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Rabbi Joshua ben Levi in Talmud Bavli

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ABSTRACT

This thesis provides a comprehensive look at the statements and stories of R. Joshua b. Levi in the *Bavli*. The point of this investigation is not to learn about the life of the historical R. Joshua b. Levi, the first generation *Eres Yisrael* Amora, for that is not possible. The goal, rather, is: 1) to see how the statements and stories create a *persona* of R. Joshua b. Levi and 2) to compare the statements (259 halakhic and 128 aggadic) with the stories (33 aggadot) in order to see the relationship, if any, between them.

The results, and thus the contribution of this thesis, are: 1) that there is an internal consistency in the *persona* of R. Joshua b. Levi as presented in the *Bavli*; and 2) that the aggadot about R. Joshua b. Levi are not formed *ex nihilo*, but are grounded in the statements attributed to him.

This thesis has eight chapters. Chapters one and eight are the introduction and conclusion. Chapters two and seven concern a tangential question, that of the historicity of the *Bavli*'s material, which cannot be determined categorically, but which can, nevertheless, be explored. Chapter two gives the historical background and milieu of R. Joshua b. Levi in third century, C.E. *Eres Yisrael*. Chapter seven compares the aggadot in the *Bavli* with the aggadot in *Bereshit Rabbah*--chosen because of its being an *Eres Yisrael* text--and explores how the traditions may have changed in their transfer to Babylonia.

The four middle chapters contain the central analysis. Chapters three and five, respectively, analyze R. Joshua b. Levi's halakhic and aggadic statements. Chapters four and six compare these findings with the aggadah about R. Joshua b. Levi.

FROM COMMUNITY RABBI TO MYTHIC HERO:
RABBI JOSHUA BEN LEVI IN *TALMUD BAVLI*

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*To my advisor, Dr. Michael Chernick for teaching me rabbinic text
with wisdom, insight and passion.*



*To my wife Rachel for making this year of study possible
and for bringing into this world our greatest blessing.*

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LIST OF ABBREVIATIONS

<i>Ar.</i>	Arakhin	<i>Men.</i>	Menahot
<i>A.Z.</i>	Avodah Zarah	<i>M.K.</i>	Moed Katan
<i>B.K.</i>	Bava Kama	<i>Naz.</i>	Nazir
<i>B.M.</i>	Bava Mesia	<i>Ned.</i>	Nedarim
<i>B.B.</i>	Bava Batra	<i>Nid.</i>	Niddah
<i>Bek.</i>	Bekhorot	<i>Pes.</i>	Pesahim
<i>Ber.</i>	Berakhot	<i>R.H.</i>	Rosh Hashanah
<i>Bes.</i>	Besah	<i>San.</i>	Sanhedrin
<i>Eruv.</i>	Eruvin	<i>Shab.</i>	Shabbat
<i>Git.</i>	Gittin	<i>Shev.</i>	Shevuot
<i>Hag.</i>	Hagigah	<i>Suk.</i>	Sukkot
<i>Hor.</i>	Horayot	<i>Sot.</i>	Sotah
<i>Hul.</i>	Hullin	<i>Ta.</i>	Ta'anit
<i>Ket.</i>	Ketubot	<i>Tam.</i>	Tamid
<i>Kid.</i>	Kiddushin	<i>Tem.</i>	Temurah
<i>Ker.</i>	Keritot	<i>Yev.</i>	Yevamot
<i>Mak.</i>	Makkot	<i>Yom.</i>	Yoma
<i>Meg.</i>	Megillah	<i>Zev.</i>	Zevahim

CHAPTER ONE

INTRODUCTION

There are many rabbis whom we seem to *know*. We have heard stories about them, about R. Akiba marrying Rachel and then beginning his studies at age forty, about Hillel telling the Torah on one foot by speaking the Golden Rule, about Yohanan ben Zakkai being carried out of Jerusalem in a coffin to meet with the Roman general to save Judaism. From these tales, we imagine these rabbis' personalities and try to piece together their lives.

