



## Mishnah Avodah Zarah 3:1-2

Should Jews derive benefit from whole or fragmented idols (for a particular purpose or by selling them)?

**Date:** 3d CE

**Place:** Syria Palaestina

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**Category:** Jewish

**Literary genre:** Legal text

**Title of work:** Mishnah

**Reference:**

Avodah Zarah 3:1-2

### **Commentary:**

Tractate Avodah Zarah in the Mishnah does not address Jewish prohibitions against idolatry and punishments for idolatrous worship; rather, this source discusses relationships between Jews and non-Jews, assuming that the latter are polytheists. Since Scripture proscribes idolatry, life in a heterogeneous society raised questions for Jews regarding social interactions, and especially economic relations, with polytheists.

The biblical prohibition against idolatry provides the background for this discussion. The second of the Ten Commandments warns: "You shall not make for yourself an idol, whether in the form of anything that is in heaven above, or that is on the earth beneath, or that is in the water under the earth. You shall not bow down to them or worship them; for I the Lord your God am a jealous God..." (Exodus 20:4-5, NRSV). Several passages in Scripture instruct that all idols be destroyed (see, for example, Exodus 23:24; 34:12-16; Deuteronomy 7:1-5; 25-26; 12:1-3). The Mishnah considers these commands to apply equally to whole images as well as identifiable fragments. The images discussed in the Mishnah were likely found by Jews or received by them; thus, it is unknown whether they had previously been objects of worship. These passages also consider whether Jews were permitted to benefit from such items (whether by using them for their own purposes or by selling them). The first mishnah opens with three opinions regarding which items are prohibited (1).

For Rabbi Meir, who was active in the second century CE, after the Bar Kokhba Revolt, no images are allowed. This position is based on his assumption that they are all worshiped at least once a year. Thus, he seems to define an idol as an object that has been used in idolatrous practice. The fact that not all images in Greco-Roman society were worshiped leads Yaron Z. Eliav to write: "It is nevertheless quite possible that R. Meir's halakha does not describe the actual reality, but rather presents a position about it, i.e., sets out to shape the way in which reality is to be perceived" ("Viewing the Sculptural Environment," p. 422).

In contrast to Rabbi Meir, the sages assert that an image should be considered an idol if it displays one of three symbols. First, a staff, that could represent the following: a scepter that symbolized authority and command; the caduceus – a rod entwined by two snakes with a pair of wings at its top – that was carried by Hermes (and his Roman counterpart Mercury); or, the Staff of Asclepius, a rod with a single snake twisted around it (but no wings). Second, a bird, because several gods were associated with specific birds: Zeus and his Roman equivalent Jupiter were accompanied by an eagle; Athena and Minerva by an owl; Aphrodite by a dove or sparrows, and, Hera by a bird (cuckoo). The Syrian goddess was also depicted with doves and other birds (Elmslie, *The Mishna on Idolatry*, p. 45; Gilhus, *Animals, Gods and Humans*, p. 105). Third, a globe, symbolizing worldwide domination. Emperors and certain gods were often portrayed with a scepter, which represented authority and *imperium*, and a globe, which signaled their reign over the whole *orbis terrarum* (or *oikoumenè*). For example, Jupiter was often depicted with a scepter, for power over gods and humans, and an eagle, the bird associated with imperial might.

All three of these symbols may be associated with imperial power, and, therefore, are prohibited. Nicole Belayche explains these objects in that context: "Scepter, eagle and *orbis terrarum* – explicitly linked to the emperor's power and to tutelary Jupiter" (Belayche, *Iudaea-Palestina*, p. 126). Ephraim E. Urbach, who draws on the Jerusalem and Babylonian Talmuds to explain this Mishnah, explicitly links these symbols to the imperial cult: "Nowhere in our



sources there is the slightest suggestion of indulgence where the cult of emperor-worship was concerned. The Sages disagreed with R. Meir and did not forbid the aesthetic use of all images, but only of those which held in their hand 'a staff or a bird or a sphere' ...It is a fact that all the objects mentioned were adjuncts of the statues of the Roman emperors... The cult of the emperor was of special importance in the eastern part of the Roman Empire ... Everything connected with this cult was absolutely forbidden" ("The Rabbinical Laws of Idolatry," p. 238-239). In contrast to Urbach's view, Yaron Z. Eliav claims that: "The items listed by the sages in the Mishnah – the stick, the bird, and the ball – were, at least in their eyes, such identifying signs of a deity." In a footnote, he directly counters Urbach's identification of these symbols with the imperial cult: "However, there is no hint that this is the intention of the halakha, which if it were, the rabbis would probably have said so explicitly (as they do elsewhere). The halakhic logic behind this suggestion is difficult to grasp; if indeed this is part of the polemics against the emperor's cult, why ban only statues with these particular signs?" (Eliav, "Viewing the Sculptural Environment," p. 423).

