

Section 11

The Prohibition on Idolatry and The Requirement to Sanctify God's Name

According to *Adderet Eliyahu*, the injunction against idolatry is one of the foundations of the Torah. For this reason the Second of the Ten Commandments is "You shall have no other gods before me". The sanctification of God's name is similarly important as it is written "I will be sanctified among the people of Israel" (Leviticus 22:32).

The topics I will cover in this section are:

1. Idolatry
2. Profiting from Idolatry
3. Practices that lead to Idolatry
4. False Prophets and Inciters of Idolatry
5. The Obligation to Destroy Idolatry
6. Cursing God's Name
7. Sanctifying God's Name
8. Love and Fear of God

"The prohibition on idolatry is a foundation of the entire Torah. Thus, one who is lenient in this [mitzvah] is annulling the entire Torah." -*Adderet Eliyahu's* Inyan Avodah Zarah Ch. 1

§11.1 Idolatry

§11.1a Idols

It is forbidden to worship any entity other than God as it is written: "You shall have no other gods before me" (Ex. 20:2). Because the principles of faith affirm God's oneness, one who believes in these principles must act accordingly. Although saving a life takes precedent over most mitzvot, the command against idol worship is so severe that it takes precedence over saving a life (§3.18).

In particular, the Torah warns against worshipping any of God's creations as it is written: "lest you should lift your eyes to the sky and see the sun, the moon, and the stars" (Deuteronomy 4:19). Furthermore, one may not worship anything made from God's creations or made to resemble God's creations: "you shall not make for yourself an idol or any image of anything in heaven above or on the earth below" (Exodus 20:4).

The term "image" ("*temunah*") in this verse refers to a graven image. This is clear because elsewhere we find the same prohibition rephrased as "any idol or graven image (*masecha*)" (Deuteronomy 27:15). Furthermore, "idols" and "graven images" both refer to the same concept: objects that are embossed, carved out, or built up. It is forbidden to make or own such an image of a commonly worshipped entity. By contrast, drawings or engravings are permitted. For instance, drawings of people, animals, or celestial objects on the walls of one's house or elsewhere are permitted. If these drawings are for the purpose of idolatry, however, they are forbidden.

*Notes on §11.1a:**Embossment vs. Engraving*

Adderet Eliyahu deems carving out embossed images to be forbidden but permits engravings. A wax stamp best illustrates the distinction between an embossment and an engraving. According to *Adderet Eliyahu*, one may not *engrave* an image of a commonly-worshipped-object in a stamp, only because the wax seal it produces is an *embossed* image.

Why distinguish between embossment and engraving? Perhaps *Adderet Eliyahu* did not deem engravings to be categorically forbidden because engraving was frequently used to draw mundane images. The writing in a clay tablet and the light indentations produced by a feather on paper are technically engravings. By contrast, embossment is something that is uniquely done for artistic purposes. Thus, *Adderet Eliyahu* holds that all embossments of frequently worshipped items are forbidden.

Images in the Mishkan and Temple

The Mishkan (or “Tabernacle”) contained certain images that would seemingly fall under the prohibition of images. For instance, the Ark of God was mounted with two figures of cherubim (Exodus 25:18). Their presence might be explained as exceptions to the general prohibition in the Torah in much the same way that Temple sacrifices were performed on Shabbat despite their constituting *melacha*. Alternatively, one could argue that cherubim are not frequently worshipped and thus images of cherubim are not forbidden. More problematically, however, Solomon’s Temple included a group of 12 bull statues holding up a bronze sea (1 Kings 7:25). These bulls were never commanded by the Torah and so, unlike the cherubim, could not be an exception to the Torah’s prohibition. Perhaps, bulls were not commonly worshipped at the time of the Temple’s construction. Calves, were however, frequently worshipped in the Northern Kingdom while Solomon’s Temple was still standing. (1 Kings 12:28-30.) Furthermore, Hezekiah smashed the bronze snake made by Moshe (Numbers 21:4-9) after the Israelites had begun to worship it (2 Kings 18:4). If all images of frequently worshipped idols are forbidden, should not the same have been done to the bulls of Solomon’s Temple?

Alternatively, the presence of the bulls may be explained by rejecting *Adderet Eliyahu’s* statement that all graven images of commonly worshipped objects are forbidden. It is possible that graven images are permitted unless they are actually intended for idol worship. This matter requires further research.

