

# HALOCHOSCOPE תורה

Someone agreed to sign as a witness on the will of a gentile. After he sees the will, he realizes that some money will be donated to a church, or to a non-Jewish religious organization. Must the Jew be concerned that he is helping the gentile group with their worship? Must he find a diplomatic way out?

The issues:

- (A) Religion for a gentile
- (B) *Lifnei Ivair*, aiding another in sinning
- (C) Helping and benefiting the cause of an idol

(A) *Religion for gentiles*

Gentiles must follow the seven basic Mitzvos of *Benei Noach*, including *Avoda Zara*, the Mitzvah of not worshiping idols. Innocuous rituals might not qualify as idolatry. They might be forbidden to Jews due to their superstitious nature. They might have pagan origins, forbidden to Jews under other Mitzvos associated with *Avoda Zara*. However, for a gentile, unless it involves actual idol-worship, it might not be forbidden. Thus, as long as a religion is founded on the belief in Hashem as the One G-d, it would be permitted to gentiles.

However, when gentiles attach divine religious significance to anything other than Hashem, they raise the issue of idolatry. Jews are commanded two types of Mitzvos with regard to *Avoda Zara*. 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 at the root of all idolatry. In principle, idolatry involves determining for oneself who will be his god. One feels helpless against forces out of his control. Rather than surrender to the Creator, which involves accepting his Torah, man is tempted to pretend that he can control such forces. He first attributes the control of these forces to a multitude of controllers. He claims that no single force is in absolute control over the entire universe. This means that they may be played off against one another.

There is a view that the gentiles are, therefore, forbidden to practice *Shituf*. This includes any claim that there is 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 on a lower level than Hashem. It also includes an idolatrous religion which was 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 the trinity, where power of mercy etc. is given to other bodies to avoid Divine wrath, is pure Shituf. Patron saints are a sanitization of idols in ancient religions. Icons, including a cross, can be traced to old pagan religions. Other churches incorporate local pagan elements to broaden their appeal. These might be considered idols. A church considering its "savior" more than a messiah might by its nature contradict belief in Hashem.

Others say that so long as the religion does not exclude belief in Hashem along with the idols, it is permissible for the gentiles. Shituf is an additional Mitzvah for Jews. 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.

Some Poskim maintain that those who appear to permit Shituf for gentiles refer to causing a gentile to invoke the name of his god in an oath. It is forbidden to swear by the name of an idol. One may not cause another person to use 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 seems to permit Shituf for gentiles, and they also use the Name of Hashem. However, some interpret this to mean that they are permitted to swear using the name of an idol. This is not included in idolatry, and is only forbidden to Jews as an additional Mitzvah.

Many Poskim do not consider gentiles that practice these religions nowadays idol worshippers. They do not understand the idolatry involved. They are not devout and religious. Their practices are considered *Minhag Avosaihen*, traditions. Consequently, leniencies apply with regard to dealing with them.

Nonetheless, all are in agreement that the idols, having been worshipped, are deemed a forbidden item. Even if the form of worship is permissible for the gentile, the item is an Avoda Zara. In addition, some of these items are intrinsically considered Avoda Zara. Thus, there is a major debate on crosses that are worn as ornaments, and on the Islam crescent. Furthermore, some items are a *Tashmish*, used in the service of Avoda Zara, and are also forbidden. This could extend to the building housing the Avoda Zara. This depends on whether the house was specially built to house the Avoda Zara, on how devout the gentiles are, on how serious they are about housing the Avoda Zara, on how important the presence of the Avoda Zara is to them when they congregate, on how important they feel it is to congregate in the house of the Avoda Zara, and on other considerations. [See e.g. Avoda Zara 2a, Perek 3, Poskim. Rambam A.Z.

9:4. Emunos Vedaiois 1:3(5, 10) 2:2, 7. Tur, Shulchan Aruch Orach Chaim 156, Yoreh Deah 147:3, Choshen Mishpat 182 (Sh. Ar. 176:51), commentaries.]

