



Under the Asheira Tree

The *Mishnah* (3:8) taught that one is not allowed to sit in the shade of an *asheira* tree. If one did, and they were not beneath its branches, they would remain *tahor*. If however one passed underneath the branches of the tree, then they would be *tameh*.

The *Gemara* asks why the person becomes *tameh*, and answers that it is because it is certain that beneath the tree would be something that was offered before the idol (*tikrovet*). The *Gemara* explains that the *Mishnah* is according to the opinion of *R' Yehuda ben Beteira* who understands that something that was offered before an idol transfers *tumah* to anything under the same covering – *tumat ohel*.

The *Ritva* explains that the "certainty" is not to be taken literally. Rather the intention is that objects offered are found there in an overwhelming majority of cases. Alternatively, the legal status is based on the fact that it is a certainty that something was offered there and only a doubt if it was removed.

The *Tosfot Yom Tov* questions the *Gemara's* analysis. Why did the *Gemara* explain that the source of *tumah* in this case is the *tikrovet*? The tree itself is an idol, so surely that should be enough to make the person *tameh*. We have learnt previously that there is no difference if the source of *tumah* that transfers in this way is under a shared cover or itself covering over other items. Furthermore, *R' Yehuda ben Beteira's* source that the *tikrovet* is a source of *tumah* is because the *Torah* refers to it as *zivchei meitim*. Implicit in that derivation is that *avodah zara* is compared to a corpse which transfers *tumah* under an *ohel*.

The *Tosfot Yom Tov* initially suggests that in truth there is no difference. The focus on *tikrovet* was simply to teach the more novel case. Firstly, *R' Yehuda ben Beteira's* focus on the *tikrovet* as part of his derivation, from which learning that the idol itself is a source of *tumah* is obvious. Similarly, our *Gemara* was simply teaching that one should also be concerned that *tikrovet avodah zara* may be under a covering under which one wants to pass.

The *Tifferet Yisrael* however explains that there are two types of *asheira*. The first is where the tree is worshipped, whereas the other is where the idol that is placed beneath the tree is worshipped. The *Tifferet Yisrael* continues that this *Mishnah* could be referring to both types of *asheira*. Consequently, the *Gemara* could be referring to the second type, where the idol had later been removed. Nevertheless, out of concern that there are still items that were offered there, one cannot pass underneath the tree.

The *Tosfot Yom Tov* however cites that *Tosfot* that results in a very different explanation, which rejects the original assumption of his question. The *Tosfot* (*Chulin* 13b) explains that issue in our *Mishnah* is only out of concern that there is a *tikrovet avodah zara* beneath the tree. The *Tosfot Yom Tov* understands that this implies that only the *tikrovet* transfer *tumah* under an *ohel*, but not the *avodah zara* itself.

The *Tosfot Yom Tov* continues that one should not be surprised that the *tikrovet* is treated more stringently than the *avodah zara*. He explains that we find this phenomenon also in the laws of *bitul* – annulment. While an idol worshipper can annul the idol, thereby permitting deriving benefit from the material, this is not the case with respect to something that was offered before an idol. Despite our original assumption, we find that the simple explanation of the *Gemara* is sound, since it is possible that the laws of *tikrovet* are stricter than the *avodah zara*.

Granted that we found another law where this is true, what is the logic for why the *tikrovet* is stricter?

R' Tzvi Hirsch Kalisher explains that when one forms an idol, one intends it to be permanent. Consequently, when one annuls the idol, it impacts his original intentions – the basis on which the idol was formed. With respect to something offered before an idol, its designation was always temporary; its purpose was only during the time of worship. After that time, it has served its purpose. Consequently, trying to annul it at that point is already too late.

Revision Questions

עבודה זרה ג' ח' – ד' י"א

- If one crossed under an *Asheira* tree that hung over public property would he be *tamei* or *tahor*? (ג' ח')
- What benefit does one get from planting vegetables in the shade of an *Asheira* tree in the winter according to *R' Yosi*? (ג' ח')
- What must be done to a new oven if it was heated up with wood from on *Asheira* tree? (ג' ט')
- Explain the *machloket* between *R' Eliezer* and *Chachamim* regarding *pidyon* for *avodah zara*. (ג' ט')
- Is one able to nullify an *Asheira* tree? How? (ג' י')
- According to *R' Yishmael* if one found two rocks beside a *Markulis* are they *mutar*? (ד' א')
- When do the *Chachamim* make rocks found by a *Markulis assur*? (ד' א')
- What type of items, if found on an *avodah zara* are always forbidden? (ד' ב')
- In what situation may one benefit from the garden or bath-house of an *avodah zara*? (ג' ד')
- What is the difference between a Jew and non-Jew with regards to nullifying an *avodah zara*? (ד' ד')
- Explain the *machloket* between *Rebbi* and *Chachamim* regarding selling or pledging an idol. (ד' ה')
- Is an *avodah zara* left in a time of war *mutar* or *assur*? (ד' ו')
- From when does wine become *yayin nesech*? (ד' ח')
- What activities may one do with a *nochri* in a winepress? (ד' ט')
- What activities may one do with a baker who is in a state of *tum'ah*? (ד' ט')
- If a *nochri* is standing beside a *bor*, in what situation would the wine contained there be *assur*? (ד' י')
- What are the four occurrences that occurred to wine in a *bor* which *R' Shimon* permitted? (ד' י')
- If one makes *tahor* wine and leaves it in the *nochri's* possession what are the attributes of the house and city in which this wine is placed, to ensure it is permitted? (ד' י"א)

Melbourne, Australia

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10 minutes before *Mincha*
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Melbourne, Australia

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10 minutes before *Mincha*
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Shiur in English

Sunday -Thursday

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
11 August י"א אב	12 August י"ב אב	13 August י"ג אב	14 August י"ד אב	15 August ט"ו אב	16 August ט"ז אב	17 August ט"ח אב
Avodah Zara 4:12-5:1	Avodah Zara 5:2-3	Avodah Zara 5:4-5	Avodah Zara 5:6-7	Avodah Zara 5:8-9	Avodah Zara 5:10-11	Avodah Zara 5:12 - Avot 1:1

