

MAKING AN IMAGE OF CELESTIAL BODIES

by Rabbi Doniel Neustadt

Question: Is it permitted to photograph the sun, moon or stars?

Discussion: From the verse in Parashas Yisro, "You must not make images of what is with Me," the Rabbis of the Talmud derive a Biblical prohibition against making images of any celestial bodies. Rambam explains that the Torah prohibits making these images so that people will not come to attribute Divine powers to them and worship them as avodah zarah. Thus it is forbidden to make an image of the sun, moon or stars.

What does "make an image" mean? How do we define "image" concerning this prohibition? The Rishonim describe three types of images:

Protruding (or raised) image — a three-dimensional replica.

Depressed image — an image carved into a substance.

Flat image — a two-dimensional painting or drawing on a flat surface.

Some Rishonim hold that the prohibition applies only to images which are raised or protruding; a depressed or flat image is not a true representation of a celestial body and may be fashioned.

Shulchan Aruch, however, rules like the majority of Rishonim who maintain that the prohibition includes a depressed or a flat image as well. In their opinion, a depressed or a flat image is a true representation of a celestial body, since from our perspective, the sun, moon and stars do not appear to the human eye as protruding from the heavens.

A minority view makes a distinction between a depressed image — which is prohibited, and a flat image — which is permitted. They reason that a flat image of no depth is not considered an image at all and is permitted to be painted or drawn. But most authorities equate a flat image with a depressed image, which the Shulchan Aruch strictly prohibits. The basic halachah follows the more stringent view.

Contemporary poskim debate whether taking a photograph of the sun or the moon is similar to drawing a flat image. Several rule stringently on this issue.

Note: Although a flat image is prohibited, this applies only to making an image where the intent is to represent a celestial body. For instance, it is prohibited to paint a shul ceiling with "stars," since the intent is to represent the stars in the sky. But it is permitted to make images of the sun, moon or stars

when there is no such intention. Thus, it is permitted to draw a Magen David, bake cookies in the form of a half-moon, give children a "star" on a homework assignment, etc.

Question: Is it permitted to draw (or photograph) part of the sun or moon?

Discussion: It is only prohibited to draw (or photograph) an image of the sun in its entirety. It is permitted to draw (or photograph) a part of the sun, or a partial view of the sun — i.e., a sun which is partially obscured by clouds or after it has begun to set and is no longer entirely visible. The same halachah applies to stars.

But it is forbidden to draw (or photograph) the moon in the beginning of the lunar month, even though only part of the moon is visible at that time.

The reason why the halachah permits making a picture of part of a sun or part of a star and forbids making an image of part of a moon is as follows: Barring extraordinary weather conditions, the sun and stars always appear to us in their entirety; creating part of a sun or part of a star, therefore, is not considered making an image of the sun or star at all. The moon, on the other hand, appears to us in different shapes at different times of the month; in the beginning of the month, the partial-moon is the actual appearance of the moon from our visual perspective. Thus it is forbidden to recreate that image of the moon.

Question: Is it permitted to create (or photograph) an image of the sun or the moon for instructional purposes?

Discussion: Shulchan Aruch rules that it is permitted to create images of celestial bodies if it is for the purpose of "study, to [better] understand [their nature] and to [be able to] teach [their laws]." Indeed, the Talmud tells us that Rabban Gamliel himself used various moon shapes to assist him in questioning witnesses who testified regarding kiddush ha-chodesh. But contemporary poskim are divided concerning the practical applications of this leniency:

- Some poskim permit creating these images only to aid in the study of practical halachah, as in the case of Rabban Gamliel.
- Other poskim permit creating these images as teaching tools for any area of Torah study, e.g., when studying the creation of the world in Parashas Bereishis or when learning about Yosef's dream.

One should consult an halachic authority as to whether or not it is permitted to make an image of a celestial body if it is going to be used in a classroom science project, etc.

Question: Is it permitted to commission a non-Jew to draw (or photograph) an image of a celestial body?

Discussion: No, it is not permitted. Just as it is forbidden to instruct a non-Jew to desecrate the Shabbos on behalf of a Jew, so, too, it is forbidden to instruct a non-Jew to transgress any Torah

prohibition on behalf of a Jew.