§11.1c Idolatrous worship practices

Certain worship practices are idolatrous in nature. Scripture explicitly forbids some of these because they were common at the time of the Torah. A list of these practices is found in Deuteronomy:

“Do not learn to do the abominations of those nations [living in Canaan]. There shall not be found amongst you one who passes their son or daughter through the fire, a kosem kesamim, a meonen, or a menachesh, or a mechashef, or a chover chaver, or an consulter of an ov or yidoni, or one who inquires of the dead” (Deuteronomy 18:10).

Each of these idolatrous practices is explained in detail below:

1. Passing one's children through the fire was practiced by Molech's cult as it is written "Do not give any of your seed to pass [through the fire] for Molech" (Leviticus 18:21). The cult of Molech did not fatally burn their children but simply passed them through fire. Other idolaters did sacrifice their children in the fire, however.
2. A *kosem kesamim* is one who makes drawings of shapes in the sand or on paper in order to predict whether a certain event will come to pass.
3. A *meonen* is one who claims to determine through various methods that a specific time will be favorable for accomplishing a certain task¹.
4. A *menakesh* is one who looks for omens to determine how he should behave. It was the practice of some to observe the flight patterns of birds to determine whether their plans would turn out favorably.
5. A *mechashef* is one who claims to make changes to the natural order of things like the magicians of Egypt who turned their staffs into snakes.
6. A *chover chaver* is one who makes certain incantations believing that these incantations will cause something to happen. The sages said that one who makes such incantations in the name of God do not truly know God; reciting an incantation will not require the Creator to act in a certain way. The Rabbanite sages, while rejecting the power of incantations, permitted certain incantations for the sick in order to allow them peace of mind². The Karaite sages, however, strictly forbade this behavior.
7. Some say that an *ov* and a *yidoni* are different species of birds. A consulter of an *ov* or *yidoni* places a bone of either of these birds in his mouth and then predicts future.
8. An inquirer of the dead is one who goes to graves to offer incense and to light candles and fires there. He then sleeps near the grave hoping to have a dream that will allow him to predict the future.

Practices similar to those enumerated above are equally forbidden. One is liable whether he performs such practices himself or whether he enlists someone to do so on his behalf.

Tattoos are another forbidden worship practice (Leviticus 19:28) because at the time of the Torah idolaters would mark themselves with the names of their gods (See also §11.4e and "Notes on §11.4").

§11.2 Profiting from Idolatry

It is also forbidden to benefit from idols, as it is written "you shall destroy their altars, smash their pillars, and cut down their *asherim*"³ (Exodus 34:13). Thus, one may not sell idols even if he does not worship them himself. Furthermore, one may not use a building constructed for the purposes of idol worship unless it has previously been relieved of that purpose by the non-Jews who formerly owned it.

¹ One example is that of Haman. Haman cast lots and thus determined that the 13th of Adar would be the most favorable day to destroy the Jews (Esther 3:7,13).

² *Mishneh Torah Hilchot Avodat Cochavim* Ch II Paragraph II

³ *Asherim* were trees worshipped by other nations.

One may not profit from food or other items sacrificed or dedicated to pagan gods. It is forbidden to sell materials to one who would use them for idolatrous ends, even if the materials themselves are not inherently idolatrous.

It is permitted to benefit from natural creations despite their being frequently worshipped by idolaters. For instance, one may benefit from the sun or from rivers. However, one may not benefit from natural creations that have been prepared for idol worship. For example, one may not benefit from a tree grown and prepared for the sake of idol worship. Scripture refers to such trees as "*asherim*" and commands us to destroy them (Exodus 34:13). A beast raised for idolatrous purposes or marked with an idolatrous symbol is similarly forbidden.

§11.3 Idolatrous Study

Scripture prohibits the study of idolatrous religions or texts, as it is written: "lest you inquire regarding their gods saying: 'how do these nations serve their gods?'" (Deuteronomy 12:30). It is similarly forbidden to question the fundamentals of the Torah or the principles of the faith. For instance, one may not question whether God exists or whether the Torah is of divine origin. However, once one has developed a true unwavering faith, he may study these matters to further his knowledge and understanding.

It is forbidden to study the words of heretics ("*minim*") or to debate them. The only exception being when one is completely confident that he can convince a heretic to repent. In general, we are to avoid heretics as much as possible lest they come to spread their wayward ideas amongst the righteous.

Notes on §11.3:

Adderet Eliyahu does not discuss what exactly constitutes a heretic ("*min*"). It would seem that Rabbanites do not constitute heretics for the purposes described above, because the *Adderet* records, without criticism, interaction and dialogue with Rabbanites. The sages also frequently refer to the Rabbanites as "our brothers, the Rabbanites".

