

# Art or Idolatry? The Laws of Forbidden Images

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## Introduction

The recent Indian hair controversy focused observant Jewry's attention on a surprisingly practical application of the laws of idolatry. In general, while idolatry is one of the three cardinal sins of Judaism, its contemporary relevance remains limited in a predominately non-pagan world. One corollary of this prohibition, however, the injunction against creating images of celestial bodies or of man, governs aspects of our daily activity. We must explore this area of halacha to determine whether we can buy a birthday card with a picture of the sun, surf the internet, allow our children to play with dolls, or construct a *menorah* in our synagogues. In this article we will present the halachic framework for addressing these issues and the opinions of contemporary Rabbinic authorities regarding practical applications.

## Source of the Prohibition

The Talmud (*Avodah Zarah* 42b-43b)<sup>1</sup> derives a series of related halachot from the verse in *Yitro* (20:20) "*Lo taasun iti elohei chesef v'elohei zahav lo taasun lachem,*" "You shall not make with Me gods of silver and gods of gold you shall not make for yourselves," specifically that one may not produce images of

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1. All subsequent references to the Talmud and its commentaries refer to this passage unless otherwise noted.

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the upper celestial sphere's inhabitants, namely angels, the lower celestial sphere's inhabitants, including the sun, moon, stars, and signs of the Zodiac, or of man.<sup>2</sup> In addition to the biblical prohibition of *asiyah*, creating any of these images, the Talmud indicates that there is an additional rabbinic injunction against *shehiyah*, retaining these images.<sup>3</sup>

Although these prohibitions apply regardless of whether or not the forbidden images are actually intended for worship or are worshipped, Rambam and *Chinuch* view them as a precaution against idolatry. Rambam (*Sefer Hamitzvot Laavin* 4) writes that the Torah prohibited creating these images lest one be misled to think that they are idols. *Chinuch* (39) claims simply that *lo taasun iti* is meant to further distance ourselves from idolatry.

### Creating images of the sun, moon, and stars

Tosafot (*Avodah Zarah* 43b s.v. *veha*) and Rambam (*Hil. Avodah Zarah* 3:11) prohibit all three-dimensional images of the sun, moon, and stars, be they protruding images (*boleit*) or sunken images (*shokeiah*). (This is in distinction to the prohibition of images of man, which, as we will see, only applies to protruding images.)<sup>4</sup> Tosafot write that the prohibition extends to sunken images because in the sky the sun, moon, and stars are sunken.<sup>5</sup>

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2. The Talmud also derives an injunction against replicating the structure of vessels of the *Beit HaMikdash*. We will deal with this separately later.

3. Ran (19a) appears to indicate that *shehiyah* is of biblical origin.

4. Rashba (*Teshuvot* 1:167), Ritva (43b s.v. *hatam*), and Ran (19b) dispute this and seem to permit creating sunken images of the sun, moon, and stars.

5. Presumably this means that we perceive these bodies as sunken. Contrast this with Ritva (43b s.v. *hatam*) who writes that the sun, moon, and stars appear as protruding and not sunken and therefore

This is the ruling of *Shulchan Aruch* (*Yoreh Deah* 141:4).

The question of whether *lo taasun iti* extends to two-dimensional imagery of the sun, moon, and stars is slightly more complex. Among earlier authorities, Rambam and Maharam take opposing sides on the issue.<sup>6</sup> *Taz* (141:13) permits two-dimensional imagery of the sun, moon, and stars, while *Shach* (141:25 and *Nekudat HaKesef*) prohibits it.<sup>7</sup> As we shall see, the consensus of later *poskim* is that we follow *Shach's* stringent opinion.

*Yad Ketanah* in his commentary on Rambam (*Minchat Ani* 3:33, excerpted in *Darkei Teshuvah* 141:46) opines that any drawing that reflects the standard way people illustrate the sun falls under this prohibition. Thus, one may not sketch a circle with emanating rays, even though the actual sun does not have rays protruding from it, as we typically identify this image with the sun. Similarly, drawing a small circle with points coming out of it should be prohibited, as this picture would easily be associated with a star.<sup>8</sup> Along these lines, R. Pesach Eliyahu Falk of Gateshead (in an article published in *Am HaTorah Mahadurah* 3, Vol. 5, pp. 49-70) writes that one should not draw a picture of the night sky while leaving some white spots, as

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permits sunken images.