The problems in such a task, one would quickly find out, are manifold. These stories are contained in only a few sources, such as *Talmud Bavli*, *Talmud Yerushalmi* and various *midrashim*. Some of the stories have been written well after the rabbis lived. Different sources attach different names to the same stories and, even within a source, the same scenario might be repeated several times with various rabbis as protagonists. Most importantly, our tradition's documents never purport to give us historic biography.

The Rabbi Joshua b. Levi whom we meet in the *Bavli* is already a mythic hero. The aggadah about him shows him studying Torah with the AIDS patients of his day¹, bringing rain through fasting, talking with the messiah outside the gates of Rome, spending time with Elijah, and like Elijah, meriting a direct trip to heaven without dying.

¹People with the skin disease *ra'atan*.

Do these stories tell us anything about the historic R. Joshua b. Levi, the community rabbi of Lod, *Eres Israel*? Without evidence external to our Jewish sources, we will never completely know the answer. Our sources (e.g., the *Bavli*) might contain elements of his true self, but these have been—or may have been—edited, changed, or elaborated in subsequent centuries. Still, knowing something about R. Joshua b. Levi's historic context is important for background, for seeing where the myth began. This I will explore briefly in chapter two.

If biography is unknowable, then what can be discerned? The *Bavli* does present a favorable *persona* of R. Joshua b. Levi. Where does this *persona* come from? If we cannot show that it necessarily derived from the actual person, then we can explore whether it came from what they knew about this person, namely—at minimum—his aggadic and halakhic statements. Is there a connection between what R. Joshua b. Levi is recorded to have said and what others wrote about him? If so, we would learn two things: 1) that there is an internal consistency in the *persona* of R. Joshua b. Levi as presented in the *Bavli*; and 2) that the aggadot about him are not formed *ex nihilo*, but are grounded in the statements attributed to him.

This thesis will show that these two hypotheses are true. I will look at his halakhic statements and aggadic teachings separately in chapters three and five, and compare each with the aggadot about him in chapters four and six. These four chapters will show that a definite *persona* of R. Joshua b. Levi emerges from this material in the *Bavli* and that it is internally consistent.

Some aggadot about him do not have parallels in his halakhah or aggadic statements, but these do not contradict the spirit of the *persona*. Other statements *do* seem inconsistent with his *persona*; these either are

incorrectly attributed to our tradent or hint at the complexity of the issues involved. The primary contribution of this thesis, though, is that the vast majority of material on and by R. Joshua b. Levi in the *Bavli* is consistent and that the authors of the aggadot about him had this persona in mind when they wrote about their mythic hero.

Chapters one and seven round out the picture of R. Joshua b. Levi. The first places him in his historic context as a community rabbi and leader of an academy in Lod. This is the basis from which the *Bavli* develops its *persona* of him. Most of the historical information, though, was lost to them or of no interest. In chapter seven, I return to the historic R. Joshua b. Levi by asking how much the *Bavli's persona* reflects the real person. I already stated above that we will never be able to know completely the answer, but by comparing the *Bavli's* aggadot with those in *Bereshit Rabbah*--an *Eres Yisrael* text--some tentative conclusions may be drawn. For instance, we can say that R. Joshua b. Levi's *persona* in the *Bavli* does match the spirit of the aggadot in *Bereshit Rabbah*. Some of the details have been stripped away in the *Bavli*, most notably, any reference to Rome, but the essence is the same.

R. Joshua b. Levi's *persona* remains consistent in both a Babylonian and *Eres Yisrael* text. This suggests that the historical R. Joshua b. Levi likely shared these traits. This thesis cannot prove this fact, but what it can show is that the *Bavli* presents a R. Joshua b. Levi who does not contradict it. While the conclusion seems minimal, the path to that summation is full of intrigue and promise. After all, this thesis will explore the full breadth of R. Joshua b. Levi's views, halakhicly and aggadiely. While the primary question will be one of consistency of *persona*, along the way, the reader may glean a fair share of R. Joshua b. Levi's insights into life.

CHAPTER TWO

RABBI JOSHUA BEN LEVI: FROM HISTORY TO TRADITION

R. Joshua b. Levi lived during an important transition in Jewish history. His exact dates are not known, but his life spanned at least the first half of the third century, C.E. The Mishnah--post-Temple Judaism's first major compilation of law and lore--had only recently been codified when he began his career in Lod, *Eres Yisrael*. There, he was part of the first generation of Amoraim leading his community and Judaism as the Roman Empire steadily declined.

