

HALOCHOSCOPE

This week's question:

Aside for Shabbos, are there any issues with making or keeping a snowman?

The issues:

- A) The prohibitions against fashioning or keeping images
- B) What is considered an image of a human?
- C) Materials that are not meant to last
- D) Symbolism at certain times of the year

A) Forbidden images [excerpted from Halochoscope XIV:34]

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 *lehislamed*, 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 *Be-raishis*.] 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 maybe made for non-beautifying purposes. Though this interpretation is debated, it would seem to mean that in our case, even if the snowman is considered a human form, it may be made in play, as it will later melt by itself. Another debate regards a sculptor practicing making human forms that will immediately be destroyed.

A question is raised by a contemporary posek regarding Haman-cookies. [The concept of a Haman effigy is very old, and seems to be referred to by the Talmud. The cookies might actually be closer to the cultural custom to make gingerbread men during their holiday season.] It seems that since they are not meant to last, this dispensation is relied on. [See Rambam AZ 3:10. Maharit II:OC:35. Chasam Sofer YD:128. Darkei Teshuva YD 139:10 (29) 141:3 (27) 4 (32). Am Hatorah ibid.]

D) Symbolism

The snowman has become symbolic of the 'holiday season'. While there is no obvious pagan origin, it is assumed that the icon was once ritually connected to the original winter holiday practices. The word for snow is the name of the snow deity in many cultures. In many pagan rituals, an entertainment quality coincided with some superstition. Nowadays, it has lost most of this meaning. In fact, possibly due to the unreliability of snow, many have resorted to fake snowmen to decorate their lawns. Nonetheless, during that particular season, a Jew should avoid the appearance of following the *chukos hagoy*, gentile cultural practices. This is especially so when they seem to attach some sort of symbolism to it. Accordingly, a Jew should probably refrain from building a snowman during that period. [See a comprehensive discussion in Halochoscope XVI:11-12.]

The poskim do not address a snowman from the perspective raised by our questioner. They forbid it on *Shabbos*. Since they do not add that it should be forbidden all week due to the above considerations, it appears that the consensus is to permit it. Presumably, it is not considered a serious human image. It is also not meant to be permanent. It is made in play. There is no remote possibility that anyone attaches symbolism, let alone ritual to it. Therefore, at least during the 'off-season', a Jew may make a snowman.

On the parsha ... *A sorceress, do not let live .. He who slaughters to a [false] god shall be destroyed. Only [serve] Hashem alone. [22:17 19]* Why mention a female sorceress? Why is her death penalty given as a negative commandment? Why is the death penalty for idolatry called 'destruction'? [Rashi, Ramban, Rashbam] A sorcerer exploits human superstitious nature. Such mind-manipulation poses a serious threat to the Jewish concept of *hashgacha*, Divine Providence and Control. The Torah warns us as individuals that we may not tolerate it at all – do not be tempted to say 'live and let live'. Even what appears to be play and entertainment can lead to false beliefs. Do not dismiss exploitation of fear as harmless 'old wives tales'. We must not let this challenge to *hashgacha* 'live' in our own minds. And pagan practices deserve total destruction. Here, too, we must personally destroy the attitude. [See R Hirsch]

Sponsored by J. Sindler in memory of Robert Horvitz, בערייל יהושע בן שלמה ז"ל, whose Yahrzeit is on

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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. A 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. A third view concludes that all images are forbidden Scripturally to make, whether raised or engraved. Images of the 'ministers' may not be kept, Scripturally. Celestial bodies made by others may be kept, by Scriptural law. Rabbinical law forbids this as well, except when there is no suspicion. A fourth view concludes that all material images are forbidden Scripturally, both to make and to keep. There is a debate within this view whether engraved human images are forbidden. Animals are 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 54a-b Sanhedrin 107b Avoda Zara 42b-43b, Poskim. Tur Sh Ar OC 90:23, YD 141:1-7, commentaries, Darkei Teshuva 2 3 5 9 35-48 etc.]

B) Defining a human image

The poskim discuss what constitutes a human image. The greatest debate is about a

head or a face without the rest of the body. The other main discussions are about an incomplete image. This could refer to an obviously deficient image, such as missing a major feature or limb. It could refer to an image in profile or silhouette, where only one side or the outline is seen. It could also refer to an incomplete body. This would mean that the original prohibition applies to making a full body statue. It could also refer to a representation of the body but without separate limbs and features. For example, there is a debate about a clothed or robed statue. If the original prohibition applies to recognizable arms and legs, this statue would not be included. If, however, the main idea is a representation, it is understood that humans with arms and legs cover themselves with clothing. The forbidden image applies to a normally clad figure.

Another matter of debate is the sharpness of facial features. It seems obvious that the Torah could not have limited its restriction to a perfect artists image of a real life person. On the other hand, it cannot refer to a vague mass that has no clear features. Therefore, the poskim debate how much of the face is necessary. Some say that the basic eyes nose and mouth are necessary. If there are ears deforming them can be considered defacing the image. However, the poskim debate whether it requires ears to be considered complete. The proportion and the shape of these features is also not clear. Others maintain that as long as the viewer knows that this vaguely represents a human form there is an issue. As is often the case with ethnic artistic figures, some are able to convey this by the clothing, the gesture, the pose, the headgear or style or by what the figure is holding.

One view combines these two issues. A human face without a body is only forbidden if it has the normal features. A complete body with representations of the limbs is forbidden even without the facial features. The standard snowman has a carrot nose, some sort of eyes, and stick arms. It might have a hat or other reminders to show that it is a 'man'. The modern form has no defined legs, though it could be considered robed. The question is whether this could even be called a human form. [See Avoda Zara 42b-43b, Poskim. Tur Sh Ar YD 141:7, commentaries [PT DT]. Am Hatorah III:5 49-70.]

C) Materials used

Some poskim maintain that while *avoda zara* applies to any image, *lo saasun iti* only applies to an image made for beauty. This includes gold and silver, but not plain clay. Others disagree. The issue is whether the restriction is based on the chance or suspicion that it will be worshiped, or whether it is an affront to depict Hashem's 'image'. As an affront, it is even worse to depict Him in less respectable materials. Our question really applies to children or a family having fun. The snowman is not a real decoration.

There is some discussion on temporary materials used for figures, such as wax. (Waxworks are real statues, meant to last. We refer to small figures made of wax.) These were sometimes brought to church as decorative candles. If they are kindled before the *avoda zara* they are forbidden as *noy*, adornments. However, if they were sold to a Jew, they lose their objectionable status. This implies that at least owning them is not forbidden. They are considered wax, just in a shape, rather than images. The poskim also discuss faces made by children in play. Since there is never even a thought of worshiping them, they may be kept. It seems they may even be made, since they are not made in a permanent fashion. This is based, in part, on the Talmudic dispensation *lehislamed*, that