

HALOCHOSCOPE

This week's question:

Someone's job is associated with an institution that is basically secular. It was founded and is strongly affiliated with a gentile religious order. The Jew has been asked, but not told, to 'sign allegiance' to the institution and to their mission. Is there an issue with showing recognition or support for the religious order?

The issues:

A) *Avoda zara*, idolatry, for a gentile; *modeh*, the appearance of approval of *avoda zara*

B) *Aivah*, avoiding antisemitism; *parnasah*, one's livelihood

A) *Religion for a gentile; modeh* [based largely on Halochoscope XII:32]

Gentiles must follow the seven basic *mitzvos* of *Benei Noach*. These include *avoda zara*, the *mitzvah* forbidding worshiping idols. This also includes subscribing to a set of pagan beliefs and rituals. Innocuous rituals might not qualify as idolatry or paganism. Such rituals might be forbidden to Jews due to their superstitious nature. They might have pagan origins, also forbidden to Jews as they are covered by other *mitzvos* associated with *avoda zara*. For a gentile, unless it involves actual idol-worship, it might not be forbidden. Thus, a religion founded on the belief in Hashem as the One G-d would be permitted for gentiles. Religions are closely connected to cultures. Thus, a nation might adopt a monotheistic religion, but adapt it to their own culture. The religion might have within it some elements of paganism from the earlier idolatrous religions of their culture. These might involve idolatry for the gentiles, depending on the nature of the ritual.

When gentiles attach divine significance to anything other than Hashem, they raise the issue of idolatry. Jews are commanded to refrain from two types of idolatry. We are to believe in the One and Only Hashem, a positive *mitzvah*. And we are forbidden to have other gods or deities 'sharing' the title. This is known as *shituf*, partnership.

Some explain that this is the root of all idolatry. In principle, idolatry involves the human determining for himself who will be his god. Generally, a human feels helpless against forces beyond his control. Rather than surrender to his Creator, which would involve accepting His Torah, man is tempted to delude himself into thinking that he can control such forces. He first attributes the control of these different forces to a multitude of controllers. He claims that no single force is in absolute control over the entire universe. This allows him to 'play them off against each other'. In reality, there are indeed forces beyond the control of mankind. These are the forces of nature put in place by Hashem at the time of Creation. They have no discretion of their own, but are all under the direct control of Hashem.

The mistaken view of how the forces work, independent of one another and with no controlling power, is the basis of a *shituf* based religion. Accordingly, there is a view that

gentiles are forbidden to practice *shituf*. This includes any claim that there exists a force over which Hashem has no control. It also includes believing that any power can bestow good or bad, without going through Hashem. Some maintain that it includes other divine forces that would be attributed sanctity on a lower level than Hashem. It would also include a pagan religion adapted to incorporate Hashem, if it does not discard the old idols.

Accordingly, Roman Catholicism is idolatry for Jews, and according to this view, for gentiles as well. Belief in a trinity, where the powers of mercy and the like are attributed to other bodies to avoid and evade divine wrath, is pure *shituf*. Patron saints are a sanitized idols of ancient religions. Icons, including the cross, can be traced to old pagan religions. Other churches incorporate local pagan elements to broaden their appeal, and to fit in with local culture. These might also be considered idols. Any church considering its 'savior' more than a messiah might by its nature contradict belief in Hashem.

Others maintain that so long as the religion does not exclude belief in Hashem along with the idols, it is permissible for gentiles. *Shituf* is an additional *mitzvah* for Jews only. It is not at the root of all idolatry. Gentiles are commanded to believe in Hashem, but not to desist from belief in other gods as well. In addition, the Torah distinguishes between Jews and gentiles in how they are to view the stars and forces of nature. As mentioned, the forces of nature do exist and are beyond mankind's control. They are placed by Hashem in a way that they follow a preordained pattern. Gentiles are indeed under the influence of such patterns. Part of their pagan belief system is an understanding of such patterns. There might indeed be ways for them to adjust their behavior to gain a favorable pattern. Jews are not governed at all by these forces, but directly by Hashem. Therefore, a gentile may profess a belief of sorts in the forces, or ministers of Hashem. For a Jew, this is idolatry. Accordingly, depending on how the power is attributed to these forces, the gentile religion might not be considered *avoda zara* for its gentile adherents.

Some maintain that no poskim actually permit *shituf* for gentiles. The context in which the dispensation appears refers to a separate issue. It is forbidden to swear in the name of an idol. One may not cause another to invoke the name of his idol. Yet, many poskim permit causing a gentile to swear, though he will use the name of his idol. The reason given is that he will also use the Name of Hashem, and *shituf* is permitted to him. However, some interpret this to mean that they are permitted to swear by the name of an idol. This is not idol-worship, and is only forbidden to Jews additionally.

Many poskim do not consider gentiles practicing these religions nowadays to be idol-worshippers. They do not understand the idolatry involved. They are not devout, or are devoid of spirituality. They swear freely out of habit. Their practices are considered *minhag avosaihen*, traditions. Consequently, leniencies apply to dealing with them.

All are in agreement that the actual idols, having been worshiped, are forbidden items for Jews. The form of worship, alone, might be permitted to the gentiles. Some of these items are considered intrinsic *avoda zara*, even when they are not worshiped. This leads to major debate on crosses worn as ornaments, and on the Islamic crescent. Some items are a *tashmish*, used in the service of *avoda zara*, and are also forbidden. This can extend to a building used to house *avoda zara*, depending on whether it was built for this purpose, how devout the worshipers are, how serious they are about housing the *avoda*

zara, how important its presence is to them when they congregate, how important it is to congregate in this house, and on other considerations.