It is possible that Rav Bashyatzi employs Maimonides' definition of a "*min*". Maimonides states that in contrast to *apikorsim* and *koferim* (other forms of heretics), a "*min*" is one who says there is no God, that there are other creators, that God is corporeal, or that one should worship intermediaries to God⁴.

§11.4 Acts leading to idolatry

§11.4a Introduction

Acts leading to idolatry are forbidden. Scripture explicitly prohibits several such practices because they were common amongst idolaters at the time of the Torah. Unlike actual idolatry, one may perform these practices in order to save a life (§3.18). These practices are discussed below.

⁴ *Mishneh Torah Hilchot Teshuvah Ch 3 Paragraphs 6-8*

§11.4b Rounding the Hair on one's Head

Men, women, and children are forbidden from rounding the hair on their heads, as it is written: "Do not round (*takifu*) the corners of your heads" (Leviticus 19:27). The verb "*takifu*" (you shall round), comes from the root "*hakef*" meaning to encircle. This is as in the phrase "the Ark of *Hashem* went about the city, encircling ("*hakef*") it once" (Joshua 6:11). Thus, to round the corners of one's head means to cut the hair in a circle around the head. This might be around the outer hairline or the center of the head. Shaving one's head entirely does not constitute rounding, however, and is permitted.

It is also forbidden to round the hair on someone else's head. This is evident because the command is given in the plural: "do not round (plural conjugation) the corner of your heads (plural)" and so the injunction is not restricted to individual behavior.

Notes on §11.4b:

The Rabbanites argue that one should grow pe'yot, or side locks, based on the prohibition on rounding the corners of one's head. Because traditionally Karaites interpreted this prohibition as above, Karaites do not generally grow pe'yot.

§11.4c Destroying the Corner of One's Beard

It is forbidden to completely remove the corners of one's beard as it is written: "do not destroy the corner of your beard" (Leviticus 19:27). The corners of one's beard are the top and bottom of either cheek as well as the chin. One's mustache is not included in this prohibition. Note that the verse speaks of the "corner"-in the singular- "of one's beard". Thus, one becomes liable for violating this prohibition if he destroys even one corner of his beard.

Although one may not entirely "destroy" the corners of one's beard, one may trim them. Furthermore, Rav Bashyatzi seems to accept the Rabbanite statement that razors are forbidden but that one may use scissors to remove one's beard (because razors completely remove the beard whereas scissors only trim the beard)⁵.

This command is intended only for men since it is generally they who grow beards. Women who grow facial hair may completely remove it by any means necessary.

Notes on §11.4c:

Rav Bashyatzi supports the Rabbanite statement that one may not use a razor but that one may use scissors to cut one's beard. It seems to me that historically most of the Karaite sages would have agreed with this statement, because, in contrast to scissors, razors completely remove beard hair. However, the sages chose to state the rule more abstractly, forbidding any complete destruction of the beard. Perhaps they did so because the difference in wording makes a difference in practice. It is possible to completely remove beard hair even without using a razor. For instance, one may use chemicals to destroy one's beard hair. It is clear that the majority sages would have

⁵ Rav Bashyatzi does not actually state that he supports the Rabbanite distinction between scissors and razors. Rather, he states that Rav Levi supported this statement. However, his reading of Rav Levi's work appears to me to be somewhat forced, so I believe that Rav Bashyatzi himself supported this statement.

forbidden such methods. By contrast, because Rav Bashyatzi accepts both the Rabbanite statement and the more general Karaite statement, it is unclear whether he would have permitted the use of chemical shavers.

This distinction is particularly relevant today with the popularity of electric razors. Many Rabbanites argue that electric razors do not violate the prohibition on destroying the beard because they cut between two blades (like scissors) but not between blade and skin (like a traditional razor). Depending on their efficacy, however, electric razors appear to remove beard hair completely. Thus, their usage might be forbidden for Karaites.

§11.4d Cutting One's Flesh

It is forbidden to cut oneself to mourn the dead as it is written “do not make for yourself a cutting in your flesh (*“sheret”*) for the dead” (Leviticus 19:28). A similar prohibition is also given in Deuteronomy: “do not cut yourselves (do not make a *“gedida”*) and do not make a baldness (*“karcha”*) between your eyes for the dead” (Deuteronomy 14:1). Each of these three Hebrew words has a distinct meaning:

1. A *“sheret”* is a cut that draws blood.
2. A *“gedida”* is a deep cut that does not draw blood.
3. A *“karcha”* is a damage to the top layer of the flesh performed either by directly pulling the skin or by pulling out hair.

