

16 Adar 5778  
March 3, 2018



Avodah Zarah Daf 47

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Daf Notes is currently being dedicated to the neshamot of

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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

### ***Pushed Aside for a Mitzvah***

Rish Lakish inquired: If someone bows down to a palm tree, can a *lulav* (a branch) be taken from that tree and used for the *mitzvah* of the taking of the four species on *Sukkos*? Everyone agrees that if the tree was planted to be an idol, its branches cannot even be used for mundane purposes. The question is regarding a tree that was planted (for regular purposes) and only later worshipped. The question is not according to Rabbi Yosi bar Yehudah, as he would hold it is certainly forbidden, even to a regular person. The question is according to the Rabbis. Do we say that this *lulav* can no longer be used for a *mitzvah* as it is repulsive for the Most High, for it has been used as an idol, or not?

When Rav Dimi came (to Bavel), he said: The question was asked regarding an *asheirah* tree (which was even forbidden for mundane purposes) that was nullified. Do we say that there is permanent rejection regarding *mitzvos* aside or not?

The *Gemora* resolves this question from a *Mishna*. The *Mishna* states: If a person covered blood (of a bird or undomesticated animal where there is an obligation to cover its blood with dirt after slaughtering it) with earth and it became uncovered, he is exempt from covering it again. If the blood was covered (immediately after it was slaughtered) by wind, he must cover it. Rabbah bar bar Chanah said in the name of Rabbi Yochanan: This is only true if the earth that the wind blew over the blood was blown away. If it was still on the blood, he has no

obligation to cover it. The *Gemora* notes: Even if it became uncovered, why should it make a difference (and why should there be a *mitzvah* now to cover it – if there was no *mitzvah* to cover it when it was already covered)? Should we not say that because the *mitzvah* was already rejected, it is permanently rejected! Rav Pappa concludes from here that *mitzvos* are not permanently rejected. [This clearly shows that one should be able to use the *lulav*!]

The *Gemora* replies: Rav Dimi is indeed uncertain about Rav Pappa’s conclusion. Does Rav Pappa hold that *mitzvos* are never permanently rejected, and it does not matter whether this is applied in a lenient or strict fashion? Or perhaps, he is uncertain regarding this principle, and therefore only applies this in a strict fashion (to obligate one to cover the blood again), but not in a lenient fashion (to allow the use of the *lulav*)? The *Gemora* leaves this question unresolved.

Rav Pappa inquired: If someone bowed down to an animal, can its wool be used for *techeiles* (blue wool that is dyed with the secretion of the *chilazon* (type of fish); used for *tzitzis*)?

The *Gemora* clarifies: What kind of *techeiles* is Rav Pappa referring to? If it is *techeiles* used to make the priestly garments, this was Rami bar Chama’s inquiry (above – when he inquired regarding if the preparations of an offering are treated the same as the offering or not)! If he is talking about the *techeiles* of *tzitzis*, this was Rish Lakish’s inquiry (regarding the *lulav*)!

The *Gemora* answers: He did not really need to ask this question. However, he wanted to point out the many different facets of this question regarding an animal, such as wool being used for *techeiles*, horns used as *chatzotzros* (trumpets used by the Levites during the Temple service), thighs for flutes, and intestines for the strings of a harp. According to the opinion who holds that the principle music (for the validity of the *korbanos*) in the Beis Hamikdosh was the instruments (and not only the song sung by the Levites), this is clearly forbidden. However, what is the law according to the opinion that the principle song is with their mouths? Do we hold that the instruments are merely an accompaniment to make the music better, and therefore it is permitted, or do we say that even so it is forbidden? The *Gemora* leaves this question unresolved.

Rabbah asks: If someone bows down to a stream, can its waters be used as libations?

The *Gemora* clarifies: What is his question? If his question is whether the person is assumed to be bowing down to his shadow, or is assumed to be bowing to the water, he should ask the same question about water in a jug!? It must be that it is clear he is bowing to the water. The question is whether he bowed to the water in front of him, which is now far down the stream (making the water in front of him now permitted), or was he bowing to all the water in the stream in general?

The *Gemora* asks: Do the waters become prohibited? Didn't Rabbi Yochanan in the name of Rabbi Shimon bar Yehotzadak say that one cannot forbid public waters?