Sociopolitical reality changed dramatically during R. Joshua b. Levi's lifetime. Roman Emperors Septimius Severus (193-211 C.E.) and Antoninus Caracalla (211-217 C.E.) were especially fond of the Jews.² The Jews, for their part, were more accepting of Rome than in the past. During the years between the Severan emperors and Diocletian, though, from around 235-284 C.E., rampant anarchy spread from one end of the Empire to the other. The period was marked by foreign wars and internal struggles. Agriculture and commerce suffered. Economic deterioration joined with raising of taxes. A sort of feudalism developed and Jewish sources describe its deleterious effects. Many fled to Transjordan. Jewish highwaymen attacked people in the streets; Samaritans spread in Jewish

²Gedaliah Alon, *The Jews in their Land in the Talmudic Age*, trans. and ed. Gershon Levi (Cambridge: Harvard University Press, 1989), 681.

centers; and Arabs first moved into *Eres Yisrael*.³

The Jews' own administrative bodies were changing as well. During Judah HaNasi's lifetime, the Patriarchate and Sanhedrin were joined. He served as the head of both. A generation later, R. Yohanan moved the Sanhedrin to Tiberias, while the Patriarchate remained in Sepphoris under Judah Nesiah. The Patriarchate became more in charge of sociopolitical rather than spiritual-academic matters. R. Joshua b. Levi had much personal contact with both institutions. His son, R. Yosef, married Judah Nesiah's daughter (cf., *Kid. 33b*) which must have brought him to Sepphoris and into the political debates of the day. In terms of the Sanhedrin, he has many recorded debates with R. Yohanan (e.g., *Ber. 8a*, *Suk. 44a*, *San. 99b*, etc.) which indicate his involvement in the Tiberias community.

Even before R. Yohanan brought the Sanhedrin to Tiberias, he established an academy there or, some say, led R. Hiyya's yeshiva. R. Judah HaNasi's other disciples also set up academies around *Eres Yisrael*. R. Hanina bar Hama was in Sepphoris; R. Hoshaya in Caesaria, R. Yannai in 'Akhbara and R. Joshua b. Levi in Lod. Thus, after Rabbi HaNasi's time, Jewish authority split between Tiberias and Sepphoris and important academies grew up all around *Eres Yisrael*.

The fame of Tiberias and Sepphoris is well attested. Lod, on the other hand, needs more attention. Located on the *Via Maris* and situated between Joppa and Jerusalem, it was the third major Jewish center of *Eres Yisrael* during R. Joshua b. Levi's lifetime. In his day, the city was officially called Colonia Lucia Septimia Severia Diospolis. In the Syriac version of *De Martyribus Palaestinae*, Eusebius describes a trial in the

³Ibid., 682-704.

spring of 308 C.E. in Lod. This is about a half century after R. Joshua b. Levi, but Eusebius' description is still telling: "There is a large city in the Land of Palestine, teeming with population, of which all the inhabitants were Jews. It is called in the Aramaic tongue Lod, and in Greek it is called Diocaesaria."⁴ Eusebius got the Greek name confused with Sepphoris which was called Diocaesaria, but the description of Lod as a large city teeming with Jews begins to give us the background for R. Joshua b. Levi's career.

According to some scholars, a local branch of the Sanhedrin, albeit dependent upon the official Sanhedrin in the Galilee, existed in Lod at the end of the Tannaitic period and throughout part of the Amoraic period.⁵ We know that R. Joshua b. Levi ordained his own students, as is well documented in the *Yerushalmi* (e.g., *Hag. 1:8*.) In the *Bavli*, no statement directly affirms that he ordained his students, but one does allude to this fact: "The rite of laying on of hands does not apply outside of the Land" (*San. 14b.*) By ordaining rabbis, R. Joshua b. Levi asserted the independence of Lod's academy. It is difficult to know whether this was just a fact of the decentralizing Jewish community in the third century C.E., or a tactical stance against the North. His familial relations to the North would argue for the former, but the existence of anti-Southern feeling in the North, suggesting a rivalry, would support the latter.