It is therefore debatable whether the sages' teaching speaks of items that were linked to the Roman imperial cult. In any case, we clearly see that several commentators have agreed that the first two views in this mishnah are both related to whether an image had been worshiped. In that framework, these symbols are prohibited only because they indicated that the images that are attached to them were worshiped. For this reason, many commentators explain the sages' words ("It is prohibited only if it has a staff or a bird or a globe") as indicating that these symbols of power suggest that they were worshiped. As Hanoch Albeck writes: "These are signs of authority and these are certainly worshiped" (*The Mishnah*, vol. 4, p. 332). According to this view, the prohibition of an item is not determined by its form, but rather its usage (Stern, "Figurative Art," p. 404-405). Thus, although the Mishnah discusses the specific forms of items, it does so in order to assess the probability that a certain item was worshiped. However, since in reality these items did not always indicate whether they were worshiped (Price, *Rituals and Power*, p. 177), it is also possible that the sages' view does not focus on whether an object was worshiped or its identification as part of the imperial cult, but rather whether such symbols embodied Roman power. Yaron Z. Eliav avoids this problem by claiming that: "R. Meir and the rabbis did not dispute the actual situation, but presented two views on how to perceive and evaluate it" ("Viewing the Sculptural Environment," p. 424). We may conclude that the opinion of the sages has been understood differently by various scholars. Among the opinions are that the sages 1) rejected the imperial cult, and, therefore, mentioned "a staff or a bird or a globe"; 2) condemned these three symbols as signs of a deity (not necessarily related to the imperial cult or Rome); 3) objected to symbols of Roman power. From my reading, the third option is most compelling since the sages' three examples each represent Roman authority. Moreover, in an extended parallel to this teaching, [Tosefta Avodah Zarah 6:1](#) presents this stance from the sages independently, not vis-à-vis Rabbi Meir's view. In that source, the possibility that an object had been worshiped is not mentioned as a factor ("And the sages say: 'It is prohibited only if it has in its hand a staff or a bird or a globe [or] a sword [or] a crown or a seal ring (alternative reading: an image [*tzelem*] or a ring) or a serpent.'"). Thus, it makes sense that originally, the sages' view was an independent tradition that was placed by the editor of the Mishnah in the context of Rabbi Meir's saying. In this case, we could say that the sages did not initially seek to establish whether certain objects had been worshiped; rather, they opposed items related to Roman power. This is also the understanding of the Jerusalem Talmud's discussion on the sages' opinion ([Jerusalem Talmud, Avodah Zarah 3:1, 42c \[1\]](#)).

We may conclude that whereas Rabbi Meir is concerned with which images were worshiped, the sages seem to approach this question from a different perspective. However, the editor of the Mishnah later placed their opinion in the context of Rabbi Meir's saying, and followed it with material/another source/teaching that shares an interest in whether images had been worshiped (Mishnah Avodah Zarah 3:2).

The third opinion in our mishnah is attributed to Rabban Shimon ben Gamliel, who was active in the second century, after the Bar Kokhba Revolt. He specifies that images are prohibited if they held an object in their hand.

Section Two discusses the rules regarding fragments of sculptures and the permissibility of deriving benefit from them. Here again, the Mishnah categorizes images according to the likelihood that they had been worshiped. Thus, any shard that includes a foot or a hand is prohibited. According to William A. L. Elmslie, "The Mishnah has in mind a class of votive offerings common in the cult of Asklepios, the god of healing... It was customary for patients who had obtained healing at some shrine of Asklepios to dedicate and leave in the temple a small image of that part of their body which had been restored to health" (*The Mishnah on Idolatry*, p. 45).

The Greco-Roman reality that the rabbis inhabited was replete with idols and images. This culture conflicted with the biblical command to spurn idolatry and abolish its artifacts. In this context, the rabbis developed strategies for observing the biblical law while living in a polytheistic setting. One method is conveyed here: the rabbis distinguished images that were worshiped or were associated with Roman power from those that were not.



Through differentiation, the Mishnah limits the application of biblical imperatives and allows greater leeway for life in the Roman Empire.

Keywords in the original language:

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Thematic keywords in English:

- [Asclepius](#)
- [bird](#)
- [eagle](#)
- [globe](#)
- [idol](#)
- [idolatry](#)
- [imperial cult](#)
- [Jupiter](#)
- [Roman power](#)
- [sceptre](#)
- [staff](#)

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**Other sources connected with this document:** Text

### [Jerusalem Talmud Avodah Zarah 3:1, 42b](#)

From which idols may no benefit be derived (through use or sale)?

- [Read more about Jerusalem Talmud Avodah Zarah 3:1, 42b](#)

Text

### [Jerusalem Talmud Avodah Zarah 3:1, 42c \(part one\)](#)

Symbols that were associated with Roman power and its limitations relative to God's power

- [Read more about Jerusalem Talmud Avodah Zarah 3:1, 42c \(part one\)](#)

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