6. Rambam (3:11), in prohibiting producing an image of these celestial bodies on a tablet, presumably refers to two-dimensional images. *Darkei Moshe*, however, infers from Maharam (quoted in Mordechai *Bava Batra* 549) that drawing a two-dimensional picture of the sun, moon, or stars is permissible. While *Shulchan Aruch* (141:4) implies that two-dimensional imagery is forbidden, Ramo, despite his citation of Maharam in *Darkei Moshe*, is silent.

7. See *Pitchei Teshuvah* (141:6,8) who quotes *teshuvot* on both sides of the issue.

8. *Iggerot Moshe Orach Chaim* Vol. 5 (9:6) appears to accept *Yad Ketanah's* ruling.

those spots clearly represent stars.

*Darkei Teshuvah* (141:38) quotes Maharam Alshich (77) who holds that the prohibition of drawing the sun, moon, and stars applies only to full pictures. Maharit, however, (*Yoreh Deah* 35) writes that a half moon does fall under *lo taasun iti* because the moon often appears as such. Using similar logic, Rabbi Falk prohibits drawing a sun covered by clouds and a setting sun, as we often view the real sun in such positions.<sup>9</sup> Rabbi Falk does concede that one may draw part of a sun on a corner of a piece of paper in such a way that there is no room to draw the rest, as this is not a normal perspective of the sun.<sup>10</sup>

In addition to the sun, moon, and stars, the Talmud also prohibits creating images of the Zodiac's signs. While *Taz* (141:13) assumes that the prohibition extends to the image of any single member of the Zodiac, *Shach* (141:30) limits it to all twelve signs together.<sup>11</sup>

### Drawing for Educational Purposes

Is it permissible to encourage or even allow children to draw pictures of the sun, moon, and stars? *Iggerot Moshe* (*Orach Chaim* Vol. 5 9:6) writes that a picture that accurately captures what it

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9. Rabbi Falk quotes R. Nissim Karelitz of Bnei Brak as permitting both of these, as does R. Shmuel Wosner (*Shevet Halevi* Vol. 7 134:7). R. Hershel Schachter agrees with this position. All citations of R. Schachter, unless otherwise noted, are from personal conversations with the author and their accuracy was subsequently verified by R. Schachter.

10. This leniency was also conveyed to me by R. Azriel Auerbach of Jerusalem.

11. Meiri, who prohibits a single image, suggests that the Talmud only prohibited making dots in the shape of the constellations but not replicating the animals or other representations that we identify with the Zodiac (42b s.v. *din oseh*).

is supposed to represent should be prohibited once a child reaches the age of *chinuch*. Even though most children are not proficient enough in their artwork to produce something that actually looks like the sun, *Iggerot Moshe* frowns upon the educational message imparted by encouraging children to draw that which would be prohibited if they did it properly.<sup>12</sup>

R. Shmuel Wosner (*Shevet Halevi* *ibid.* 134:8) posits a possible leniency for allowing children to draw pictures of the sun, moon, and stars for *Parshat Bereishit* (creation) and *Parshat Vayeshev* (Yosef's dreams) projects. The Talmud indicates that the prohibition of *lo taasun iti* is waived for purposes of *l'hitlamed* (to teach). This is one explanation the Talmud presents for why Rabban Gamliel HaNassi was permitted to retain images of the moon that he presented to witnesses who sighted the new moon. The simple reading of the Talmud, as reflected in the rulings of Rosh (3:5) and *Tur* (*Yoreh Deah* 141), presents *l'hitlamed* only as a justification for retaining otherwise forbidden images but not for creating them. However, Rif (18b) presents the talmudic passage in a way that even permits creating these images where *l'hitlamed* is applicable. *Shulchan Aruch* (141:4) seems to follow Rif's reading, referring to *l'hitlamed* in the context of creating images.

Although *Shulchan Aruch* quotes the leniency of *l'hitlamed*, its scope is unclear. From the instances in the Talmud, it would seem to be limited to knowledge that *bet din* or the leading rabbinic authorities must have in order to rule properly (see *Shabbat* 75a, *Sanhedrin* 68a, *Avodah Zarah* 18a). The Talmud never invokes *l'hitlamed* to permit to a layman an otherwise forbidden activity.<sup>13</sup> However, Meiri (42b s.v. *din acheirim*) permits creating

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12. R. Hershel Schachter and R. Azriel Auerbach expressed similar sentiments.

