

Except from **אשירה** trees

חוץ מעצי **אשירה**¹ –

Overview

איסורי הנאה ר' יוחנן ruled in the name of ר' יעקב (when there is a נפשות) except for עצי אשירה which is prohibited to be used for a cure (even if there is a נפשות). Our תוספות will qualify this prohibition against using ע"ז as a cure.

נראה לרבינו יצחק דמיירי כגון שאין יכול להתרפא משאר עצים אלא בזה –

It is the view of the ר"י that this ruling of חוץ מעצי אשירה is discussing a case where for instance he cannot be healed through any other trees, only with this אשירה tree. The reason other (similar) trees cannot heal him, and only this אשירה tree of עבודה זרה can, is in a case where –

כגון על ידי שדים או שום דבר אחר –

For instance this אשירה tree can heal him through demons or through some other supernatural manner. It is only in this instance (where no other tree can heal him naturally), that he is prohibited from being healed through the אשירה –

משום דאתי למיטעי בתר עבודה זרה² –

Because he may mistakenly follow after this ע"ז. However if he can be healed through the medicinal properties of (other) trees and the (closest) available tree is an אשירה he may be healed by the medicinal properties of the אשירה tree.³

anticipates a question:

וגבי בן דמא בעבודה זרה פרק שני (דף כז, ב ושם) שנשכו נחש –

And concerning בן דמא, in the second פרק, where a snake bit him –

ובא יעקב איש כפר סכניא⁴ לרפאותו –

And from the village of סכניא came to cure him יעקב –

¹ (ע"ז) as אילן הנעבד אשירה explains that דברים (ראה) יבג בד"ה אשרה in רש"י. It would seem that אשירה is a generic name for any tree that is worshipped.

² He will think that since other similar (non אשירה) trees cannot heal, only the אשירה can heal; it must be because it possesses some (supernatural) power.

³ Concerning ע"ז there are two איסורים; one is not to worship ע"ז and the other is not to derive benefit from ע"ז. The איסור against worshipping ע"ז is even if it is נפשו, therefore when there is any concern that the curing process will cause the patient to worship ע"ז, it is prohibited. This explains why if no other tree can heal him he cannot be healed from the אשירה. Concerning איסור הנאה from ע"ז it is like all other הנאה which are permitted when there is נפשות. Therefore if there is no concern that the healing process will cause the patient to be ע"ז, עובד, it is permitted. This explains why if the cure can be accomplished with other trees, one may use the ע"ז אשירה tree if it is a נפשות. See אור החמה.

⁴ See יא, ז where it relates that this איש כפר סכניא converted to מינות. Some of the texts indicate that he was a disciple of ישו הנוצרי.

ולא הניחו רבי ישמעאל משום דאפיקורסות⁵ משכא –

And ר"י did not allow כפר סכניא **to treat him, because heresy attracts.**⁶ Seemingly this כפר סכניא **יעקב איש** was a professional healer (and was going to treat דמא as any other physician would⁷), why did ר' ישמעאל disallow him from treating דמא בן דמא?!

answers: תוספות

ומפרש בירושלמי בפרק שמנה שרצים⁸ שהיה רוצה ללחוש לו בשם זר⁹ –

That he explains in תלמוד ירושלמי in פרק שמנה שרצים that he wanted to cure him by **chanting an alien name** (of ע"ז); that is why he prohibited it -

אבל על ידי תחבושת שרי כדאמרין התם (דף כח, א) –

However to cure him **through bandages** that would be **permitted** as the גמרא **states there** -

דרבי אבהו רמא ליה יעקב אפיקורסא¹⁰ סמא אשקיה:

That ר' אבהו the heretic placed a medicinal salve on the thigh of יעקב to heal his ailing thigh.

Summary

The איסור against using objects of ע"ז (or healers who are ע"ז) for a cure, is limited if the cure is done in an idolatrous manner. Otherwise if it is done in accordance with normal medical practice it is permitted (במקום סכנת נפשות).

Thinking it over

May one be healed by an עובד ע"ז where there is no סכנת נפשות?¹¹

⁵ In our text it reads מינות. [Others say that 'מין' is a 'מין' נוצרי.]

⁶ Seemingly it would cause the patient to be attracted to (the religion of) his physician who is ע"ז.

⁷ It is similar to a case where one can be healed with עצים and he happens to use an אשירה, which is permitted, as תוספות just ruled.

⁸ בן דמא רמא ליה יעקב אפיקורסא. See יפה עינים that the תוספות cites is not concerning בן דמא but rather the grandson of ריב"ל. (The יפה עינים should be amended to read מקודם 'אך' instead of מקודם.)

⁹ When the patient sees that the שם זר heals, he may become attracted to worship it.

¹⁰ In our text it reads 'מינאה'. See יז, א that this (מינאה) יעקב אפיקורסא is not the same as יעקב איש כפר סכניא.

¹¹ If the answer is yes, it would seem to question how תוספות compares עצי אשירה with the healers.