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Stones near Markulis

The *Mishnah* discusses stones found near the *markulis* idolatry, which was a pile of stones worshiped by stoning. Rabbi Yishmael says that if one found a group of three stones near it, they are prohibited, but a group of two is permitted. The Sages say that any stones near the *markulis* are prohibited, while ones further away are permitted.

The *Gemara* says that we can understand the position of the Sages, as they assume that idolaters worship pieces broken off of the idolatry. Therefore, stones near the *markulis* can be assumed to be such pieces, and are prohibited, while ones further away are assumed to not be pieces, and are permitted. However, the *Gemara* does not understand where Rabbi Yishmael's distinction between two and three comes from – if they worship pieces, even two should be prohibited, and if they do not, even three should be permitted.

Rav Yitzchak bar Yosef quotes Rabbi Yochanan explaining the parameters and rationale of the dispute. He said that all agree that if a stone fell off from the *markulis* that it is prohibited. Even those who say that idolaters do not worship broken pieces agree that they do worship stones of *markulis*, since the idolatry is itself a pile of disparate stones, each one of which is worshiped. The dispute is a case where the stones were found, but we do not know if they came from the *markulis*. If they were found nearby, all agree they are prohibited, since we assume they fell from the *markulis*. The dispute is a case where they are not nearby, but within the four *amos* domain of the *markulis*, where the only concern is that an idolater made a mini-*markulis* structure. Rabbi Yishmael says that three stones are similar to a *markulis*, so we assume it was placed as a mini-*markulis*, and is prohibited. Less than three stones are not

similar to *markulis*, and therefore are permitted. The Sages say that we are never concerned that someone made a mini-*markulis*, and therefore, any stones found outside of the immediate vicinity of the *markulis* are permitted, since we assume it did not fall off of the *markulis*.

The *Gemara* asks: The master had stated: All agree that if a stone fell off from the *markulis* that it is prohibited. This is contradicted from the following *braisa*: Stones that fell off from the *markulis* – if they are near the *markulis*, they are prohibited; if they are further away, they are permitted. Rabbi Yishmael says that if one found a group of three stones, they are prohibited, but a group of two is permitted. [*Evidently, they do argue by stones that fell off from the markulis!?*]

Rava answers: The *Baraisa* should not read “stones that fell off,” but rather, it should say “stones that were found.”

The *Gemara* asks: Does Rabbi Yishmael hold that if a group of two was found (*even within four amos*), they are permitted? But it was taught otherwise in a *Baraisa*: If two stones were found within the idol's reach (*within four amos*), they are prohibited, but if they are three, they are prohibited even at a greater distance!?

Rava answers: There is no difficulty: Here (*in the Baraisa*) they were within one reach (*within four amos, and there are no obstructions between the stones and the markulis; in such a case, we can presume that the stones definitely fell from the idol; they are therefore forbidden according to Rabbi Yishmael and the Sages; they only disagree when there are three stones at a greater distance away from the idol*), and the *Mishnah* is referring to a case where the stones were found within two reaches (*and if they were found within one amah, or half-an-*

amah, everyone agrees that they are forbidden; they argue when it is within four amos). What are the circumstances of "two reaches"? There is a high mound between the stones and the markulis. [This is why we do not presume that they fell from the idol; therefore the Sages say that whether there are three or two stones, they are permitted, and according to Rabbi Yishmael – two stones will be permitted, for it is not normal for them to make a small markulis in such a manner, but three stones would be permitted.]

The *Gemara* asks: Is a *markulis* made in such a manner (a small one next to a large one)? But it was taught in a *Baraisa*: And this is how the stones of *Kulis* (*markulis*) are arranged: one at each side, and a third on top of both of them. *[It would seem that they did not place stone on the side of the idol!?!]*

Rava answers: The *Baraisa* is referring to the primary *markulis* (before any additional stones were added to it). (49b4 – 50a2)

The house of King Yannai was destroyed. Idolaters came and set up a *markulis* there. Subsequently other idolaters came, who did not worship *markulis*, and removed the stones with which they paved the streets and highways. Some Rabbis avoided from walking in them, while others did not. Rabbi Yochanan exclaimed: The "son of holy ones" walks on them, and shall we abstain?

The *Gemara* notes: The "son of holy ones" is Rabbi Menachem son of Rabbi Simai. He was called that because he would not gaze even at the image on a *zuz*.

The reason why some avoided walking on those streets was based on that which Rav Giddal said in the name of Rabbi Chiya bar Yosef, who said it in the name of Rav: How do we know that an idolatrous offering can never be nullified? It is written: *They attached themselves to Baal Pe'or, and ate the sacrifices of the dead*. Just as a dead body can never be nullified (and there is always a prohibition to derive benefit from it), so too an idolatrous offering can never be nullified. Those who did not abstain from walking on those streets maintained that in order to be prohibited, we require that the object should resemble

that which was offered within the Temple, and we do not have that here (for there is no service done in the Temple that compares to throwing stones).

