

26.3.7; 47a (משנה ו') → 48a (הלכתא כשמואל)

1. ולא תביא תועבה אל ביתך והיית חכם כמהו שקץ תשקצנו ותעב תתעבנו פי חכם הוא: דברים ז:כו
 2. וטמאתם את צפוי פסילי כספך ואת אפדת מסכת זהבך תזרם כמו דנה צא תאמר לו: ישעיהו ל:כב
 3. ונתצתם את מזבחתם ושבחתם את מצבתם ואשריהם תשרפון באש ופסילי אלהיהם תגדעון ואבדתם את שמם מן המקום ההוא: דברים יג, ג
 4. כי אם כה תעשו להם מזבחותיהם תתצו ומצבתם תשברו ואשריהם תגדעון ופסיליהם תשרפון באש: דברים ז, ה

- I בית ע"ז rebuilding a house next to משנה ו'
 - a If: the house was next to a בית ע"ז and it fell, may not rebuild without first pulling ד"א into property
 - i Note: must use that space for a degrading purpose which doesn't require privacy – e.g. a privy for children or a privy with hedges around for modesty
 - b If: the wall was shared, it is ½ his and ½ ע"ז → מטמא כשרץ (per v. 1)
 - i Dissent: ר"ע – is מטמא even במשא as a נדה (v. 2)
- II משנה ז: 3 types of houses
 - a One: if built for ע"ז (or if someone worships it) – completely בהנאה אסור
 - b Two: if he plastered, engraved etc. into it – must remove renovations and then מותר
 - c Three: if he brought ע"ז in – once it is removed, house is completely מותר
- III משנה ז: 3 types of rocks
 - a One: if it was quarried to make an altar – completely בהנאה אסור
 - b Two: if it was plastered (etc.) for ע"ז – remove renovations and מותר
 - i ד' אמי plastering has to be in the rock itself
 - 1 Challenge; taught in parallel to "house" (previous section) – plastering not in structure of house
 - (a) Answer: plaster does get in between cracks of mortar
 - (b) Block: but rule applies even if wall of house was smooth
 - 2 Rather: ר"א's rule was stated in re: ביטול – even if he carved into rock, by removing that renovation, it is בטל
 - (a) As against: consideration that once he carved into rock, as if it was quarried for that purpose – קמ"ל
 - c Three: if he placed an idol atop it – once it is removed, rock is completely מותר
 - IV משנה ז: 3 types of אשרות
 - a One: if it was planted for purposes of worship – completely בהנאה אסור
 - b Two: if he cut it and shaped it for purposes of worship – if he removes renovation – מותר
 - i ד' ינאי this means that he grafted from it
 - 1 Challenge: our משנה reads ופסלו גדעו
 - 2 Answer: ר"א's statement is re: ביטול (as we answered with ר"א above)
 - c Three: if he placed ע"ז under it – once the ע"ז is removed, מותר
 - i שמואל: if someone bows to a tree, subsequent growth (alone) is prohibited
 - 1 Challenge: our משנה requires actual change in the tree (e.g. גדעו ופסלו)
 - 2 Answer: שמואל credits our משנה to רבנן; his ruling was according to יהודה ר' יוסי בר יהודה ר' יוסי בר יהודה ר' יוסי בר יהודה
 - (a) Challenge (ר' אשי): do רבנן/רב"י disagree about תוספת? Perhaps they agree that the תוספת is אסור
 - (i) And: רב"י applies v. 3 – whole tree אסור רבנן; אסור רבנן apply v. 4 – only תוספת is prohibited
 - (ii) Anticipated challenge: we don't ascribe the verses that way above
 - (iii) Answer: switch our attribution (the תנאים never used those verses – it was our conjecture)
 - 1. Block: if so, our משנה is authored by no one!
 - 2. Answer1: could be רב"י – perhaps once you carve it up, גלי אדעתיא that only interested in תוספת
 - 3. Answer2: could be רבנן – רבנן גדעו ופסלו – א – סד"א it's like newly planted – קמ"ל only addition אסור
 - V משנה ז: 4: definition of אשרה
 - a ת"ק: any tree that has an idol under it
 - b ר"ש: only a tree which is itself worshipped
 - i Support: there was a "worshipped tree" in צידון; ר"ש instructed them to look under the rockpile under the tree and they found an image; he ruled that the image was the object and permitted use of the tree
 - ii Question: earlier part of משנה lists "3 types of אשרה"
 - iii Answer: 2 are a matter of consensus, one is subject to dispute ר"ש
 - 1 Question: how do we identify an אשרה?
 - (a) דב: if the priests of the cult are sitting under it and avoiding eating the fruit
 - (b) שמואל: even if they take the fruit and send it to בית ע"ז – it's being made into sanctified mead
 - (i) Note: ר' אמיר reports that the סבי דפומבדיתא told him that the הלכה follows שמואל