

# HALOCHOSCOPE TOI OPE

Someone has been given a kit to assemble a cardboard mobile for a baby's crib. The assembled mobile consists of the sun, moon and planets. First, may the mobile be assembled? If it was assembled, may it be kept in the house?

The issues:

- (A) *Lo Saasun Iti*, the prohibition forbidding making images
- (B) *Chashad*, the restriction against possessing something suspicious

## (A) *Lo Saasun Iti*

It is well known that worshipping graven images is forbidden. In addition, there is a separate Mitzvah forbidding forming certain images. The Torah expresses this in the term *Lo Saasun Iti*, [Hashem says] Do not make "with" Me [gods of gold and silver]. The term "with Me" is taken to forbid making images to be served on an equal basis with Hashem. However, the Talmud gives the true meaning as to forbid making images of the *Shamashim*, "ministers" of Hashem, and the other articles of holiness associated with service of Hashem.

On the lowest level the *Shamashim* include vessels and buildings of the *Mishkan* and *Bais Hiamikdash*. It is thus forbidden to reproduce a building with the likeness of the *Bais Hamikdash* or any part of it. It is forbidden to reproduce vessels used in the temple service. Changing the materials, or according to many *Poskim*, the scale, relaxes the restriction. It is also permitted to make them for use as a learning tool, as we shall explain.

On the next level, *Shamashim* include images of the sun and moon or any planets. These celestial bodies minister Hashem in their capacity of providing a service to the world as His agents. On the most serious level, one may not make images of the faces that appear on the Throne of Hashem described by the *Navi Yechezkel*. They are the faces of a lion, a bull, (or cherub), an eagle and a person. In addition the Talmud rewrites the Hebrew *Iti* into the word *Osi*, spelled the same way. This would then mean, do not make "Me", I.e., Hashem Himself. This is a reference to making any human image, since this is the way His attributes are referred to by the prophets.

The Talmud says that the image is meant to be a copy of the real life being. In real life it is not engraved, but has body to it. Therefore, the Talmud distinguishes

between an engraved or sunken image, which is usually permitted, and an embossed, raised, or whole statue type image, which is forbidden. The issue regards a signet ring with a seal, but the ruling applies to all images. Painting or drawing the image with ink or paint on a level surface is considered equivalent to engraving by most Poskim. A minority are concerned with the slight raise in surface. Photographs are considered less problematic, since the entire surface has the same amount of "embossed" film, yet some raise issues here too. China utensils often have a raised image, which does cause problems.

The actual passage of the Talmud, however, must be examined closely regarding its relevance to our case. In our case, both assembling and keeping the mobile are at issue. The passage of the Talmud is really discussing keeping the image on a seal in one's possession. There is no apparent distinction between engraving and embossing the image when making it. Nonetheless, in one view, the passage refers to this issue implicitly. If the ring is embossed, one may not keep it in his possession, but may seal with it, since the seal will be sunk into the wax or clay. If it is engraved, it may be kept, but may not be used to seal with. The seal will remain embossed. In the other view, the distinction only applies to keeping an image in one's possession. Making an image is forbidden even if it is not raised.

Furthermore, our case raises a more serious issue. Images of the sun and moon are forbidden even if they are not raised or sunken. Raban Gamliel had images of the moon painted on his wall. He sued these to cross-examine witnesses to the new moon. Their permissibility is questioned and then justified. This Talmudic process is the basis for many of the rulings in this matter. Though they were not raised, but on a flat surface, they were normally forbidden. In their natural visible form these bodies do not appear raised, to the earthbound observer. The discussion refers to both making and keeping these images. Thus, we learn that in our case, where the image is of a planet, there is an issue with both making and keeping them. [Keeping them will be discussed in the next section.]

The Talmud first reconciles the images made for Raban Gamliel, by saying he had them made by gentiles. Later, in reconciling the permissibility to keep them, the Talmud says that they were made for purposes of Torah study. This permissibility is invoked as well to permit a Jew to make them.

Making an image for purely decorative purposes is thus forbidden. To permit this in part, two ideas are proposed. We know that an incomplete human image or human body part may be made and kept. Accordingly, some rely on this to draw part of the moon. Some say that the moon is forbidden only if it is drawn as a half-moon, while others say the exact opposite and a third view forbids it whether whole or half. Only if an unnatural image is drawn would it pass this test.