13. See, however, R. Moshe Feinstein, *Iggerot Moshe*, *Yoreh Deah*

images of celestial bodies for the purpose of learning astronomy. *Shach* (*Nekudat HaKesef* on *Taz* 141:13) appears to go even further, suggesting that images of constellations in *machzorim* do not constitute a violation of *lo taasun iti* because they are considered *l'hitlamed*.<sup>14</sup> R. Wosner writes that *Shach's* expansive understanding of *l'hitlamed* should permit allowing children to draw pictures of the sun, moon, and stars for educational purposes.

Others dispute this extension of *l'hitlamed*. R. Hershel Schachter thinks that *Shach's* leniency is difficult to understand and has not been accepted. In a slightly different context, R. Yaakov Yosef Weiss (*Minchat Yitzchak* 10:72) assumes that *l'hitlamed* applies only when one cannot otherwise achieve the educational objective.

### Creating images of man

The prohibition against creating images of man is slightly less rigorous than that of the sun, moon, and stars. The generally accepted approach is that only protruding images are prohibited, while sunken images, and by extension two-dimensional images, are permissible.<sup>15</sup> According to this position, photography of people is permissible.<sup>16</sup>

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3:33, who refers to *Keritot* 5a, which permits producing *shemen hamishcha*, the anointing oil, that would otherwise be prohibited, "*l'ilmod*", to learn. He suggests that the simple reading of this passage allows for this action even where there is no practical benefit.

14. *Shach* does not rely on this alone to permit the pictures in *machzorim*. He combines this suggestion with the fact that the images in question are not complete.

15. This is the opinion of Tosafot (43b s.v. *veha*) and Rambam (3:10), and is the ruling of *Shulchan Aruch* (141:4).

16. See R. Ovadiah Yosef (*Halichot Olam*, *ibid*, and *Yabia Omer* Vol. 4 *Yoreh Deah* 22:3) for a list of authorities who permit photography.

*Shulchan Aruch* (141:7, based on Rosh, *Avodah Zarah* 3:5), rules that forming an image of a human face without a full body is permissible.<sup>17</sup> R. Yaakov Emden, *Sh"ut Ya'avetz* I 170, quoted in *Pitchei Teshuva* 141:10, however, reinterprets this opinion to permit only a blank face lacking distinct facial features. A face with facial features, even when not connected to a body, or a full body even with a blank face, would be prohibited.<sup>18</sup>

*Chatam Sofer* (2:128), responding to the query of a Jewish student in art school, suggests that one could avoid violating *lo taasun iti* by sculpting an entire human body except for an eye and having a non-Jewish colleague complete the work.<sup>19</sup>

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R. Yaakov Emden (*Sheelot Yaavetz* 1:170, quoted in *Pitchei Teshuvah* 141:1, and *Megilat Sefer*, Jerusalem, 1979, p. 57) records the fierce opposition of his father, the *Chacham Tzvi*, to efforts of the London Jewish community to have his portrait painted, but indicates that this was more of a *midat chassidut* than a strictly halachic consideration. R. A.Y. Kook (*Da'at Kohen* 66) notes that common practice is to allow photography but that there is a *middat chassidut* in refraining from photographing a complete image of a person.

There is a minority opinion of Ramban (43a s.v. *d'akshina*, quoted in *Taz* 141:12) and Ritva (43b s.v. *v'ibait eima*) that *lo taasun iti* applies even to sunken images of man. *Divrei Malkiel* (3:48) thinks that one should be stringent on this matter, as the potential prohibition is biblical in nature, and therefore prohibits photography.

17. *Shach* (141:25) supports this position and also permits a profile image. *Taz* (141:15) and *Shach* (141:32) quote *Semag* who prohibits even a human face alone, and *Shach* adds, "he who is stringent in this matter is blessed."

18. R. Hershel Schachter says that one should follow *Yaavetz's* opinion. *Shevet Halevi* (Vol. 7 134:2) writes that the consensus opinion of later authorities is against R. Yaakov Emden.