Because it is forbidden to perform these acts for the sake of the deceased, it is all the more so forbidden to do so to mourn something less severe. For example, one may not so mourn a financial loss. According to Rav Yefet, however, it is permitted to do so to mourn the destruction of the Temple. In support of this argument, Rav Yefet notes that Scripture states regarding the Temple “Make yourselves bald and cut off your hair...for they will go from you into exile” (Micah 1:16). Kohanim may not mourn the Temple in this manner, however, because they are completely forbidden from cutting their skin whether for mourning or for other reasons. In contrast to the prohibition applying to laymen, the prohibition applying to Kohanim does not include the conditional statement “for the dead” (Leviticus 21:5).

§11.4e Tattoos

Tattoos are forbidden (Leviticus 19:28) because at the time of the Torah idolaters would mark themselves with the names of their gods. *Adderet Eliyahu* actually discusses tattoos in its discussion of inherently idolatrous worship rituals (§11.1c), and not in the present discussion of practices leading to idolatry. However, I have chosen to mention them here as well because they are often discussed along with cuts (§11.4d). Note that the tattoo's status as an actual act of idol worship as opposed to an act leading to idol worship arguably means that it is forbidden to don a tattoo even to save a life (§11.4).

§11.4f Cross-Dressing

It is forbidden to cross-dress as it is written: “A woman shall not wear the dress of a man, and a man shall not put on a woman's garment” (Deuteronomy 22:5). This refers not only to choice of clothing, but also to other forms of presenting one's appearance. Thus, a woman should not cut her hair short like a man's neither should she reveal her legs like a man.

Notes on §11.4:

Nehemia Gordon argues that five of the prohibitions discussed above (rounding the corners of the head, cutting oneself, making bald spots, destroying the corners of one's beard, and making tattoos) apply only if these acts are done to commemorate the dead. Many modern academics hold similar views. By contrast, the sages hold that the prohibitions of rounding the corners of the head, destroying the corners of one's beard and making tattoos are general prohibitions. According to the sages, only the prohibitions on cuts and bald spots are intended exclusively for the context of mourning the dead.

Nehemia's argument is strong and well researched. However, I believe it to be prone to certain limitations when compared to the sages' position. I will summarize his argument and then proceed to explain what I perceive these limitations to be. I encourage the reader to view Nehemia's argument in its entirety before proceeding.⁶

In reviewing my discussion, the reader should pay heed to which parts of the discussion apply to which of these five prohibitions. I perceived a major limitation of Nehemia's position to be that he treats all three hair removal prohibitions as equivalent. Furthermore, while I am reasonably sure that Nehemia is incorrect regarding the permissibility of rounding the head or making tattoos, I believe it more likely that his argument regarding shaving the beard could be correct. It is thus important for the reader to distinguish between these five prohibitions throughout the course of my discussion.

Nehemia makes three main points:

1. The Scriptural context of the original prohibitions all include mourning the dead.
2. The Torah requires shaving the entire head or beard in certain scenarios. For instance, in the case of a captive woman or the purification of a *metzora* (commonly referred to as a "leper"). Clearly, then, the prohibitions on rounding the head or destroying the beard do not apply to all scenarios.
3. It was common practice in ancient times to perform all five forbidden practices in remembrance of the dead. Thus, it would have been clear to any Israelite reading the text that these prohibitions were to apply only in the context of mourning the dead. To support this point, Nehemia brings many biblical examples of hair removal being used to signify mourning. In some of these passages, pious Israelites are performing these acts to mourn things other than the dead, suggesting that hair removal is forbidden only to mourn the dead.

The Scriptural Context of the Prohibitions.

The table below lists which biblical passages contain which of the five prohibitions.

Passage in Torah	Prohibitions Included
Leviticus 19	Rounding Head, Shaving, Making deep cuts, Tattoos
Leviticus 21	Making bald spots, Shaving, Making deep cuts
Deuteronomy 14	Making Shallow cuts, Making bald spots

Nehemia and the sages agree that the prohibitions found in Deuteronomy 14 refer to acts done for the dead. The verses state as much: "you shall not cut yourselves nor make any baldness between your eyes for the dead" (Deuteronomy 14:1). Thus, these verses warrant no further discussion.

