


HALOCHOSCOPE



This week's question:

May one paint a picture depicting stars and a moon in a night sky?

The issues:

A) Pictures and images

B) The *halachic* definition of an image of a star or a moon and its context

C) The use of paint and other media on a flat surface

A) *Pictures and images*

The biggest issues applying to images and figurines relate to the various *mitzvos* and levels of *avoda zara*, idolatry. These include *lo yihyeh lecha elohim acheirim ...*, *lo saase lecha pesel (graven image) ...*, *lo sishtachave lahem ...*, that forbid making the image to worship it, and include all types of image; *elohei maseicha (molten image) lo saase ...*, *elohei kesef ...*, *lo saasu lachem elilim*, apply to making images with no intent to worship them; *lo saasun iti ...*, do not make 'with Me' (Hashem), forbids making images of celestial bodies that appear to be working 'with' Hashem. These include images of 'angels', the sun, moon, stars or constellations. Such images may not be made even if they will never be worshiped. *Iti* may be read '*osi*', Myself, referring to an 'image of Hashem – human, created in the image of G-d'. One exception applies, when images of the moon are made to study the laws of sanctification of the new moon.

In terms of benefit or possession, there are levels of images. Most extreme is an icon or image belonging to, and worshiped by, a Jew. It must be totally destroyed. An idol belonging to a gentile can be denounced by him, and it may then be benefited from. Then there are icons made by Jews for gentile use, but not yet worshiped. Then there are icons made by the gentile but not yet worshiped. Then there are figures of unknown background. They represent common idols, but it is not known whether they were actually worshiped. Then come figures or images that represent celestial bodies. These include models and mythological representations, particularly the sun, moon and *drakon*, a snake like creature [possibly dragon, or a convoluted pagan reference to the *nachash* in *Beraishis*.] Other figures could be idols, but are not automatically assumed to be so. Worshiping any figure, even of a tiny worm, immediately forbids it. Images forbidden when there is no intent to worship them include four faces mentioned in a vision of *Yechezkel*, man, lion, ox and eagle. The simple meaning of this is a four-faced angel, but they might also be forbidden separately. Imagined or simplistic interpretations of images of angels are also forbidden. It is also forbidden to make images of spirits or of the 'zodiac' signs. Certain patterns or formations of stones, including the cross, are considered *avoda zara*, as are certain popular pictures such as a 'mother and baby'. According to most poskim,

figures of animals that are not made to be worshiped are permitted.

The main prohibitions mention graven and molten images. These are free-standing and are totally shaped from solid material. Embossed surfaces, and, to a lesser degree, engraved surfaces, pose their own problems. Pictures or ink drawings are not considered embossed by most poskim. However, some poskim are concerned with the slightly raised surface of the paint, specifically in the case of glazed porcelain. In addition, they raise the issue with regard to embroidered figures on cloth, where the embroidery is indeed raised. Other poskim defend the common practice to depict 'lions and snakes' in *shuls*, and even on the *aron hakodesh*. However, if the image is solid rather than on a larger surface, the poskim disapprove of them. Keeping an image in one's possession that will never be worshiped is forbidden due to *chashad*, arousing suspicion. However, in a public place, such as a *shul*, most poskim maintain that there is no issue of suspicion.

In order to properly analyze the question, let us summarize the various possible interpretations of the Talmudic discussion. Having established that there is a clear problem with the images at some level, the question arises what the problem could be. One may certainly not worship them. If they were worshiped, they must be destroyed. One may not make certain images. These might include: images of humans; angels – either imaginary or the way the *Navi* describes them; the images described on the Divine Throne of Glory – either together or separately; the representations of the 'lords' or 'ministers' that are the forces of the sun and moon or stars; the constellations [zodiac]; the actual images of the celestial bodies as they are perceived; or if made for worship, even of animals or worms. If an image was made by others, such as gentiles, there is an issue with keeping it one's possession, due to suspicion. This could be suspicion that one worships it or that one made it. If it is being kept in a public place, either owned by the public or frequented by them, there is no suspicion. The next issue is whether all types of image are forbidden. There is a difference between a raised image or an engraved image.

To reconcile the various passages, one view concludes with two versions: (i) That only images that are found are forbidden, since they might have been worshiped. All images may be made. (ii) Images of humans may be made, but images of celestial bodies may not be made. Only raised images are forbidden Scripturally. The second view concludes that making all raised images is forbidden Scripturally. It is rabbinically forbidden to keep them in one's possession. Engraved images may be kept. The third view concludes that all images are forbidden Scripturally to make, whether raised or engraved. As for keeping them, images of the 'ministers' may not be kept, Scripturally. Celestial bodies may be kept, by Scriptural law, if they were made by others. Rabbinical law forbids this as well, except when there is no suspicion. The fourth main view concludes that all images are forbidden Scripturally, both to make and to keep. There is a debate within this view whether engraved human images are forbidden. There is further debate whether the images of humans are forbidden when they do not depict the complete body. Animals are only forbidden Scripturally when made to be worshiped. Some poskim forbid them Rabbinically even for no ritual use. [See Yisro 20:3 20, etc. Rosh Hashana 24b Yuma 54b Sanhedrin 107b Avoda Zara 42b-43b, Poskim. Tur Sh Ar OC 90:23, YD 141:1-7, com-

mentaries. Siach Yitzchok, Yisro. Darkei Teshuva 2 3 5 9 35-48 etc.]