The reason we do not hear about Lod so much has to do with Northern bias. Since Tiberias became the seat of redacting many of the

⁴Joshua J. Schwartz, *Lod (Lydda), Israel: From its Origins through the Byzantine Period: 5600 B.C.E. - 640 C.E.*, British Archaeological Reports International Series 571, ed. David P. Davison (Tempvs Reparatum Archaeological and Historical Associates Ltd., 1991), 106.

⁵*Ibid.*, 115.

works of *Eres Yisrael* such as *Talmud Yerushalmi* and *Bereshit Rabbah*, the Northerners were able to edit those works to their favor. Southerners tended to be more lenient in halakhic matters than their Northern colleagues. R. Joshua b. Levi's halakhic stances, often opposed to R. Yohanan's, bear this out as we will see in chapter three. We have proof of Northern dislike of anything Southern in this statement in *Talmud Yerushalmi*:

R. Yohanan replied brusquely to R. Simlai of Lod who asked to study aggadah with him: "I bear a tradition from my ancestors that one should not teach aggadah either to a Babylonian or to a Southerner, for they are rude and know little Torah." (*Talmud Yerushalmi Pes. 5:3*.⁶)

The parallel of this statement in the *Bavli* clarifies which cities are being referred to:

R. Yohanan said to R. Simlai, "We do not repeat that document [Book of Genealogies] either to people from Lod or people from Nehardea; all the more so you who came from Lod and dwells in Nehardea." (*Pes. 62b*.)

Babylonia and Southern *Eres Yisrael* are lumped together as ignorant and backward. Could this be a reason the *Bavli* found R. Joshua b. Levi so appealing? He might have been seen as a comrade in the face of the biases of the Galilee. Though this might be a stretch, it is interesting that the Southerner, R. Joshua b. Levi, became such a popular figure in the *Bavli's* aggadah.

We do know a little about how his traditions came to Babylonia. Beginning in the second to third generation of Amoraim, rabbis would travel between the two centers of Judaism regularly. The term *nehutei* refers to these rabbis who "went down" from *Eres Yisrael* to Babylonia and

⁶As translated by Lee I. Levine, *The Rabbinic Class of Roman Palestine in Late Antiquity*. (New York: The Jewish Theological Seminary of America, 1989), 93.

those who went from Babylonia to *Eres Yisrael*. They are credited with the transmission of traditions, *mishnayot and braitot* from *Eres Yisrael* to Babylonia that became the basis of the *Bavli*. The first tradent so named was Ulla. He may have known R. Joshua b. Levi personally for there are two statements directly in his name (*B.M. 9b; Hul. 122a.*) After Ulla, R. Dimi and Rabin "came" to *Eres Yisrael* and brought back many statements of R. Joshua b. Levi to Babylonia (cf., *Yom. 3b; Ket. 57a; B.K. 114b, etc.*) It is interesting that before these *nehutei* brought more reliable traditions to Babylonia, sayings of R. Joshua b. Levi were confused with Babylonian tradents Rab and Raba.⁷

Once the traditions of R. Joshua b. Levi arrived in Babylonia, the details of the above brief history lose importance. The Babylonian rabbis were not interested in the historical R. Joshua b. Levi. They had a collection of his sayings, halakhic and aggadic, and stories about him. They also developed their own tales involving the Angel of Death, the messiah and others. It is the task of this thesis to analyze whether their tales grew out of the sayings recorded in R. Joshua b. Levi's name. Is there a continuity of subject matter, of approach, of character traits? In other words, is there a consistent *persona* of R. Joshua b. Levi in the *Bavli*? To this question we now turn.

⁷On Rab, see *Ber. 5b, Ber. 29a, R.H. 26a*. On Raba, see *Shab. 33b, Shab. 119b, R.H. 27a, Hul. 56b, Hor. 8a*.

