Elazar of Munkacs, in his sefer Shaar Yissachar, cites an allusion to this minhag from the Zohar HaKadosh in Parshat Emor. Quoting the p'sukim in Parshat Pinchas discussing the Yom Tov of Shavuot (Bamidbar 28:26), the Zohar writes that Rav Shimon (bar Yochai) expounded on the pasuk of "The trees of the forest rejoiced before HaShem" (Divrei HaYamim Alef 16:33; which we all know from reciting HODU daily), and then goes on to explain the Kabbalistic secrets of trees (SOD HA'ILAN V'ATZEI CHAYIM). Hence, we see an important connection between trees and Shavuot.

It is reported anecdotally (although the facts are somewhat disputed) that the Chatam Sofer was very makpid on this minhag, and one year when the gabbai did not set up the trees in the shul for Shavuot, he did not live out the year. Other reports state that instead, his house burned down. Whichever way the story actually occurred, we may discern that the Chatam Sofer indeed placed trees in his shul in addition to the greenery of Shavuot.

Tree-mendous Opposition

On the other hand, we find that the Vilna Gaon forcefully and vociferously opposed this minhag, roundly condemning its practice. And according to his Talmid-Chaver, Rav Avraham Danzig zt"l, in both of his essential and renowned halacha s'farim, Chayei Adam on Orach Chayim and Chochmat Adam on Yoreh De'ah, as well as sefer Maaseh

Rav, which details the Gaon's personal hanhagot, the GR"A actually and actively was 'mevatel' (abolished) this minhag from Klal Yisrael.

His reasons for doing so, was that in his day (and nowadays as well) the non-Jews set up trees in their houses of worship as part of their holiday service and festivities. The GR"A maintained that if we continue to do so as well, it would be violating a basic Biblical tenet of "Chukot HaGoyim", and is therefore essentially forbidden. But to properly understand this, some background is required.

Chukot HaGoyim?

In Parshas Acharei Mot, we are exhorted not to follow in the ways of the local non-Jewish populace, UVCHUKOTEI-HEM LO TEILEICHU. According to the Rambam and later codified by the Tur and Shulchan Aruch, this prohibition includes manners of dress, haircuts, and even building styles. Tosafot mentions that this prohibition includes two distinct types of customs: idolatrous ones, and those that are non-sensical; implying even if they are not done L'SHEIM AVODA ZARA, with specific idolatrous intent, they would still be prohibited to practice.

However, other Rishonim... define the prohibition differently. They maintain that a non-sensical custom of the Goyim is only prohibited when it is entirely irrational, with no comprehensible reason for it, or when it has connota-

tions of idolatrous intent. Likewise, following a custom that would lead to a gross breach of modesty (p'ritzut) would fit the category. On the other hand, they maintain, observing a simple custom of the Goyim that has no reference to Avoda Zara, 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 Tosafot, nevertheless, the Rama explicitly rules like the Maharik and Ran, as does the Beit Yosef. Accordingly, they hold that as long as a custom is secular, with no connection to Avoda Zara, such a custom may still be observed.

Most authorities over the generations... all rule in accordance with the Rama's ruling, that as long as one has valid reasons for performing a specific custom, it does not necessarily get classified as the problematic Chukot HaGoyim, unless its origins are rooted in idolatrous practice.

Rav Asher Weiss adds that several Acharonim 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 Chukot HaGoyim. Rav Weiss illustrates this salient point with the minhag of Kaparot. Although the BeisYosef... that shugging Kaparos is considered Darchei Emori, with the Tur and Rama defending this practice as a kosher common one, would anyone nowadays think that Kaparot is Darchei

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.

Furthermore, it must be noted that the Seridei Aish at length proves that the GR"A's shita actually runs contrary to the vast majority of Rishonim who conclude that unless there is at least a 'shemetz' of Avoda Zara in their actions, copying them would not be a violation of Chukot HaGoyim.

Opposition and Divergence - It's Not Easy Going Green

Even so, regarding Shavuot, the GR"A's opposition to setting up trees in shuls was so forceful, that he was actually mevatel the minhag. He explains that since our putting trees in shuls is simply a minhag, but not an outright Mitzva, it cannot counteract the potential prohibition of Chukot HaGoyim present, since the non-Jews do so for religious purposes as part of their holiday worship.

On the other hand, several Acharonim, including the Shoel U'Meishiv and the Maharsham, argued with his assessment, and defending this custom, even referring to it as 'Minhag Yisrael'. They maintained that as long as we are performing the minhag for our own reasons, especially to give honor, we do not have to worry about the practices of other religions. They cite precedent from the Rivash, a Rishon, who allowed

visiting a cemetery to mourn a niftar every day of Shiva, even though this was a custom most commonly practiced by Arabs; explaining that this does not fit into the category of Chukot HaGoyim. In this vein, they contend, the same should hold true regarding placing trees in our shuls on Shavuot.

An additional reason posited by the Maharsham is that the proscription of Chukot HaGoyim can only apply if we are performing the exact same action as the non-Jews. However, regarding trees, they place trees outside as well, whereas we only do so inside our shuls. Therefore, he avers, our minhag is still permitted.

A similar rationale is given by Rav Yitzchok Isaac Yehuda Yechiel Safrin zt"l of Kamarna, explaining that since our intent is not the same as theirs, but it just happens to be that we are performing similar actions, it is not considered Chukot HaGoyim. This is similar to the dispensation for one who works in the King's palace, that he may dress accordingly and not be concerned with potential violations of Chukot HaGoyim.