The *Gemora* answers: The case must be where the waters come from private land. (47a)

### **Mishna**

If a person's house shared a wall with an idol (*the people in the adjoining house worshipped this wall*) and the wall then fell down, he must not rebuild it (*in its current location*). What should he do? He should rebuild his own wall within four cubits of his property (*so that he does not rebuild their idol*). If he shares the space on which the wall is built with the idol, the amount of space he must move back includes his area (*if the wall was on one cubit of his space and one of the idol's space, he must move back three additional cubits*). Its stones, wood, and earth cause impurity like a *sheretz*, as the verse says: *you shall surely loath it (i.e. sheretz)*. Rabbi Akiva says: It is like a *nidah* (menstruant woman), as the verse says: *you should cast them away like you would do a nidah, you will tell it, "be gone!"*. Just as a *nidah* renders things impure by being carried (*i.e. if she sits atop ten mattresses, all ten are impure, even if she only touches one*), so too idols cause impurity through being carried. (47a – 47b)

### **Using it as a Bathroom**

The *Gemora* asks: By withdrawing (*into his own property*), isn't he benefiting the idol by giving it more space?

Rabbi Chanina from Sura says: He should make the remaining space into a bathroom.

The *Gemora* asks: Doesn't he need some privacy? [*This is an open area!*]

The *Gemora* answers: He uses it only at night.

The *Gemora* asks: Didn't the master say (*in a braisa*) that a modest person is someone who defecates at night in the same place that he defecates during the day? Even though the *Gemora* has established (*in Brachos*) that this means that he should act in the same modest manner, and is not talking about *where* he defecates, it would seem that he should still act modestly!

The *Gemora* answers: He makes it a place for young children to use as a bathroom. Alternatively, he surrounds it with thorn bushes (*that cover the area, and that are not considered building the area*). (47b)

### **Mishna**

There are three types of idolatrous houses. One is a house that is built to serve as an idol, and it itself is worshipped. This house is forbidden from benefit. If a regular house was plastered and repainted (*with pictures*) in order to serve as an idol, one can merely peel off this paint and plaster, and it is permitted for usage. If an idol was brought into the house and later taken out, it is permitted. (47b)

### **Detached and then Attached Again**

Rav says: If someone bows down to a house, he causes it to be forbidden. This implies that he holds that if something was detached from the ground and then it became attached to the ground, it is considered detached. However, didn't our *Mishna* say that one must build it to worship it for it to be forbidden (*and not merely bow down to it after it was built*)?

The *Gemora* answers: Our *Mishna* teaches that if he built it for this purpose, even if he did not bow down, it is forbidden. Rav teaches that if he bowed down, even if it was not built for this, he forbids it.

The *Gemora* asks: If so, there are four types, not three!?

The *Gemora* answers: Regarding nullifying the idol, these cases are the same. (47b)

### **Mishna**

There are three types of stones. A stone that is cut in order to be a platform for idolatry (*and it is also worshipped*) is forbidden. If he plastered and painted it to be an idol, one can peel off the plaster and paint and use it. If an idol was placed on it and then taken off, it is permitted. (47b)

### **Plastering and Painting**

Rabbi Ami says: The case of plastering and peeling must be done in a manner where he carved the plaster and paint into the rock.

The *Gemora* asks: Isn't this the same case as the house, and the house does not have to be carved?

The *Gemora* answers: The plaster and paint in the house are inserted in between the bricks (*and is like carving*).

The *Gemora* asks: Doesn't our *Mishna* imply that if it was already painted he could still forbid it by plastering and painting over it (*without requiring carving*)?

Rather, Rabbi Ami was referring to nullifying. He meant to teach that even if the plaster and paint was carved into the rock, it can merely be taken off and does not need to be nullified by a gentile. One might think that if it was carved it has the status of a stone that was carved out of the ground for idolatry, and is totally forbidden (*unless it is nullified*). This is why Rabbi Ami teaches that this is incorrect. (47b)

### **INSIGHTS TO THE DAF**

#### **Tznius by Children**

The *Mishna* had stated: If a person's house shared a wall with an idol (*the people in the adjoining house worshipped this wall*) and the wall then fell down, he must not rebuild it (*in its current location*). What should

he do? He should rebuild his own wall within four cubits of his property (*so that he does not rebuild their idol*).

The *Gemora* asks: By withdrawing (*into his own property*), isn't he benefiting the idol by giving it more space? The *Gemora* answers: He should make the remaining space into a bathroom.

The *Gemora* asks: It would seem that this lacks the proper amount of modesty required for a bathroom!?

The *Gemora* answers: He makes it a place for young children to use as a bathroom.

Rabbeibu Chananel writes that young children are not modest in the bathroom. Talmidei Rabbeinu Yonah add that is more derogatory to be used for children, since adults conduct themselves with modesty.

The Seder Yaakov writes that our *Gemora* is referring to children who have not yet reached the age of *chinuch*.

However, the Artzos Hachaim proves from our *Gemora* that all children are not obligated to act with modesty. This, he proves, from a Magen Avraham, who writes that children walk with their heads uncovered – although covering one's head is an act of modesty.