⁶ See: <http://www.nehemiaswall.com/shaving-beards-sidelocks>

Regarding the many prohibitions found in Leviticus 19, Nehemia holds that all are in the context of mourning the dead. By contrast, the sages believe that only the ban on cutting oneself is intended in this context. To resolve the issue we must look closer at the wording of the list:

“...I am Hashem your God. You shall not eat [anything] with the blood, neither should you practice divination or soothsaying. You shall not round the corners of your head, neither shall you destroy the corners of your beard. You shall not make any cuttings in your flesh for the dead, and you shall not imprint any tattoos on yourselves- I am Hashem” (Leviticus 19:26-28).

First, it should be noted that Scripture likely intends the list above as a single unit because it appears between two instances of the statement “I am Hashem”. Scripture seems to use this statement as a loose thematic divider throughout Leviticus 19.

While this list of forbidden items does mention cutting, a practice clearly related to mourning the dead, it also mentions practices that clearly apply to other contexts – namely, divination and drinking blood. Nehemia’s explanation does not account for the mention of these two practices in this list. However, their presence is consistent with the sages’ view that the prohibitions are general idolatrous practices, not all of which are related to mourning the dead.

The prohibitions of Leviticus 21 (making bald spots, shaving the beard, making deep cuts) are given exclusively to the priesthood (although they are also given in Leviticus 19 and Deuteronomy 14 to laymen). Although the Sages hold that laymen are forbidden only to make cuts or bald spots for the dead, they believe that the rule for priests is more general (§11.4d). Thus, regarding the prohibitions found in Leviticus 21, the sages believe all to be general prohibitions. Conversely, Nehemia believes all to apply to the context of mourning the dead. In support of this point, he argues that the prohibition for priests becoming impure for the dead (Leviticus 21:1-4) immediately precedes the prohibitions of Leviticus 21:5. His position is further strengthened by the fact that making bald spots and making cuts (two acts that even the sages accept are usually associated with mourning the dead) are mentioned in the list.

The reading of the sages is also tenable, however. In their reading the discussion of becoming impure through dead relatives is separate from the discussion of making bald spots, making cuts, and shaving one’s beard. In this reading the priests do not become impure by engaging in these “mourning rites”, rather they contract literal *tumah* by coming into contact with the dead. The alleged mourning rites are a separate matter entirely.

The sages’ position is further strengthened by the fact that the previous verses specifically allow priests to become impure for their closest relatives. If the “mourning rites” are assumed to be a continuation of this discussion, then this could suggest that the “mourning rites” are also permitted for one’s close relatives. Even according to Nehemia, however, these rites are not permitted for close relatives.

Finally, it should be noted that even if one accepts Nehemia’s arguments that the prohibited acts in Leviticus 21 concern mourning the dead, this would only suggest that shaving one’s beard is generally permitted. Neither rounding the corners of the head nor tattoos are mentioned in Leviticus 21. As I previously stated, I find Nehemia’s arguments regarding the permissibility of shaving one’s beard to be stronger than his other arguments.

Required Shaving of the Head or Beard

Nehemia points out that the Torah requires a captive woman (Deuteronomy 21:12) and a Nazirite completing his vow to shave their heads (Numbers 6:5). This presents no difficulty for the opinion of the sages. The sages permit shaving the entire head and forbid only rounding the head (§11.4b).

More problematically, the Torah requires that a *metsora* (a “leper”) should purify himself by shaving his entire body, *including his beard* (Leviticus 14:9). Similarly, when Moshe first consecrated the Levites, he tells them to shave their entire bodies (Numbers 8:7). How can these prohibitions be explained in light of the prohibition on shaving the beard? Perhaps these cases are exceptions to the general prohibition. Indeed, there are other instances where the Torah first prohibits something then mandates something else in seeming contradiction. Examples include sacrifices for the Sabbath day (§3.3) among others (“Notes on §5.3-Wine Offered in The Temple”). The example of shaving is more shocking than these others, however, because the sages identify it as an act leading to idolatry, which is perhaps the cardinal prohibition of the Torah. In response to this point, it may be noted that the Temple and the Mishkan contained what could have otherwise arguably been prohibited as idols. The ark of God was fitted with images of cherubim. The bronze sea outside the temple stood on 12 ox statues (“Notes on §11.1a”).

It is also possible that Nehemia is correct regarding the general permissibility of shaving one's beard. As stated, I find his position on shaving the beard to be better supported by the text than his position on the other four prohibitions.

Rounding the Head as a Mourning Rite

Nehemia cites an abundance of evidence demonstrating that Israelites and other peoples of the time would remove hair to mourn severe losses⁷. Given that the Scriptural context of the prohibitions in the Torah all involve some discussion of acting for the dead, it would thus seem clear that these acts are forbidden only to mourn the dead.