CHAPTER THREE

HALAKHAH: FOCUS ON WOMEN, LITURGY AND SHABBAT

Though better known for his aggadic teachings, R. Joshua b. Levi was an important halakhist. His decisions covered all areas of life, and were followed not only in his region of Lod, but throughout the *Diaspora* and throughout the generations of normative Judaism. Because of the breadth of his halakhah, no one sentence can characterize his decisions. His approach, though, seems consistent: 1) strict in a) human relations--e.g., caring for the disadvantaged, spending time with family, working with laborers--and b) human-divine relations--e.g., preserving the centrality of prayer, ritual purity/cleanliness and 2) lenient in ritual halakhot when they interfere with human relations and human-divine relations.

Halakhic Activity -- General

In the *Bavli*, 259 halakhic statements and 16 halakhic aggadot are attributed to or repeated by R. Joshua b. Levi (see appendix B.) This number includes statements that are repeated and used in the *Bavli* in different contexts. His halakhot may be found in every *sefer* of the *Bavli*, with the most in *Seder Moed* (79 statements,) the least, not counting *Seder Tehorot*, in *Seder Nezikin* (30.) Most tractates contain his teachings. The most appear in: *Berakhot* (47) and *Hullin* (27,) a fact which parallels the categories with the most halakhot, liturgy (63) and purity/sacrifices (49.)

The above numbers show that R. Joshua b. Levi focused much of his halakhic interest in liturgy. While being the Southern Judean "chief" rabbi, he also was involved in the day to day issues of food preparations and public health. These two sides of R. Joshua b. Levi, the interest in prayer and *olam haba*, on the one hand, and the interest in the needs of family and community, on the other, will be a theme throughout this thesis.

The authority of R. Joshua b. Levi's halakhah is vested in his status as an early Amora. His halakhic activity spans several generations, from the end of Tannaitic era until the 2nd generation of Amoraim. Often a Tannaitic statement backs up his view (see *Ber. 26b*, *B.M. 55a*, *Tem. 18a*.) Sometimes there is confusion whether a given statement is his or a Tanna's.⁸ In one reference, he is outright called a Tannaitic authority.⁹ This is not all that surprising since an aggadic statement of his closes the Mishnah¹⁰ and he is included in the additional chapter of *Pirke Avot* on the acquisition of the Torah.¹¹

One indication of his status is that R. Joshua b. Levi often states which Tannaitic rabbi the halakhah follows. A discussion in *Hul. 49a* indirectly attests to this authority.

R. Simeon says, "[It is not *terefah*] until its bronchial tubes are pierced." . . . R. Aha bar Abba sat before R. Huna. He sat and said, "Said R. Malokh, said R. Joshua b. Levi, 'The law is in accord with

⁸See *Eruv. 19a* and *Suk. 32b*: "But did not R. Merion say R. Joshua b. Levi said, and some say, Rabbah bar Merion, a Tannaitic authority in the household of R. Yohanan ben Zakkai...."

⁹*B.K. 82a*: "Who is the Tannaitic authority who listed the ten stipulations that Joshua [upon entering the land] made? It must be R. Joshua b. Levi."

¹⁰*Mishnah Uksin 3:12*

¹¹*Pirke Avot 6:2*

the view of R. Simeon." He said to him, "You are stating the view of Malokh of Arabia. He has stated that the law is not in accord with R. Simeon." When R. Zira departed [to the Land of Israel] he found R. Bibi sitting and stating, "Said R. Malokh, said R. Joshua b. Levi, 'The law is in accord with R. Simeon.'" He said to him, "By the master's life! For I and R. Hiyya bar Abba and R. Assi came to R. Malokh's place and we said to him, 'Did the master say that the law followed in accord with the view of R. Simeon. And [R. Bibi] said [to Zira], 'And what [tradition] do you have in your hand?' And he said to him as follows: 'Said R. Isaac bar Ammi, said R. Joshua b. Levi, 'The law follows in accord with R. Simeon.'" And the law does not follow in accord with R. Simeon.

R. Joshua b. Levi states the "wrong" halakhah. The fact that the text then relates the discussions of several rabbis trying to assess whether they have received the correct tradition of R. Joshua b. Levi, shows how surprised they are that R. Joshua b. Levi's view did not accord with the accepted halakhah.