Rav Yosef bar Abba said: Rabbah bar Yirmiyah once travelled to our town. When he came he brought with him this teaching: If an idolater took stones from a *markulis* and paved streets and highways with them, they are permitted; if a Jew took stones from a *markulis* and paved streets and highways with them, they are prohibited. He added that there was no scholar or scholar's son who could explain this teaching.

Rav Sheishes said: I am neither a scholar nor a scholar's son, yet I can explain it. What is the difficulty? It must have been the statement of Rav Giddal (that it cannot be nullified). To this I reply that in order to be prohibited, we require that the object should resemble that which was offered within the Temple, and we do not have that here (for there is no service done in the Temple that compares to throwing stones). *[That is regarding its capacity as an idolatrous offering; however, it can still be forbidden as an idol itself – and as to this prohibition, a non-Jew can nullify it, but a Jew cannot.]* (50a2 – 50b1)

Labor during Shemittah and Chol Hamoed

Rav Yosef bar Abba said: Rabbah bar Yirmiyah once travelled to our town. When he came he brought with him this teaching: We may remove worms from a tree and patch the bark with something rancid during the *Shemittah* year (to prevent it from dying), but we may not remove worms from a tree and patch the bark with something rancid during *Chol Hamoed* (the Intermediate Days of the Festival). During both these times, one may not prune a tree, but one may smear oil on the pruned branch either during *Chol Hamoed* or during the *Shemittah* year. He added that there was no scholar or scholar's son who could explain this teaching.

Ravina said: I am neither a scholar nor a scholar's son, yet I can explain it. What is the difficulty? If you will say that difficulty lies with the difference between the *Shemittah* year, where the work (removing the worms from a tree and patching the bark with something rancid) is permitted, and *Chol Hamoed*, where

it is prohibited; are the two comparable? During the *Shemittah* year, the Torah forbade labor but permitted exertion, whereas on *Chol Hamoed*, even exertion is also prohibited!

Rather, perhaps the difficulty lies regarding the laws of patching the bark with something rancid during the *Shemittah* year and pruning; what is the distinction that patching is permitted and pruning is prohibited? But are the two comparable? Patching the bark with something rancid merely preserves the tree and is therefore permitted, whereas pruning the tree strengthens it and is therefore prohibited!

Rather, perhaps the difficulty lies regarding the laws of patching the bark with something rancid during the *Shemittah* year and a different ruling regarding this law, for this *Baraisa* taught: One may remove worms from a tree and patch the bark with something rancid during the *Shemittah* year; and it was taught in a *Mishnah*: One (*in the year before the Shemittah year*) may patch the saplings with something rancid, and may cover them (*to protect them from the elements*), put ash on them (*so they should not evaporate*), fence them in (*to shelter them*), and water them up until *Rosh Hashanah*. The *Gemara* infers that this is permissible only until *Rosh Hashanah*, but not during the *Shemittah* year itself!

Ravina answers: Perhaps the contradiction can be resolved the same way Rav Ukva bar Chama reconciled a similar difficulty; for Rav Ukva bar Chama said: There are two kinds of hoeing of olive trees: it is prohibited to hoe around the tree during *Shemittah* year to strengthen the tree, but it is permitted, however, to hoe around the tree in order to cover the cracks in the tree's roots (*for this merely preserves the tree*). Similarly here, there are two kinds of patching; one is to preserve the tree and is therefore permitted, and the other is done to strengthen the tree, and is therefore prohibited.

Rather, perhaps the difficulty lies regarding the laws of smearing oil on the pruned branch during the *Shemittah* year, for this *Baraisa* taught: During *Chol Hamoed* or during the *Shemittah* year, one may smear oil on the pruned branch, and it was taught in a *Mishnah*: One (*in the year before the*

Shemittah year) may smear oil on unripe figs and perforate them and fatten them with oil up until *Rosh Hashanah*. The *Gemara* infers that this is permissible only until *Rosh Hashanah*, but not during the *Shemittah* year itself!

Ravina answers: Perhaps the contradiction can be resolved for the two cases are not comparable: In the *Baraisa's* case, the purpose is to preserve the tree and is therefore permitted, whereas in the *Mishnah*, it is to fatten the fruit and is therefore prohibited.

Rav Samma the son of Rav Ashi said to Ravina: Rabbah bar Yirmiyah's difficulty is with regards to the law of smearing oil on a tree during *Chol Hamoed* (*which is permitted*), and patching the bark with something rancid (*that is prohibited*). Since the purpose of both is to preserve the tree, why is one permitted and the other prohibited?

This is why Rabbah bar Yirmiyah exclaimed: there was no scholar or scholar's son who could explain this teaching. (50b1 – 50b3)

DAILY MASHAL

Tosfos in Bava Metzia points out that the idol referred to in the *Gemara* was called *kulis* by its worshippers, which comes from the word *kilus* that means praise. Our Sages, however, in the tradition of ridiculing idol worship, added the prefix *mar*, which means the opposite. The use of the term *kulis* in the *Gemara*, which relates to a pattern rather than the idol itself, is an indication that this was the name applied to the idol by its worshippers, rather than the mocking term *markulis* found elsewhere in the *Gemara*.