It is forbidden to show any sign of validating *avoda zara*. This includes certain Scriptural *mitzvos*, such as not swearing using the name of a god. It forbids bending down before an idol, even if one is doing so to pick up an item. In our case, signing one's name to show allegiance to the mission of the institution will not show support for the original religion. It shows support for those who belong to the order, and for their humanitarian efforts. While this will be taken as a sign of approval, in modern times, this is not considered an endorsement of the religion. [See Va'eschanan 4:15-20, e.g. Sanhedrin 60b 63b Avoda Zara 2a 12a-b 17a perek 3, Poskim. Rambam AZ 9:4. Emunos Vedaiaos 1:3(5 10) 2:2 7. Tur Sh Ar OC 156 YD 147:1 3 150 CM 182 176:51, commentaries.]

B) Aivah; parnasah [Based largely on Halochoscope X:25]

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 over a find by a child, 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 could arouse *aivah*. Some restrictions on interaction with gentiles are relaxed when they could lead to undue hardship for Jews. If the restriction is Rabbinical in nature, the Rabbis did not intend to cause antisemitism.

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 who finds gentiles 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 them softly, due to *darkei shalom*. [See Avoda Zara 2a, 6b, 26a, 64b-65a, Gitin Perek 4-5, esp. 62a, Yerushalmi A.Z. 1:1, Etc., Poskim. Tur Sh. Ar. Y.D. 148:5 9 12 152:1 154:2 158:1 154:2, commentaries. Teshuvos Chasam Sofer C.M. 94. Igros Moshe C.M. IV:77, etc.]

There is a popular notion that for *parnasah* one may obtain a special dispensation or exemption from Torah laws. This is not totally true, but also not without some merit. No Scriptural or Rabbinical prohibition may be violated with the excuse that one's livelihood

depends on his violation. One must spend up to a fifth of his money to fulfill a positive *mitzvah*, and all of his money to avoid violating a negative *mitzvah*. Clearly, an excuse based on loss of money alone has little bearing on its permissibility. However, there are many precedents for money to be taken into consideration.

First, there is debate on whether earning a livelihood is a *mitzvah*, and if so, whether it is Scriptural or Rabbinical. The Talmud records a debate on whether one is obliged to teach his son a trade. This is both linked to a verse and explained logically. If he does not practice a trade he might resort to stealing. Furthermore, one must teach him a clean and easy trade. This excludes trades that could involve forbidden activities or temptations. A second view does not oblige one to teach his son any trade other than Torah. By omitting any ruling in accordance with the former view, the poskim seem to favor the latter.

The Talmud also discusses the obligation to learn a trade oneself. This, too, is linked to verses, which seem to indicate a Scriptural obligation. This *mitzvah* is also omitted by the major poskim. (One source includes it with a other ethical *mitzvos*, and deems them Rabbinical. The verse is evidently considered an *asmachta*, Rabbinical link to a Scriptural reference.) This implies that it is not considered obligatory. Indeed, *Rambam* rules that one who wishes to dedicate his life to Torah need not occupy himself in a livelihood at all. Hashem will provide for him as He did for the Levitical tribe. Thus, those who consider learning a trade an obligation would have to consider it Rabbinical.

Other sources indicate a *mitzvah* of some sort to practice a trade. However, these may be explained as sources to permit working in situations that might otherwise seem to be forbidden. For example, one may not work on the day he offers an offering. Since the Jewish people offer a communal offering each day, morning and afternoon, we should be forbidden to work every day. The Yerushalmi cites a source to dispense with this possibility. This need not be taken to mean that it is a *mitzvah* to work, but that on regular days it is expected that people work, so it must be permitted.

Hefsed merubeh, major loss, is invoked in some cases to permit leniencies. Likewise, *davar ha'avaid*, an irretrievable loss, is invoked in certain situations. There is much debate on whether there is a distinction to be made between loss and *menias revach*, prevention of gain. In certain cases, the Talmud would even relax a law based on *hefsed muat* or *pseida*, a small loss. [See Brochos 61b Shabbos 154b Psachim 15a-b 20b Beitza 35b-36a Kesubos 50a Kidushin 29a 30a 82a Baba Kama 100a Baba Metzia 30b Chulin 49b Nidah 9b Yerushalmi Peiah 1:5 Terumos 8:4 Psachim 1:8 Kidushin 1:7, Poskim. Tur Sh Ar OC 656:1 Rema CM 25:5, Shach YD 242, Pischei Teshuva 31:2, comentaries. Chavos Yair 66. Tzitz Eliezer VI:40:19. Sdai Chemed, Klalim Hay 69, Pe'as Hasadeh, Hay, 2. Michtav Lechizkiyahu (Sdei Chemed X) Psachim 50a.]

In conclusion, if the mission statement is truly neutral, mention of the order does not imply an endorsement of it. Therefore, if there is a potential loss or *aivah*, one may sign.

Sponsored by Dr. and Mrs. Barry and Amy Cohen in memory of Amy's mother, Ahuva Leeba

Tzivia bas Aryeh Leib, Lillian Dardik Stickney, a"h, whose *shloshim* is the 19th of Iyyar. ם

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