19. This assumes that *lo taasun iti* does not apply to non-Jews, for otherwise there would be a prohibition of *lifnei iver*. This seems to be a subject of dispute between Tosafot and Rambam. Tosafot (43b s.v. *shani Rabban Gamliel*) write that commissioning a non-Jew to create images of the moon is only a violation of *amirah l'akum*, which is

*Chatam Sofer's* solution presumably only helps according to the simple interpretation of the *Shulchan Aruch* and not the stringency of R. Yaakov Emden.

### Cameras, Machines, and Computers

Modern technology raises additional issues: May one photograph the sun or the moon? Do we consider the image as being created through the act of taking a picture or only through developing the film?

R. Wosner (*Shevet Halevi* Vol. 7, 134:5) writes that film photography of the sun, moon, and stars is permissible, as the image is only created on film.<sup>20</sup> R. Schachter points out that the person who develops the film violates *lo taasun iti*. If the developer is Jewish, giving him the film would constitute *lifnei iver*. If the developer is not Jewish, even if we assume that non-Jews are not bound by *lo taasun iti*, there would still be a problem of *amirah l'akum*, having a non-Jew perform an activity that is prohibited to a Jew on the Jew's behalf.

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rabbinic, and thus permissible for purposes of a mitzvah. The fact that Tosafot do not raise the issue of *lifnei iver* implies that they hold that non-Jews themselves may create images that are included in *lo taasun iti*. Rambam (*Melachim* 9:2), however, prohibits Noahides from creating images for aesthetic purposes. *Minchat Chinuch* (39) wonders why *Shulchan Aruch* does not record the opinion of Rambam that the prohibition applies to non-Jews. *Tosafot R' Akiva Eiger* (*Rosh HaShanah* 2:11) assumes that there is no prohibition of *lo taasun iti* for non-Jews. *Shach* (141:23) seems to be of the same opinion, as, like Tosafot, he only raises the issue of *amirah l'akum* and not of *lifnei iver*. This also appears to be the assumption of R. Moshe Feinstein (*Iggerot Moshe, Yoreh Deah*, 2:54) who permitted Jewish residents of a city to contribute to the erection of a Kennedy statue where the city had already begun its production.

20. R. Nissim Karelitz (cited in Rabbi Falk's article) assumes that film photography is prohibited.



May one press a button on a machine to start an assembly line process that results in the production of dolls? May one click an icon on a computer that sends a message to a printer to print a picture of the sun? To answer these questions we must address two issues. Firstly, does halacha view the products of these situations as being created through a direct action (*ma'aseh*) or an indirect action (*grama*)? Secondly, if all that occurs here is a *grama*, does one violate *lo taasun iti* through *grama*?

There are two basic approaches in rabbinic literature to defining *grama*. According to the approach favored by R. Yosef Dov Soloveichik, any action which starts a process leading directly to the result, even if there is a time delay, is considered direct action and not *grama*.<sup>21</sup> This would accurately describe the mechanism of both of the above scenarios. According to the second approach, as long as there is a time delay, the action is considered *grama*.<sup>22</sup> In the case of the doll-producing machine there would likely be a time delay involved, rendering the initial activity *grama*. Whether the printer case involves *grama* according to this definition might depend on how long the print command takes to be implemented.

R. Natan Geshtetner (*Lehorot Natan* 3:50) writes that creating a forbidden image through *grama*, an indirect action, is permissible. He reasons that since the Talmud (*Shabbat* 120b) distinguishes between *ma'aseh* and *grama* regarding the laws of Shabbat based on the verb "*taaseh*" ("*lo taaseh kol melachah*," "you shall not make any forbidden labor" – *Shemot* 20:10), the

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21. See R. Hershel Schachter, *B'ikvei HaTzon* (Jerusalem 1997), pp. 44-45 for a presentation of this position.

22. See R. Ovadia Yosef, *Yabia Omer* (Vol. 3 *Orach Chaim* 17:4) for a list of authorities who support this view. See also Rabbi Yitzchak Halperin, *Maaseh U'grama Behalacha* (Institute for Science and Halacha, Jerusalem 1978) for a thorough discussion of the topic.

same should be true for forbidden images where the Torah uses a similar verb, "*taasun*."

