



## Personal Rights vs. Public Welfare: The Rabbi Who Violated Quarantine Led by Rabbi Debra Cantor

(with deep thanks to Gila Fine for gathering these sources)

### LEVITICUS 13:45-46

Anyone with an infection of skin disease must wear torn clothes, dishevel their hair, cover their upper lip, and shout out, "Unclean! Unclean!" They will be unclean as long as they are infected. They are *tamei*/unclean. They must live alone outside the camp.

### MIDRASH LEVITICUS RABBAH 15:2

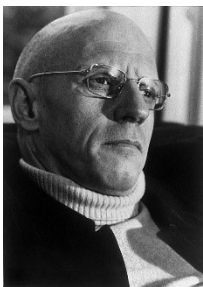
"When a man has on the skin of his body a swelling, a scab, or a bright spot" (Lev. 13:2); as it is written... "He weighed the waters by measure" (Job 28:25) – A man is weighed half water and half blood. If he is meritorious, neither water nor blood prevails. If he sins, either water prevails and he becomes *hudropikos* (dropsical), or blood prevails and he becomes leprous.

### HIPPOCRATES, (460-375 BCE, Greece) from *The Nature of Man IV*

The human body contains blood, phlegm, yellow bile and black bile. These are the things that make up its constitution and cause its pains and health. Health is primarily that state in which these constituent substances are in the correct proportion to each other, both in strength and quantity, and are well mixed. Pain occurs when one of the substances presents either a deficiency or an excess, or is separated in the body and not mixed with others.



### MICHEL FOUCAULT (1926-1984, French philosopher who studied the relationship between power and knowledge, and how they are used as a form of social control) from *Discipline and Punishment*



The following, according to an order published at the end of the seventeenth century, were the measures to be taken when the plague appeared in a town. First, a strict spatial partitioning: the closing of the town and its outlying districts, a prohibition to leave the town on pain of death, the killing of all stray animals; the division of the town into distinct quarters, each governed by an intendant.... This enclosed, segmented space... constitutes a compact model of the disciplinary mechanism. The plague is met by order; its function is to sort out every possible confusion.... Against the plague, which is a mixture, discipline brings into play its power, which is one of analysis... of strict divisions.

## BABYLONIAN TALMUD KETUBOT 77b

**It was taught** in a *baraita*: **Rabbi Yosei said: A certain Elder from among the residents of Jerusalem told me** that there are **twenty-four** types of patients **afflicted with boils, and** with regard to **all of them the Sages said** that **sexual relations are harmful to them, and** those **afflicted with *ra'atan***, a severe skin disease characterized by extreme weakness and trembling, **are harmed even more than all of the others. What are the symptoms of *ra'atan*? His eyes water, his nose runs, drool comes out of his mouth, and flies rest upon him.** The Gemara further inquires: **And what is his cure** to remove the insect found in his head, which is associated with this illness?... [a long passage follows]

**...Rabbi Yoḥanan would announce: Be careful of the flies found on those afflicted with *ra'atan***, as they are carriers of the disease.

**Rabbi Zeira would not sit** in a spot where the **wind** blew from the direction of someone afflicted with *ra'atan*.

**Rabbi Elazar would not enter** the **tent** of one afflicted with *ra'atan*, and

**Rabbi Ami and Rabbi Asi would not eat eggs from an alley** in which someone afflicted with *ra'atan* lived.

Conversely, **Rabbi Yehoshua ben Levi would attach himself to them and study Torah, saying** as justification the verse: “The Torah is a **loving hind and a graceful doe**” (Proverbs 5:19). **If it bestows grace on those who learn it, does it not protect** them from illness?

**When Rabbi Yehoshua ben Levi was on the verge of dying, they [the Heavenly Court] said to the Angel of Death: Go and perform his bidding**, as he is a righteous man and deserves to die in the manner he sees fit. The Angel of Death **went and appeared to him.**

Rabbi Yehoshua ben Levi **said to him: Show me my place** in paradise.

**He said to him: Very well.**

Rabbi Yehoshua ben Levi **said to him: Give me your knife** that you use to kill mortals, **lest you frighten me on the way.**

**He gave it to him. When he arrived there,** in paradise, **he lifted** Rabbi Yehoshua so he could see his place, and **he showed it to him.**

Rabbi Yehoshua **jumped** and **fell into that** other **side**, thereby escaping into paradise. The Angel of Death **grabbed him by the corner of his cloak.**

Rabbi Yehoshua ben Levi **said to him: I swear that I will not come** with you.

**The Holy One, blessed be He, said: If he** ever in his life **requested** dissolution **concerning an oath** he had taken, **he must return** to this world with the Angel of Death, as he can have his oath dissolved this time also. **If he did not** ever request dissolution of an oath, he need **not return.** Since Rabbi Yehoshua had in fact never requested dissolution of an oath, he was allowed to stay in paradise.

The Angel of Death **said to him:** At least **give me my knife** back. However, he **did not give it to him,** as he did not want any more people to die.