A closer inspection of Nehemia's evidence, however, reveals that these verses do not apply to all three hair removal prohibitions. Consistent with the view of the sages that bald spots are forbidden for the dead, these passages repeatedly mention making bald spots. However, none of these passages mention rounding the head. Likely, then, rounding the head is forbidden for some reason other than mourning the dead. The sages identify this reason to be that rounding was once common practice among idolaters. Nehemia does not question this historical premise noting that “A bowl-cut was an ancient hair-cut with pagan significance”⁸. He assumes, however, that both rounding and making bald spots refer to the same prohibition.⁹ He thus treats the evidence demonstrating that making bald spots is an act of mourning as evidence for the idea that rounding the head is also an act of mourning. I question his decision to treat both prohibitions as equivalent, however, given that both practices physically appear quite different.

Furthermore, while rounding the corners of one's head never appears in the context of mourning, it does appear as an identifier of idolatrous nations. For instance, Jeremiah refers to “Dedan, and Tema, and Buz, all that have the corners [of the head] removed” (Jeremiah 25:23, see also *Ibid* 9:25 and *Ibid* 49:32)¹⁰. These verses support the view of the sages that rounding the head was a general pagan practice, not necessarily related to mourning.

⁷ In particular, Amos 8:10 and Micah 1:16,

⁸ <http://www.nehemiaswall.com/shaving-beards-sidelocks>

⁹ From Nehemia's blog: “we learn two things from Deuteronomy 14. Firstly, we learn that the prohibition is not necessarily a bowl-cut, but making any baldness around the edges of the head.....”, see <http://www.nehemiaswall.com/shaving-beards-sidelocks>

¹⁰ Although it is not completely clear whether these verses actually do refer to rounding the head, they are the only verses outside the original prohibition that could possibly refer to this practice. One of many other potential interpretation, discussed below, is that the verses refer to removing the corners of the “beard”, as opposed to the head.

Shaving the Beard as a Mourning Rite

Nehemia's strongest evidence that shaving the beard was an act of mourning comes from Jeremiah 41:5,

"there came certain men from Shechem, from Shiloh, and from Shomron...having their beards shaven and their clothes torn, and having cut themselves, with meal offerings and frankincense in their hand to bring to the house of *Hashem*"¹¹ – (Jeremiah 41:5)

Not only do these men appear to have shaved in addition to having performed other clear acts of mourning, they also appear to be pious Jews, as evidenced by their bringing offerings to *Hashem*. Indeed, these men lived at the time of Gedaliah, and it is likely that they were mourning the recent destruction of the Temple. If these men truly were such pious Jews, then shaving would seem to be permitted.

It is likely, however, that these men were in fact idolaters. By the time of Gedaliah, the Assyrians had already populated northern Israel with foreign nations brought to replace the Ten Northern Tribes. These nations worshipped both *Hashem* and their own gods. Because the men mentioned in Jeremiah 41:5 came from the North (Shechem, Shiloh, and Shomron) it is likely that they were from among these idolatrous nations¹². The fact that these nations worshipped both their own gods and *Hashem*, explains how they could have come to offer sacrifices to *Hashem*¹³ and also shaved with impunity¹⁴. It is even possible that they had shaved for reasons unrelated to mourning. Perhaps Jeremiah mentions their shaving to identify them as idolaters. If the verses mentioned in the previous subsection (Jeremiah 25:23, 9:25, 49:32) are read to refer to those that have "the corners [of the beard] removed" as opposed to "the corners [of the head]", it would seem that Jeremiah repeatedly uses this practice as an identifier of foreign nations.

Tattoos as a Mourning Rite

Nehemia holds that the prohibition in Leviticus 19 applies only to those tattoos commemorating the dead. In support of this position, Nehemia argues that this would be clear given the cultural context in which the Torah was given. He states that tattoos were commonly known to be a mourning rite for the dead in ancient times. He further notes that tattoos in commemoration of the dead are sometimes worn in modern times.

By contrast, the sages believed that tattoos at the time of the Torah were associated with general idolatrous practices, not just idolatrous mourning rites. In particular, they held that people in ancient times would tattoo themselves with the names of their gods. There is at least equal support for the sages' position as for Nehemia's position. First, the sages record that tattooing the names of deities was a common historical practice¹⁵. Second, even in modern times, people mark themselves with the symbols of their religion. It is not uncommon to see tattoos of crosses or five pointed stars.