R. Schachter notes that R. Yosef Rozen, the Rogachover Gaon, distinguishes between two types of prohibitions, an *issur peulah*, an action-oriented prohibition, and an *issur chalot* (or *nitpael*), a result-oriented prohibition. When it comes to an *issur peulah*, only a direct action is prohibited, as the forbidden activity itself is the focus. However, regarding an *issur chalot*, since the prohibition is result-oriented, even an indirect action which leads to the problematic result is prohibited (*Shut Tzafnat Paaneach*, New York, 131). As *lo taasun iti* is most likely a result-oriented prohibition, since its basis is *avodah zarah*, creating a forbidden image should be prohibited even through *grama*.

How does *lo taasun iti* apply to computer monitors? Does one violate the prohibition by causing a picture of the sun to appear on a monitor? R. Schachter opines that since the image that appears is temporary in nature the prohibition does not apply. Presumably this applies to the image on a digital camera as well. This is in line with Maharit (*Yoreh Deah* 35), who posits that *lo taasun iti* only applies to permanent images.

### Retaining images

The Talmud (43b) further indicates that *shehiyah*, retaining one of the prohibited images, is itself forbidden because of *chashad*, or suspicion. Tosafot (s.v. *veha*) demonstrate that the Talmud initially understood the *chashad* as suspicion that the individual created the object in violation of *lo taasun iti*. The conclusion, though, is that the *chashad* is suspicion that the owner worships the object. This is also the opinion of Rashi (s.v. *chashada*).<sup>23</sup>

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23. Netziv, *Ha'amek Shealah* 57:3, who suggests that Rosh is of the opinion that even according to the Talmud's conclusion the *chashad*

Ramo (141:3) and *Shach* (141:16) hold that even nowadays, when worshipping human and celestial images is no longer in vogue, the prohibition of *shehiyah* remains. *Chochmat Adam* (85:6), though, argues that since no one worships images of man anymore, retaining such an image is permissible.<sup>24</sup> He makes no mention of a similar dispensation for images of the sun, moon, and stars, but such an extension might be reasonable.<sup>25</sup> R. Schachter thinks that common practice to own such images is based on this lenient position.<sup>26</sup> Many *poskim*, however,

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is that the person created the object. See also *Beur HaGra* 141:19, 21. R. Tzvi Hersh Orenstein, grandson of the *Yeshuot Yaakov*, in a lengthy *teshuvah* printed in his grandfather's work following *Yoreh Deah* 141, claims that Rambam is of the opinion that the only *chashad* that we must be concerned about is *chashad asiyah* and that Tosafot only deny the existence of *chashad asiyah* based on a premise that *Shulchan Aruch* does not accept. R. Ben-Tzion Uziel (*Mishpitei Uziel* Vol. 2 *Yoreh Deah* 18) suggests that *Tur* also understood the Talmud as referring to *chashad asiyah*. R. Hershel Schachter assumes that one should be concerned about this type of *chashad* in addition to *chashad avodah zarah*. Thus, even in situations where the *chashad* of worshipping does not apply, the *chashad* of creating, or perhaps even commissioning the creation, would still be relevant.

24. This seems to be the position of Ritva (43b s.v. *v'ibait*).

25. *Darkei Teshuvah* (141:18) quotes *Mekor Mayim Chaim* that *shehiyah* is not prohibited where the casual observer would readily assume that retention of the object is for aesthetic purposes.

26. Netziv (*Haamek She'alah* 57:3) observes that people commonly own full images of man, as no one would suspect them of idolatry. R. Binyamin Zilber (*Az Nidberu* 8:59) rules like *Chochmat Adam* regarding storeowners displaying manikins. See also *Darkei Teshuvah* (141: 31,34).

If we are concerned about *chashad asiyah* as well (as per footnote 24), the fact that no one worships human images or the celestial bodies anymore should be of no significance, as the point of concern is that people might suspect one of creating the image. However, this would not be the case with mass produced products. Thus, if we combine the leniency of *Chochmat Adam* with the consideration of

assume that the prohibition of *shehiyah* still applies.<sup>27</sup>

If we assume the prohibition of *shehiyah* to be binding even nowadays, how can one purchase a newspaper with a picture of a sun, peruse an astronomy book, or own a doll in human likeness? The Meiri quoted above extends the leniency of *l'hitlamed* to astronomy and would permit owning books with pictures of the sun, moon, and stars for educational purposes. Rabbi J. David Bleich proposes that *Shach's* aforementioned leniency for images in *machzorim* reflects a broader definition of *l'hitlamed*, possibly allowing one to retain any image that has some minimal educational value. For example, perhaps a picture of a lunar eclipse in a newspaper serves to educate us about that phenomenon.<sup>28</sup> If one does not accept this argument, presumably drawing a line through a picture of the sun or otherwise defacing the image should remove the prohibition of *shehiyah*.<sup>29</sup>