**A Divine Voice emerged and said to him: Give it to him, as it is necessary to kill the created beings; death is the way of the world.**

**Elijah the Prophet announced before him: Make way for the son of Levi, make way for the son of Levi!**

Rabbi Yehoshua ben Levi **went** and **found** in paradise **Rabbi Shimon ben Yoḥai** [2nd-century Tannaitic sage in ancient Judea, a student of R. Akiva, though a pacifist; active after the destruction of the Second Temple in 70 CE; narrator of the Zohar] **sitting on thirteen golden stools [takhtekei].**

Rabbi Shimon ben Yoḥai **said to him: Are you the son of Levi?**

**He said to him: Yes.**

Rabbi Shimon said to him: Was **a rainbow** ever **seen in your days?**

**He said: Yes.**

Rabbi Shimon retorted: **If so, you are not the son of Levi,** as he is a completely righteous man. [During the lifetimes of completely righteous people no rainbows are visible, as they are a sign that the world deserves to be destroyed by a flood; whereas the merit of the righteous protects the world from such things.]

The Gemara comments: **And that is not so, for there was no** rainbow seen **at all** during the lifetime of Rabbi Yehoshua, **but he thought: I do not want to take credit for myself** by presenting myself as such a righteous person.

The Gemara now relates a similar incident: **Rabbi Hanina bar Pappa was a friend** of the Angel of Death and would see him frequently. **When** Rabbi Hanina **was** on the verge of **dying, they said to the Angel of Death: Go and perform his bidding. He [the Angel] went before him and appeared to him.**

**He [R. Hanina bar Papa] said to the angel: Leave me for thirty days until I have reviewed my studies, for they say: Happy is he who comes here, to paradise, with his learning in his hand.**

**He left him, and after thirty days he again went and appeared to him.**

**He said to the Angel of Death: Show me my place in paradise. He said to him: Very well.**

**Rabbi Hanina said to him: Give me your knife, lest you frighten me on the way.**

The Angel of Death **said to him: Do you wish to do to me as your friend** Rabbi Yehoshua ben Levi did, and escape?

**He [R. Hanina] said to him: Bring a Torah scroll and see: Is there anything written in it that I have not fulfilled?** I am therefore worthy of entering Paradise alive, as did Rabbi Yehoshua ben Levi.

**He said to him: But did you attach yourself to those afflicted with *ra'atan* and study Torah, as he did?**

The Gemara comments: **And even so,** despite the fact that he was not equal to Rabbi Yehoshua ben Levi, **when he passed away a pillar of fire separated him from everyone. And it is learned as a tradition that a pillar of fire separates in this manner only for one in a generation or for two in a generation.**

## What else do we know about Rabbi Yehoshua ben Levi?

Rabbi Joshua ben Levi was an *amora*, a scholar of the Talmud, who lived in the Land of Israel in the first half of the third century CE. He lived and taught in the city of Lod. He studied with Rabbi Yehudah HaNasi (editor of the Mishnah) as a youth, and taught during the transition from the Tannaitic to the Amoraic period. He was an elder contemporary of Johanan bar Nappaha and Resh Lakish, who presided over the school in Tiberias.

### BABYLONIAN TALMUD BERACHOT 51a

R. Yehoshua b. Levi says: Three things were told me by the Angel of Death. Do not take your shirt from your attendant when dressing in the morning, and do not let water be poured on your hands by one who has not washed his own hands, and do not stand in front of women when they are returning from the presence of a dead person, because I go leaping in front of them with my sword in my hand, and I have permission to harm.

### MIDRASH GENESIS RABBAH 26:2

R. Hanina said, In the end of days, there will be no death, but amongst idolaters. R. Yehoshua b. Levi said, Not amongst Israel and not amongst idolaters, as it is written, "The Lord God will wipe tears from every face" (Is. 25:8).

### BABYLONIAN TALMUD PESAḤIM 50a

R. Yoseph the son of R. Yehoshua b. Levi, became ill and fell into a trance. When he recovered, his father asked him, "What did you see?" "I saw a topsy-turvy world," he replied, "the upper [class] underneath and the lower on top" he replied: "My son," he observed, "you saw a clear world. And how are we [situated] there?" "Just as we are here, so are we there. And I heard them saying, 'Happy is he who comes hither with his learning in his hand.'"

### BABYLONIAN TALMUD SANHEDRIN 98a

R. Yehoshua b. Levi met Elijah standing by the entrance of R. Simeon b. Yohai's tomb. He asked him... "When will the Messiah come?" — "Go and ask him himself," was his reply. "Where is he sitting?" — "At the entrance." "And by what sign may I recognize him?" — "He is sitting among the poor lepers: all of them untie [them] all at once, and rebandage them together, whereas he unties and rebandages each separately, thinking, should I be wanted, I must not be delayed." So he went to him and greeted him, saying, "Peace upon thee, Master and Teacher." "Peace upon thee, O son of Levi," he replied. "When wilt thou come, Master?" asked he, "Today," was his answer. On his returning to Elijah, the latter enquired, "What did he say to thee?" — "Peace Upon thee, O son of Levi," he answered. Thereupon he [Elijah] observed, "He thereby assured thee and thy father of [a portion in] the world to come." "He spoke falsely to me," he rejoined, "stating that he would come today, but has not." He [Elijah] answered him, "This is what he said to thee, 'Today, if ye will hear his voice' (Ps. 45:7)."