An added wrinkle to this debate is that it is not entirely clear which minhag the GR"A sought to abolish. Was he exclusively referring to trees? Or was his intention to argue that even grasses and flowers are now problematic? Authorities differ as to defining his intent.

For example, the Chayei Adam and

Mishna B'rura understood that the Vilna Gaon only opposed the minhag of placing trees in shuls due to Chukot HaGoyim; ergo, he never objected to festooning with greenery, and is therefore certainly permitted. In contrast, the Aruch HaShulchan, as well as several Talmidei HaGR"A maintained that the Vilna Gaon intended to put an end to any sort of Shavuot custom involving plant adornments, not just trees.

Minhagei Yisrael - Seeing Green?

This is why in practice, this minhag has a wide spectrum of variations in its observance.

Kehilot of Ashekenazic-German origin (Yekkehs), as well as most Chassidic communities, follow the minhag of the Magen Avraham and his defenders, especially as an allusion to this custom was found in the Zohar HaKadosh, and not only festoon the shul with greenery as per the Rama, but also place trees.

Many others, in deference to the general understanding of the Vilna Gaon's position, do not employ trees in their adorning, but will still decorate their shuls utilizing flowers and grass, in essence following the Mishna B'rura's conclusion. This is also the opinion of many contemporary Gedolim including the Chazon Ish, the Steipler Gaon, Rav Shlomo Zalman Auerbach, Rav Yosef Shalom Elyashiv, and Rav Yisrael Yaakov

Fischer, zichronam livracha, contending that the Vilna Gaon only opposed setting up trees, but not grass.

A third custom, based on the strict interpretation of the GR”A’s ruling, as understood by the Aruch HaShulchan and several Talmidei HaGR”A, is not to bedeck the shul at all with any greenery – not trees nor grass nor flowers, as they are all viewed as potential violations of Chukot HaGoyim. Rav Moshe Feinstein zt”l ruled this way, and Rav Chaim Kanievsky zt”l was quoted as maintaining that this is the proper minhag, and accordingly, there is no Shavuot festooning performed in the famed Lederman shul in Bnei Brak. Some even refer to this custom of non-decoration as ‘Minhagei HaYeshivot.’

Curiously, there is no mention of any sort of Shavuot greenery adornment in Rav Yosef Eliyahu Henkin zt”l’s authoritative Ezras Torah Luach, even though he cites the two other main minhagim of Shavuot brought by the Rama, namely staying up all night and eating milchigs. To this author, this strongly implies Rav Henkin’s well-known predilection to following the rulings of the Aruch HaShulchan – one of the Gedolim from whom he received S’micha, and hence lending credence to the notion that his glaring lacuna of this minhag was intentional, intending to show that he meant to follow his Rebbi’s position on this matter.

Interestingly, this minhag, as opposed to

the other Minhagei Shavuot, is also noticeably absent from Rav Yechiel Michel Tukachinsky’s essential Luach Eretz Yisrael – even though this minhag pertains specifically to shul observance. This also implies that Minhag Yerushalayim’s tendency to follow Minhagei Talmidei HaGR”A trumps alternate practice, and hence no mention of festooning with foliage.

Remarkably, there are several Chassiduses, including Chabad, Kamarna, and Munkacs, whose Rebbes have written in support, even strongly worded defenses, of the minhag to place trees in shuls on Shavuot, yet, their own community custom is not to do any Shavuot shul decorating.

Regarding Sefardic observance of the Shavuot greenery minhag, it seems from the fact that there is a noticeable lacuna as to its existence in the works of early Sefardic authorities, from the Rambam to the Shulchan Aruch, or even the later Ben Ish Chai, indicates that it is essentially an Ashkenazic minhag. Yet, we do find several Sefardic poskim over the centuries, including the Knesset HaGedola, Chid”a, Rav Chaim Pala’ji, and the Kaf HaChayim, discussing the custom’s reasons and merits. In fact, nowadays, there are Sefardic shuls who do observe at least some semblance of the minhag. Perhaps this is due to Rav Ovadiah Yosef zt”l’s staunch support of the custom, referring to it as ‘Minhag Yisrael that is rooted in the words of Chazal.’

In conclusion, whether or not your shul on Shavuot resembles a grassy Har Sinai or some variation thereof, it is important to remember that “Minhag Yisrael Din Hu”, so you can rest assured that by following the Mesorah of your Kehila, you are properly celebrating Kabbalat HaTorah.

The author wishes to acknowledge Rabbi Gedalyah Oberlander's excellent ma'amar on topic in Kovetz Ohr Yisrael (vol. 20; Sivan 5760).

See website for all the footnotes and sources.

Rabbi Spitz's footnotes are very extensive. The ones I decide to include are few among the many. If you want more than this PhiloTorah column provides, click on the website, find the topic and do some more reading.

For any questions, comments or for the full Mareh Mekomot / sources, please email the author: yspitz@ohr.edu

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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.

Rabbi Yehuda Spitz's English halacha sefer, "Food: A Halachic Analysis" (Mosaica/ Feldheim) containing over 500 pages featuring over 30 comprehensive chapters discussing the myriad

halachic issues pertaining to food, is now available online and in bookstores everywhere.