Nehemia also cites a verse in Isaiah as support his position. Isaiah describes Israel's future religious fervor by saying that "One shall say 'I am *Hashem's* and another shall call himself by the name of Jacob and another shall

¹¹ The temple had already been destroyed by the time of these events. Thus, when referring to the "house of *Hashem*" the verse is likely referring to its former location where sacrifices may have continued.

¹² The fact that these nations show a similar interest in the Temple when they offered to help rebuild it (Ezra 4:1-2) further supports this point.

¹⁴ In addition to idolatry these nations were known to generally disregard the mitzvot (2 Kings 17:34).

¹⁵ One might argue that citing the sages to support the sages is a circular argument. However, I believe that the sages would have used their understanding of history to inform their interpretation of the prohibition as opposed to vice versa. Indeed, in many ways the sages had a more complete understanding of history than do we. For example, they had access to many texts that are lost today.

write his hand to *Hashem*... (Isaiah 44:5). Nehemia argues that the phrase “another shall write his hand to *Hashem*” refers to tattoos. There is good reason to conclude that this is not the case, however. First, the phrase used in the prohibition on tattoos in Leviticus 19 is “*ketovet ka’aka*”. This word is based on the linguistic root associated with writing (“*ketav*”) but adds the qualifier “*ka’aka*” to denote tattoos. Isaiah, however, uses only the root “*ketav*” without the additional qualifier “*ka’aka*” suggesting that he is referring to generic writing.

Furthermore, Isaiah speaks of one writing “his hand to *Hashem*” but says nothing about writing “on his hand” as is done with tattoos. Rav Aharon the Elder’s reading of the verse is consistent with this wording. Rav Aharon explains that the phrase means the future Israelite “will give his hand to be a servant for *Hashem*”¹⁶. In other words, he believes the verse paints an image of a man signing off on a sales contract as opposed to an image of physical writing on one’s body. A better translation of the phrase “another shall write his hand to *Hashem*” might then be “another shall sign off his hand to *Hashem*”.

Conclusion

I disagree with Nehemia’s position that rounding the head and making tattoos are prohibited exclusively in the context of mourning the dead. I find his argument that shaving one’s beard is only forbidden in the case of mourning to be somewhat stronger, however. The issue of shaving the beard requires more research.

§11.5 Inciters of Idolatry

An inciter of idolatry (Deuteronomy 13:7-10) is one who acts in secret to convince a few people to worship false gods. A proclaimer of idolatry is one who publicly convinces an entire town to commit idolatry (Deuteronomy 13:14). Both crimes are punishable by death (Deuteronomy 13:10, 16).

A false prophet who incites people to follow other Gods is to be put to death even if he performs a sign or wonder. His apparent miracles are merely God testing the faith of the people (Deuteronomy 13:2-6).

When a city has converted to idolatry, all its residents except children and those who remained righteous, are to be executed (Deuteronomy 13:16). Children are to be spared because they are not yet fully responsible for their actions and because “children are not to be put to death for their parents” (Deuteronomy 24:16). Some of the sages held that all the people of the city should first be given the chance to repent. The idolatrous city is to be burned and never rebuilt, as it is written “you shall burn the city in fire... and it shall be as a heap forever, it will never be rebuilt” (Deuteronomy 13:17)

Scripture commands to “destroy (the city) utterly and all that is therein and the cattle thereof” (Deuteronomy 13:16). Thus, all the houses, cattle, and property of a converted city are to be destroyed even if they belonged to the righteous. Property from people outside the city who had left it under the care of those inside the city is to be kept. So too is Property that was meant to be sanctified to the temple in Jerusalem. This law is derived from the verse “and you shall gather all the spoil...and all the entire spoil thereof to *Hashem* your God” (Deuteronomy 13:17).

In our exile it is impossible to punish idolaters in the fashion described above. Thus, it is fitting to either report them to the government (should the authorities hold idolatry unfavorably) and to

¹⁶ *Mivhar Yesharim* on Isaiah 44:5

excommunicate such people. One should maintain the excommunication until the party in question repents.