The Seder Yaakov is greatly perturbed by his words, and he says that is missing in logic! Why should the *mitzvah* of *chinuch* not apply with respect to modesty? Certainly, it is not logical according to the S'mag, who maintains that the *mitzvah* of modesty is a Biblical obligation!?

### ***Why we make a Brachah on Shabbos Candles***

Some Rishonim (see Tosfos, Shabos 25b, s.v. *Chovah*, and *Tur*, O.C. 263) believe that one shouldn't pronounce a *brachah* on the *Shabbos* candles since, in their opinion, if

a person already has candles burning at home, he is not commanded to extinguish and relight them. Thus, there is a *mitzvah* to have lights burning on *Shabbos* but no actual *mitzvah* to light them and one should not say a *brachah*.

If we examine other Rishonim, we wonder at the fact that on the one hand, they agree that the main *mitzvah* of the *Shabbos* candles is **not their actual lighting** but, on the other hand, they disagree and believe that if the candles are already burning, one must **extinguish and relight them**. We will focus on this contradiction and its interesting solution.

This contradiction is especially apparent in Rabbeinu Tam's statement (*ibid*). Relating to the opinion of those who hold that one shouldn't pronounce a *brachah* on *Shabbos* candles since the *mitzvah* is accomplished only with its result, he proves the opposite from our *sugya*, which explains that there is a *mitzvah* to cover the blood of a wild animal or fowl that have been slaughtered, but if the wind covered the blood, one does not have to remove the earth and re-cover the blood as the main point of the *mitzvah* is its result – i.e., the blood being covered. This *mitzvah* is identical with the *mitzvah* of *Shabbos* candles, whose main point is their result, the spreading of their light on *Shabbos*, but nonetheless one who covers the blood pronounces a *brachah* on the *mitzvah* though the main point of the *mitzvah* is not the act of covering the blood but its not being revealed. In the same vein, one should say a *brachah* on the *Shabbos* candles even though the main point of their *mitzvah* is not the lighting but the spread of their light on *Shabbos*. Still, Rabbeinu Tam immediately adds that if the candles are already burning, one must extinguish and relight them. We may now ask how the *mitzvah* of *Shabbos* candles differs from the *mitzvah* of covering the blood where, if the wind covered the blood, there is no *mitzvah* to remove the earth and cover the blood again.

**Two aspects of the *Shabbos* candles:** HaGaon Rav Yitzchak Ze'ev of Brisk zt"l explains that *Shabbos* candles have two aspects: (1) the *mitzvah* of pleasuring *Shabbos* (*'oneg Shabbos*), which obligates us to light our homes on *Shabbos*, and (2) the *mitzvah* of honoring *Shabbos*, which obligates us to greet *Shabbos* with candles lit in its honor (see Rambam, *Hilchos Shabbos*, 30:2). Therefore, if the candles are already burning, they must be extinguished and relit for if not so, the person would not observe the *mitzvah* of honoring *Shabbos* (*Chidushei HaGrach* on *Shas*, 11, in the name of *HaGriz*, and see *ibid*, who offers a wonderful explanation of a statement of the Rambam according to this opinion).

#### **Does the Concept of *Dichuy* – Rejection, Apply to *Mitzvos*?**

The *halachah* was ruled (*Shulchan 'Aruch*, Y.D. 374:4) that when a Jew dies, the seven categories of his close relatives must mourn for him for seven days, followed by a period of mourning till the thirtieth day after his demise (*sheloshim*). (A son or daughter must practice *aveilus* for a year). The Rishonim disagreed about a minor who becomes *bar mitzvah* during the *sheloshim*. According to Maharam of Rottenburg (cited in the *Rosh*, Moed Katan, Ch. 3, #96), he should start mourning (*shiv'a*) as soon as he becomes *bar mitzvah* but the *Rosh* holds that since he was exempt from *mitzvos* at the time of the demise, he is not obligated to observe the customs of mourning. Our *sugya*, which treats the question as to if *dichuy* (rejection) applies to *mitzvos*, has much influence on this difference of opinions, as we shall soon see.