B) The halachic definition of a star and a moon

As mentioned, there is a difference between a representation of the sun in human form, meant to represent the 'ministering' aspect, and the celestial body. The sun and moon can be seen as spheres to the ordinary observer. The moon, especially, was studied carefully in the times that it was used to determine the calendar. Therefore, an image of the moon would be forbidden in the form of a sphere or drawn as a circle. The poskim discuss whether the same would apply to a drawing of a half moon. The Talmud discusses the permissibility of moon shapes used to cross-examine witnesses to the new moon. Clearly, the shapes shown would be partial, since only a small part of the moon is seen. It is possible that a full sphere would be shown, with much of it blackened. However, the tone of the prohibitions imply that we should not look to the heavens and worship or make representations of what we see. We see a partial view of the moon.

The poskim also discuss drawing part of the sun. The sun is not seen partially concealed, for most of the time it appears. At sunrise and sunset, and during a partial eclipse, it is seen as a half or a crescent. Some poskim permit drawing a half or quarter of the sun. The poskim also discuss drawing a sun with rays. We can see the outline of the sun early in the morning or at sunset, or when there is cloud cover. In full sunlight, the edges are seen as a blur of light coming out. With partial cloud cover, rays can be seen. What is considered the normal perception? The citation of the lenient view is actually contested, and might be taken out of context. The poskim seem to conclude that a crescent moon and a half sun are forbidden. A quarter sun is permitted by some poskim.

Stars are also spheres. Those who study them closely, even without telescopes, see their real shape. It should not be forbidden to draw an image of a glittering speck. This would be a representation of what is seen, comprising small rays pointing in all directions. It does not show their real shape. Accordingly, some permit drawing such shapes, or at least, keeping a picture with such shapes. In addition, the shapes do not necessarily look like stars at all. They could just as easily be a design. This last point would only apply if they are drawn out of context. When drawn on a dark background to represent the night sky, they clearly depict our perception of stars. This view reconciles those who practice leniency, but does not justify it ideally.

A second view forbids drawing stars as they are perceived. Firstly, all celestial bodies are raised, yet so many poskim forbid depicting them engraved. Second, if the true representation were the only depiction forbidden, would it only apply when the exact colors are used? On the other hand, if any color is forbidden, why would one be allowed to make a ball? Furthermore, if actual stars are forbidden to depict as spheres or round circles, one could never draw small dots, even without the 'glow'. The answer to all of these questions is that the prohibition applies to the way the body is perceived. The sun is seen with glowing 'spokes' coming from it. The stars are also seen this way. Therefore, those wishing to depict them draw them this way. One could draw a sun in black and white, yet the viewer would understand immediately what it is. Stars are only visible at night when they glow. Therefore, drawing them glowing and sparkling in a night sky is forbidden.

Drawing little dots is not forbidden. [See References to section A, Darkei Teshuva YD 141:37 38 46 51. Avnei Yashpeh YD 151. Am Hatorah III:5 p. 54-55.]

C) Paint or other media

Thus far, we have assumed that any drawing raises the issues mentioned. However, we have also pointed out that there are differences between raised images and engraved images. Both of these are in three dimensions. A picture is really neither raised nor engraved, but appears in two dimensions. What about an embroidered piece of cloth? There is also a difference between a photograph or an ink drawing, and a painting or charcoal drawing. The former could be viewed as flat two-dimensional images, while the latter are slightly raised. This leads to much discussion. Assuming that only raised images are forbidden, are pictures considered raised. The poskim give special attention to images on glazed porcelain. The image is often in the form of some material added to the surface of the utensil, which is then glazed over. The image might even be in the form of a colored glaze. This is raised. Even if a picture is not raised, it is also not sunken or engraved.

Apart from this, we have already shown that many poskim do not distinguish between raised and engraved images of stars. Nonetheless, they are both three-dimensional. Does a two dimensional image involve all the same prohibitions?

The poskim mention images made by dyeing sheets (besides embroidering) or on walls and boards. These are evidently pictures in two dimensions. Some forbid all such images, except those of humans, because they are not raised. This view considers pictures to be engraved rather than embossed. Another view permits such images of humans because they do not show the entire person. This is also the view that maintains that other images are permitted. Thus, paintings would be permitted. However, this is not due to their being considered engraved. A third view seems to consider pictures raised. This view permits engraved images, but forbids embroidery and paintings. It is hard to understand why dyed cloth should be considered a raised image, unless the dye has some substance to it. Some raise the possibility that photography is really less problematic. It does not involve actually forming the image, but allowing it to be formed by the action of light. [See refs to A and B. Darkei Teshuva YD 151:30 34 35-39 46-48.]

In conclusion, many poskim forbid making this painting, but there are lenient views to rely on. One could try not to depict the images clearly. One could also try to draw incomplete images, such as partially concealed.

On the Parsha ... *In the morning Hashem will show whom He has chosen ... [16:5] Hashem made boundaries in His universe. Just as you cannot change morning to evening, so too, you cannot change the choice of Aharon ... [Rashi]* What are the boundaries? When did Korach attempt to change the boundaries? Korach claimed that things were not the way they appeared. Moshe had 'given the appearance' that he and Aharon were chosen by Hashem. Perhaps things were not really this way! Moshe pointed to the boundaries between night and day. Light and darkness are matters of perception. Yet they are creations of Hashem. Just because we do not like the way things appear, we may not distort them to suit our wishes.

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