Notes on §11.5:

The *Tanakh* invokes the death penalty for idolatry or cursing God's name (§11.7). This apparent intolerance of religious expression rightfully poses some moral questions. I do not thoroughly discuss these issues here because *Mikdash Me'at* is primarily concerned with clarifying the classical view on the law and its derivation. For those attempting to synthesize these biblical statements with other moral principles they may hold, I will make note of two things. First, these punishments were operative only in biblical times under a legitimate Jewish theocracy. In these times, prophecy or revelation through the *urim vetumim* would have made God's power obvious. Performing idolatry would thus be a deliberate act of falsehood. Second, even in the case of clear idolatry under a legitimate Jewish theocracy some of the sages argue that those guilty would first be given a chance to repent. Because the duration it takes to repent is not clear, this right to repentance could theoretically be applied indefinitely.

One might also argue that today, given the lack of prophecy, we should be humble enough to tolerate even idolatrous faiths in the event that they may be correct. This position would require claiming that the prohibition to question the principles of our own faith (§11.3) only applies to periods in which we are blessed with prophecy. Obviously, it is problematic to argue that our faith would view its most essential tenet as doubtful in certain scenarios. Thus, this argument is considerably weaker than the two mentioned above.

§11.6 The Destruction of Idolatry

We are required to destroy idolatry that is under our control as it is written “you shall surely destroy all the places where the nations that you are to dispossess serve their gods” (Deuteronomy 12:2). This commandment applies to all idolatry, not just that of the nations originally living in the land of Israel, because all idolatry is forbidden for the same reason.

Notes on §11.6:

As with the severity of the punishment for idolatry or cursing God (“Notes on §11.5”), the severity of the requirement to utterly destroy idolatry raises moral questions. Unlike in the cases of idolatry and cursing God, this command does not prescribe a punishment for a transgression. Rather, it is a positive command to actively abolish idolatrous faiths under our control. Thus, the first two arguments given in “Notes on §11.5” do not here apply.

The argument that in the absence of prophecy, we should be humble enough to recognize that other faiths may be correct does presently apply. As previously noted, however, this argument requires doubting the most essential tenet of the Jewish faith. The moral questions raised by this *mitzvah* are thus particularly challenging.

§11.7 Cursing God's Name

§11.7a Cursing God's Name

It is forbidden to curse any name or title of God. This is so whether it is a name or title used in the Tanakh or any other name or title. One who does so in front of witnesses is liable to be executed, as it is written “whoever curses the name of God that man shall die”. One who does so in secret is liable for *karet* (spiritual excision), as it is written: “Any man who curses his God that man shall carry his sin”. The meaning of “carry his sin” is *karet*. This is demonstrated in one of the verses prohibiting incest: “for he has made naked his near kin, they shall carry their sin” (Leviticus 20:19). Because *karet* is the punishment for capital crimes done in secret (§1.3) and incest is generally done in secret, it stands to reason that the phrase “they shall carry their sin” refers to *karet*.

Notes on §11.7a:

The severity of the punishment for cursing God raises some questions. These are discussed in Notes on §11.5.

§11.7b Erasing God's Name

It is forbidden to erase or destroy part of any of God's name. Regarding foreign gods the Torah writes “you will destroy their names” and then continues “you shall not do thusly to *Hashem* your God” (Deuteronomy 12:3-4). If one wishes to dispose of an object with an inscription of God's name he should cut out and save the part with God's name.

Similarly, one should not burn books of Tanach or other religious Jewish books. This is true even if these books are written by a non-Jew. By contrast, the Rabbanites permit the destruction of such books if written by non-Jews.

§11.8 Sanctifying God's Name

One who heeds all the mitzvot whose violation would require death or *karet* (*i.e.*, spiritual excision) sanctifies God's name. This follows from God's statement “I will be sanctified among the children of Israel” (Leviticus 22:32). Because God is sanctified among the children of Israel, one who fails to sanctify God is separated from the bulk of his people either by death or by *karet*. Conversely, one who is not killed for violating a capital crime desecrates God's name, as it is written “do not desecrate my holy name and I will be sanctified among the children of Israel” (Leviticus 22:32).

§11.9 Loving and Fearing God

The Torah requires that we love God as it is written “you will love *Hashem* your God” (Deuteronomy 6:5). We must also fear God, as it is written: “*Hashem* your God you will fear” (Deuteronomy 10:20). Because it is not possible to command the espousal of an emotion, it is clear that the Torah is requiring us to adopt behavior that is conducive to forming these feelings towards God.

The requirement to love God (Deuteronomy 6:5) is found immediately after the Shema (Deuteronomy 6:4), which proclaims God's oneness. After people understand that God is the sole ruler of the universe, they will come to love him. This is because people are drawn to love that which is perfect regardless of whether they actively wish to do so. Understanding God's oneness and undisputed control over the universe also leads one to fear God because he understands that all things are reliant on God.