Regarding dolls, the Chazon Ish and, *l'havdil bein chaim l'chaim*, R. Elyashiv hold that one should destroy the nose or an eye to avoid violating *shehiyah*.<sup>30</sup> R. Ovadiah Yosef (*Yabia Omer* Vol. 3

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*chashad asiyah*, it would be permissible to retain a factory-manufactured doll but not a picture of the sun drawn by an amateur artist.

27. See *Iggerot Moshe, Yoreh Deah* 2:54-55. Meir Greeniman, *Dinim v'Hanhagot Mimaran HaChazon Ish* (Bnei Berak 2003, p. 23) records that the Chazon Ish assumed that owning a doll in full human likeness is prohibited. This is also the position of R. Yosef Shalom Elyashiv, as conveyed to me by R. Azriel Auerbach and R. Dovid Morgenstern, and of *Shevet Halevi* Vol. 7, 134:1-2.

28. Personal conversation with R. Bleich.

29. R. Azriel Auerbach agreed with this leniency.

30. *Chochmat Adam* writes that if one wishes to be stringent it is sufficient to deform an eye. According to R. Yaakov Emden's position, one violates *lo taasun iti* with anything short of a blank face, and merely cutting off a nose would not suffice. *Shevet Halevi* (*ibid*) assumes this way. However, Rabbi Falk argues in the aforementioned article,

*Yoreh Deah* 8, *Yechaveh Daat* 3:64) suggests two grounds for leniency, although he still recommends not purchasing dolls in full human form. Firstly, if we accept the contention of Maharit (*Yoreh Deah* 35) that *lo taasun iti* only applies to images that are permanent, dolls may not be subject to the prohibition. Secondly, the Mishnah (42b) indicates that if one finds an otherwise forbidden image on a utensil that is used for degrading or mundane purposes (*mevuzin*), such as drinking utensils, it is not prohibited. R. Ovadiah Yosef suggests that dolls are *mevuzin*, as children often roll with them in the mud or the like.<sup>31 32</sup>

### Replicating vessels of the Temple

Among the series of *derashot* on *lo tassun iti*, the Talmud includes the prohibition of replicating parts of the *Beit Hamikdash*. One may not produce a house in the shape of the *heichal*, a porch in the shape of the *ulam*, a courtyard in the shape of the *azarah*, a table in the shape of the *shulchan*, or a candelabra in the shape of the *menorah*. Although the Talmud seems to group this prohibition with the aforementioned applications of *lo taasun iti*, Rambam codifies it in *Hilchot Beit*

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quoting a ruling of R. Nissim Karelitz, that breaking the nose of an existing face would satisfy even this stringent opinion, as a visibly broken image should not be prohibited. *Beit Lechem Yehudah*, while not addressing the dispute between R. Yaakov Emden and the lenient authorities, writes that the barometer for whether an image is adequately destroyed is whether it is recognizably broken.

31. In the earlier *teshuvot* R. Yosef does not think that these leniencies would suffice to allow producing such dolls. However, in *Halichot Olam* (Vol. 7, *Masei* 3), he proposes that even creating dolls should be permissible, combining the fact that dolls are not permanent and *mevuzin* with the opinion that the prohibition of *shehiyah* no longer applies.

32. Presumably, neither of these points should be relevant to china dolls, which are designed to be permanent and are not *mevuzin*.

*Habechirah* (7:10) with the laws of *mora hamikdash*, awe for the Temple.