Concerning sacrifices, the *halachah* is that if an animal has been temporarily disqualified, it is no longer sacrificed even though the reason no longer applies. Our *Gemora* asks if this principle is valid for other *mitzvos*, such as regarding a *lulav* used for idolatry: if a *lulav* was worshiped as an idol and then disdained by its non-Jewish worshiper, does it return to its original condition

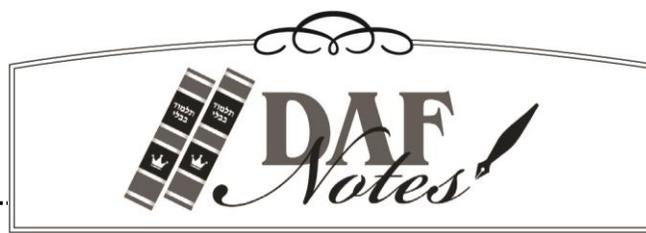
and may it be used for its *mitzvah*? On the one hand, one may now derive benefit from the *lulav* and therefore maybe perform a *mitzvah* with it but on the other hand, maybe *dichuy* (rejection) applies also to *mitzvos* (as to sacrifices) and once the *lulav* was disqualified, it can no longer be used for a *mitzvah*. According to Maharam of Rottenburg, **there is no *dichuy* in other *mitzvos*** and the *lulav* may be used for its *mitzvah*.

Our *sugya* deals with an **object** that was disqualified from a *mitzvah* whereas the *Rosh* and Maharam disagreed about a **person** who was deferred from observing a *mitzvah*. According to Maharam of Rottenburg, since there is no *dichuy* in *mitzvos*, once the minor becomes *bar mitzvah*, he must observe the *mitzvah* of mourning.

**A minor who becomes *bar mitzvah* on *Shabbos*:** Maharam proves his point from the *Gemora* in Yevamos 33a, that a minor who shows signs of maturity on *Shabbos* becomes *bar mitzvah* and must observe *Shabbos*. We thus see that though he was deferred from observing *Shabbos* at its start, he must observe *Shabbos* as soon as the reason for his prevention disappears.

**The difference between an object and a person:** Still, the *Rosh* disagrees (*ibid*) and believes that though the *halachah* was ruled that there is no *dichuy* in *mitzvos*, this concerns **objects** but not **people**. The reason for mourning was the demise and the person was a minor at that time and though he later becomes *bar mitzvah*, the reason for mourning no longer exists. On the other hand, our *sugya* concerns a person who must observe the *mitzvah* of *lulav*. As there is no *dichuy* in *mitzvos*, the previously disqualified *lulav* becomes kosher for its *mitzvah*.

**The halachos of *Shabbos* renew themselves all the time:** The *Rosh* refutes Maharam's proof from *Shabbos* in that the halachos of *Shabbos* do not "start" at its onset but renew themselves all the time. A minor who becomes



*bar mitzvah* on *Shabbos* is therefore obligated to observe the *halachos* of *Shabbos*. On the other hand, the *halachos* of mourning do not renew themselves all the time but start at the time of demise and burial. As the person was a minor at that time, he is therefore exempt from those *halachos*. We have devoted a long discussion to this topic till here but we offer another fascinating phase of this subject.

**Havdalah after a funeral:** An *onen* is a person who has a relative for whom he must mourn and who has not been buried. An *onen* is exempt from *mitzvos* and, therefore, if the deceased passed away on *Shabbos*, he does not have to perform *havdalah* till after the burial. The *Rosh* and Maharam of Rottenburg also disagree about this matter (*Berachos*, Ch. 3, *halachah* 2). According to Maharam, *havdalah* must be observed after the burial as there is no *dichuy* in *mitzvos* but the *Rosh* rules that the mourners must not perform *havdalah* as they were deferred from doing so at the end of *Shabbos*.

**The contradiction in Shulchan 'Aruch:** *Shulchan 'Aruch* (*Y.D.* 396:3) rules according to the *Rosh* concerning a minor who becomes *bar mitzvah* during *sheloshim* and he is exempt from mourning whereas it rules (*Y.D.* 341:2) according to Maharam concerning *havdalah* and the mourners must perform *havdalah* after the burial. How could this be? (*Bach*, *Y.D.* 396, *ibid*).

In his *Turei Zahav* (*Y.D.* 396, *S.K.* 2), Rabbi David HaLevi zt"l explains that *Shulchan 'Aruch* rules according to the *Rosh*, that a person who was deferred from observing a *mitzvah* can no longer observe it. Still, the *Rosh* agrees that a minor who becomes *bar mitzvah* on *Shabbos* must observe *Shabbos* as the day's sanctity obligates him. We must similarly distinguish between mourning and *havdalah*. The *halachos* of mourning take effect at the time of and due to the demise and burial and, therefore, if a person was a minor at that time, he is not obligated to observe them. On the other hand, the *mitzvah* of

*havdalah* does not **stem** from the moment of the departure of *Shabbos*, but is incumbent on any Jew who experienced *Shabbos*. The obligation merely **starts** after *Shabbos* but continues (for three days, see *Shulchan 'Aruch*, 299:6) as long as it was not observed.