The second excuse is based on a discussion of the holy Throne and its four faces. If a single human image is forbidden, what is new about adding three more to it? Why is there a need for the additional prohibition? The Poskim say that it would only be forbidden alone, but not in a group with other images. However, if those others are images from the Throne, this is also forbidden. Some suggest that the same should be true of the sun and moon. Drawn as entities on their own they would be forbidden, but in a group of planets or the sky they should be permitted.

In our case, the whole image is made. Furthermore, images are made of the entire solar system. Thus, it is hard to consider this a part image. On the other hand, since it appears in a group of planets, it is less stringent. However, in this particular case, the planets are really separate pictures. Does hanging them up with the others in one mobile make them the same as making one large picture? It would appear that this is true. Each individual picture has very little meaning unless it is part of the Mobile.

Another possibility is that the person assembling the images is not considered making them. True, he needs to break the perforations. However, the actual pictures were already made by a gentile. Breaking the perforations adds nothing to them, except that they are now clearly raised, or rather, not flat. However, as we have explained, regarding images of the sun or moon, flatness or raisedness is no issue. One could argue that though we rule stringently with regard to flat images of the moon, this should not imply a leniency as well. After all, people know that these bodies are three dimensional. Even in Talmudic times they used Babylonian lenses to observe the skies. In addition, assembling the solar system is an act of constructing the pictures somewhat. Nonetheless, in order to forbid the activity in our case, we must consider the act of breaking perforations and assembling them an act of making an image. It is not really an act of drawing nor an act of engraving or modeling, but simply placing a picture in position, like hanging up a series of pictures on a wall. This is not included in the prohibition. [See Rosh Hashana 24a-b, Poskim. Tur, Shulchan Aruch Yoreh Deah 141:1, 4-5, commentaries.]

### **(B) Chashad, owning something suspicious**

Having assembled the mobile in an acceptable manner, the issue of keeping it must be addressed. Apart from the restrictions already discussed, there is an issue of *Avoda Zara*. Benefiting from an item that was actually worshipped is forbidden. This is a Scriptural violation of *Lo Yidbak Beyadecha*, do not gain at all from the Avoda Zara item which is meant to be destroyed. Bringing into the home and keeping it there is also forbidden. This Scriptural violation comes from *Lo Savi To'aivah El Baisecha*. However, if the item was clearly not worshipped, or if the

gentile worshipper decisively abandoned it, it is not an Avoda Zara item. Thus, if one finds certain items, he may not keep them. In some cases he may keep them: It depends on the possibilities, since it is not clear whether they were religiously significant. The Talmud discusses utensils with images of the sun or moon. These are explained by the Poskim to refer to human-like images that represent a sun-god or moon-god. A real sun or moon does not carry the same restriction, unless it is an image that was known to have been worshipped. However, in our case there is no religious significance at all.

Nonetheless, there is a different issue in our case, discussed by the Talmud. It is forbidden to draw suspicion to oneself. Possessing images that are forbidden to make leads to suspicion that one actually made them. Possessing the items that might be worshipped leads others to suspect that one worships them. The Talmud rules that if one possesses a ring with an image it must be destroyed. The first suggestion is that this is due to Chashad of making the image. However, the conclusion is that it is due to Chashad of worshipping.

The Talmud permits possessing such images to study Torah. Nowadays, people have globes and other images of the solar system to study them. Though this is not for Torah study, but for general knowledge, it can not be disputed that the knowledge is used to help one in his studies. If they are not made by the owner, and the only issue is keeping them, this should serve as a dispensation.

In our case, the mobile is clearly not being worshipped, nor does it raise suspicion of having been made by the owner. It is decorative, and not made for study, despite claims made by manufacturers of early "education". True, a conscientious parent could use it to teach about the wonders of Hashem's universe and Creation, and one never knows the impressions made on babies. It is meant to be a representation of a sky. It has absolutely no religious significance. Chashad in the Talmudic sense is not present. Nonetheless, the issue remains that the Talmud does not necessarily distinguish between decoration and other Chashad, and only allows it when used for Torah study. However, it would appear that in the conclusion of the Talmudic discussion, Torah study is the reason to permit even making the images. Keeping them seems to be permitted if the Chashad of worship can be eliminated conclusively. In this case this would seem to be the case. Therefore, the mobile should be permitted to assemble and permitted to keep. [See Avoda Zara 42b-43b, Rosh Hashana 24b, Poskim. Tur Sh. Ar. Y.D. 141:3-6, Darkei Teshuva 37 38 39 46, commentaries.]

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1516 KANSAS AVE.

WHITE OAK, PA 15131 (412) 673-6274

**Please note, New e-mail: [halochoscope@hotmail.com](mailto:halochoscope@hotmail.com)**