But once a picture (or a photograph) of an image of the sun, moon or stars has already been drawn or painted, it is permitted to leave it in one's domain; there is no obligation to destroy or get rid of it. [This applies to depressed or flat images only; a protruding image of a celestial body may not be kept in one's possession.] Thus, if a picture of the sun, moon or stars appears in a book or a newspaper, one need not cut it out.

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1. *Shemos 20:20.*
 2. Rosh Hashanah 24b; Avodah Zarah 43b.
 3. Avodah Zarah 3:10; Sefer ha-Mitzvos, Lo Sa'asseh 4.
 4. Other Rishonim, however, understand that this prohibition is a gezeiras ha-kasuv; see Chasam Sofer (Toras Moshe, Yisro), for an elaboration.
 5. Ramban and Ritva, Avodah Zarah 43b.
 6. Y.D. 141:4.
 7. See Tosafos, Rosh Hashanah 24b, s.v. v'ha; Kessef Mishneh, Hilchos Avodah Zarah 3:11.
 8. Darchei Moshe, Y.D. 141:5, quoting Maharam; Taz, Y.D. 141:13 and Pischei Teshuvah 6. See Beis Avi 2:75.
 9. Rambam, Hilchos Avodah Zarah 3:11; Nekudos ha-Kessef, Y.D. 141:5; Chochmas Adam 85:5; Pischei Teshuvah, Y.D. 141:8; Darchei Teshuvah Y.D. 141:36, quoting Beis Shelomo; Rashash, Yuma 54b.
 10. See Igros Moshe, O.C. 5:9-6, Minchas Yitzchak 10:72 and Shevet ha-Levi 7:134.
 11. Minchas Yitzchak 10:72; Rav N. Karelitz (Avodas Melech, pg. 337). See, however, Shevet ha-Levi 7:134, who remains undecided on this issue.
 12. Although in reality stars are spherical, nowadays the designated and universally recognized symbol for a star is the five-pointed "star." Accordingly, one may not create that image, since it is that symbol which represents the celestial body of a star; Rav N. Karelitz, Avodas Melech, pg. 337.
 13. See Nekudos ha-Kessef, Y.D. 141:5, who rules that only a tzurah gemurah is prohibited. Rav N. Karelitz (Avodas Melech, pg. 337) explains that any tzurah b'alma, such as a Magen David or a half-moon cookie, is permitted, since there is no intent to represent a celestial body.
 14. Shach, Y.D. 141:25. Indeed, it is only prohibited to draw a picture of the sun together with its rays; there is no prohibition against making just a round circle that resembles the sun; Tzitz Eliezer 9:44-9, quoting several sources. [See Shevet ha-Kehasi 6:302-2, who rules that it is only prohibited to draw a red sun, the color in which it appears during sunrise and sunset.]

15. Shevet ha-Levi 7:134; Rav N. Karelitz (Avodas Melech, pg. 337).
16. Darchei Teshuvah, Y.D. 141:38 and 51.
17. Darchei Teshuvah, Y.D. 141:38; Shevet ha-Levi 7:134; Rav N. Karelitz (Avodas Melech, pg. 337).
18. Y.D. 141:4.
19. Note that Chochmas Adam and Kitzur Shulchan Aruch omit this leniency altogether, which leads Minchas Yitzchak 10:72 to suggest that nowadays, there are no practical applications of this leniency.
20. Rav N. Karelitz (Avodas Melech, pg. 337). This appears to be the view of Chasam Sofer, Y.D. 128.
21. Shevet ha-Levi 7:134, based on Nekudos ha-Kesef who permitted, in part, the publication of machzorim that contained a drawing of the twelve constellations because the mazalos can be better understood when viewing them.
22. See Meiri (Avodah Zarah 42b, s.v. din acheirim), who seems to permit creating images of celestial bodies
23. Shach, Y.D. 141:23.
24. Entire paragraph based on Chochmas Adam 85:6-8 and Kitzur Shulchan Aruch 168:1 (see Az Nidberu 8:59). See also Darchei Teshuvah, Y.D. 141:34, quoting Lechem Rav.

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