There is a difference between the application of this prohibition to the *menorah* and to the Temple structures. According to the simple reading of *Shulchan Aruch* (141:8), while replicating the other rooms is only problematic if their dimensions are identical to those of the Temple,<sup>33</sup> reproducing a *menorah* is prohibited even if the height is different, so long as there are seven branches. One may only produce a candelabra that would be unfit for use as a *menorah*. Since the *menorah* in the Temple is usable even if its required height is lacking, a replica of the same size would be prohibited.<sup>34</sup>

Using this principle, R. Ovadia Yosef (*Yabia Omer*, Vol. I *Yoreh Deah* 12; *Halichot Olam* Vol. 7 *Masei*, 6, quoting a series of earlier responsa on the topic) permits electric *menorahs* in synagogues. The *menorah* in the Temple needed to have cups for inserting oil and wicks. Since electric candelabra are closed on the top and cannot hold oil and wicks, they could not be construed as replicas of the Temple's *menorah*.<sup>35</sup>

*Pitchei Teshuvah* (141:14, and see also *Darkei Tesuvah* 141:56),

33. According to this, making a miniature model of the Temple should be permissible. This is the opinion of R. Ovadiah Yosef, *ibid*, and *Minchat Yitzchak* (10:73), both of whom add that this is especially true where there is an educational component, as per the *l'hitlamed* dispensation. Both of these responsa do quote other sources that prohibit replicas even when they are not of the same dimensions.

34. This is the opinion of Maharik (75, quoted in *Beit Yosef*) and *Shach* (141: 35-36). *Shach* adds that a candelabra made out of metals other than gold is prohibited, as such a *menorah* would be admissible in the Temple, but this is not the case with wood.

35. R. Natan Geshtetner (*Lehorot Natan* 3:48) writes that a seven-branched candelabra on which only six cups can hold oil should be permissible.

quotes an opinion of *B'chor Shor* who assumes that the prohibition applies without qualification to any seven-branched candelabra. Along these lines, R. Ben-Tzion Uziel (*Mishpitei Uziel* Vol. 2 *Yoreh Deah* 18) suggests that as long as the basic shape of the *menorah* is the same, even if it uses light bulbs and not oil, it should be prohibited.<sup>36</sup> R. Schachter is of the opinion that common practice is to be stringent on this matter.

### Summary

The following is a brief summary of the issues explored in this article.

**1) Creating images of the sun, moon, and stars:** *Shulchan Aruch* rules explicitly that creating three-dimensional images of these bodies is prohibited, and the consensus of later rabbinic literature prohibits two-dimensional images as well. Although later authorities argue about some of the detailed applications, they generally subscribe to *Yad Ketanah's* principle that any drawing that reflects the standard way people view these bodies is prohibited.

**2) Drawing for educational purposes:** *Iggerot Moshe* and others disapprove of allowing children to draw pictures of the sun, moon, and stars. *Shevet Halevi* permits children's drawing for educational purposes in light of *Shach's* dispensation for images in *machzorim* that have an educational component.

**3) Creating images of man:** The consensus in rabbinic literature prohibits only three-dimensional images, as in sculptures, but permits two-dimensional images, as in portraits. Everyone agrees that one may sculpt a blank face lacking any distinct facial features. Whether one may sculpt a face with facial features that is not connected to a body or a full body

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36. See also *Shoel U'Meishiv* (I 3:71).

with a blank face is subject to dispute.

**4) Modern technology:** According to Maharit, the prohibition of *lo taasun iti* does not apply to creating temporary images. This is relevant to images on a computer screen or digital camera. However, developing film or printing an image on a printer may constitute creating a forbidden image.

**5) Retaining images:** *Shehiyah*, retaining one of the prohibited images, is forbidden because of *chashad*, which most render as suspicion that the individual worships the object. Whether this prohibition applies even in societies where such objects are not worshipped is subject to a dispute between Shach, who is stringent, and *Chochmat Adam*, who is lenient. While some contemporary authorities subscribe to the lenient opinion, many assume that *shehiyah* is still prohibited. Even if retaining forbidden images is prohibited, some permit *shehiyah* for educational purposes. Chazon Ish holds that one should deform part of a doll in human image, while R. Ovadiah Yosef suggests possible leniencies.

**6) Replicating vessels of the Temple:** According to most authorities, the prohibition of not replicating structures of the Temple applies only if the model's dimensions are identical to those of the Temple. However, producing any seven-branched *menorah* poses a problem. Contemporary authorities disagree about whether one may fashion a seven-branched electric *menorah*, which would be unfit for use of the Temple as it cannot hold oil.