### **(B) Lifnei Ivair**

The Torah forbids placing a stumbling block before the blind. This refers to misleading others to sin, helping them sin knowingly, and giving bad advice. Just as one may not help a fellow Jew violate a Mitzvah, one may not help a Ben Noach violate one of his seven Mitzvos. Thus, one may not facilitate a gentile's service of Avoda Zara. The Talmud says that *Lifnei Delifnei* is not forbidden. One may act as an accessory to one who will in turn be an accessory to a sinner. Some Poskim point out that this passage refers to helping a gentile. The first gentile is not commanded not to violate Lifnei Ivair. A Jew in this situation would violate Lifnei Ivair. Helping him is itself Lifnei Ivair.

Lifnei Ivair is only forbidden Scripturally if the sinner could not violate the sin without the help. If the sinner is on the other side of a river and can not reach the item he needs for his sin one may not pass it to him. If he is on the same side and could reach it himself, one who passes it does not violate Lifnei Ivair.

Collecting interest is a Scriptural violation. Writing a document on it, and signing as a witness on such a document is also a Scriptural violation. If the loan would not go through without their signatures, the witnesses are also in violation of Lifnei Ivair. Is it possible that witnesses on a will donating funds for Avoda Zara are in the same category?

Is the Jew doing anything to help the religious group or its needs? The gentile is the one donating the money. He could probably do it through another witness. The gentile is not necessarily violating Avoda Zara himself, as we shall see in the next section. He is in violation of Lifnei Ivair. The Jew is thus in a situation of Lifnei Delifnei. This is not forbidden with regard to a Jew helping a gentile. In addition, does the money the gentile gives the organization, which, in turn, helps them in their ritual practices, constitute Lifnei Ivair? Since there are so many other sources for their income, one could not say that this money is what leads to the Avoda Zara. [See Baba Metziah 75b Avoda Zara 6b 14a 15b, Poskim.]

### **(C) Mehaneh, Hana'a, benefiting and benefiting from Avoda Zara**

The Mitzvah *Lo Yidbak* ..., Scripturally forbids any benefit from Avoda Zara. This includes benefiting from its trappings and adornments. *Mehaneh*, providing benefit to Avoda Zara is a sub-category of *Lo Yidbak*. If one may not benefit from the Avoda Zara, one may certainly not bring it benefit. This forbids paying a fee towards the upkeep of the Avoda Zara or its facility or functionaries.

Based on these prohibitions, some Poskim forbid insuring an Avoda Zara and

taking a commission. The Talmud discusses building a house together with a gentile, including a niche in the wall for an Avoda Zara. One may build the house, but must not build the niche because it is a *Tashmish*, serves the Avoda Zara. A *Tashmish Detashmish*, as is the house, is permitted to build. If an entire building serves Avoda Zara, it is also forbidden.

In our case the witness is indirectly benefiting the worship, and is benefiting the building and upkeep of the Avoda Zara. Assuming the gentiles are not truly idolatrous, the problem still arises with their facility. It probably houses crosses and other such items, and might be purpose built for this (or at least, have parts of the building built for it). However, there are other sources of income for the organization and the church uses money for humanitarian uses as well. One may not buy from a store that belongs to an Avoda Zara organization, or pay a tax toward them. However, this only applies when the money is used directly for the Avoda Zara. If it is placed in a communal kitty and used for many uses, including the Avoda Zara, it is permitted. In addition, the gentile is not commanded in the the Mitzvah of Lo Yidbak. The benefit does not really come, even indirectly, by way of the witnesses.

However, there is some concern that the signature on the document could be construed as an endorsement of all the causes listed in the will. This might be included in the prohibition forbidding causing the name of an idol to be invoked in written form. However, the writer already used the name of his deity before asking the witness to sign.

Nonetheless, the Jew's name will appear on a document donating money to a church. The Talmud raises concern with signing one's name to a document with another person. One may not sign until he knows who else will sign with him. However, this only applies to witnesses, as opposed to the content of the document. In our case, the signature appears merely to assert that the gentile mentioned the church. Still, the Jew might be called to support the claims of the church if the will is contested. Accordingly, though there is enough reason to permit witnessing the will, the Jew should try to find a diplomatic way out of signing himself. It would be permissible for him to recommend a gentile to sign. [See Sanhedrin 23a Avoda Zara 13a 47, Poskim. Tur Sh. Ar. Y.D. 139: esp. 15, 142 (Darkei Teshuva 2), 143:esp. 5-6, 147, commentaries. Igros Moshe Y.D. III:34.]