Another sign of R. Joshua b. Levi's halakhic importance are his statements in the name of Rabbi and the "holy community in Jerusalem." He quotes three cases that Rabbi judged, one about carrying a lamp on Shabbat (*Shab. 46a*), another about a priest marrying a daughter of a proselyte who was converted under the age of 3 years and a day (*Yev. 60b*) and one about a slave needing a writ of emancipation (*Git. 39b*.) He also announces that the halakhah accords with Rabbi in a ruling about saying the *tefillah* if with an animal, that a person may say it anywhere (*Ber. 30a*.) R. Joshua b. Levi transmits sayings of "the holy community in Jerusalem" directly concerning the intercalulation of the calendar (*R.H. 19b*) and, indirectly, through R. Yose b. Saul in the name of Rabbi, about priests not sleeping with their holy garments of linen and wool (*Bes. 14b, Tam. 27b, Yom. 69a*) and about sacrifices that are *piggul* (*Bes. 27a*.)

Halakhic Activity -- Method and Approach

R. Joshua b. Levi makes it clear that his halakhic decisions are not confirmed by a Holy Spirit whispering in his ear. Rabbinic decisions are verified from heaven through a careful and interpretive reading of Scripture:

Abbaye said to R. Joseph: "But then, in line with what R. Joshua b. Levi said, 'Three rulings were made by the earthly court, and the court on high concurred with what they had done,' ask the same question--who has gone up to heaven and returned and 'said' made this definitive statement[?]! Rather, we expound verses of Scripture [to reach dependable conclusions], and in this case too we expound verses of Scripture." . . . And what were [the three rulings]? Reciting the scroll of Esther, greeting people with the divine name, and the presentation of the Levite's tithe to the Temple chamber. [Est. 9:27; Judg. 6:12; and Mal. 3:10 are the Scriptural proof texts.] (*Mak. 23b.*)

Throughout the *Bavli*, R. Joshua b. Levi is attributed with supplying the appropriate Scriptural references for many halakhot. Indeed, his skills in interpreting Torah for halakhah went hand in hand with his aggadic insights which we will see in chapter five.

R. Joshua b. Levi's approach to halakhah has already been stated above: 1) strict in a) human relations and b) human-divine relations and 2) lenient in ritual halakhot when they interfere with human relations and human-divine relations. These general statements will now be developed.

Strict in human relations -- Focus on Women

Without trying to guess R. Joshua b. Levi's motivations, it is clear that his halakhot often protect the interests of many in his society who are marginalized. His treatment of women illustrates this best. He has thirty-two halakhic statements related to women.

In family relations, to promote *shalom bayit*, he follows the usual rabbinic practice of making it the man's responsibility for satisfying the

wife: "A man is required to sleep with his wife when he is about to go on a journey" (*Yev. 62b.*) But R. Joshua b. Levi goes one step further. He talks not only about a man's responsibilities, but also shows respect to women by speaking of *their* requirements. He supports the position, against R. Yohanan, that both men *and* women are commanded to "be fruitful and multiply."¹² Women, too, have obligations.

They also have rights. R. Joshua b. Levi expands the benefits of the *ketubah*. He supports the position of R. Eleazar who said that even if there are no witnesses on the document, or if the *ketubah* was not handed to the woman in the presence of witnesses, the woman would collect her settlement in a divorce (*Git. 86b.*) Rights are also related to physical needs which R. Joshua b. Levi recognizes: "She is given an additional allowance for wine, because wine is beneficial for lactation." (*Ket. 65b.*)¹³

R. Joshua b. Levi has sympathy for the tragedy of "the captive woman." When she returns to her community, her status could be seen as damaged halakhically, but R. Joshua b. Levi is lenient.¹⁴ He permits her to marry into the priesthood. By so doing, he pushes the community to be accepting of her, to raise her status.

The other kind of captive woman is the *'agunah*, the woman trapped in a dead-end marriage by a husband who refuses to give a *get*. To help prevent this situation, R. Joshua b. Levi gives much latitude for a valid *get*. Unlike other documents, if a *get* is written during the day and signed at

¹²This is not stated explicitly, but may be inferred from *Yev. 65b.*

¹³It is disputed whether this statement is R. Joshua b. Levi's.

¹⁴See *Ket. 27b* and *B.K. 114b*. This tradition is about a case that came before R. Joshua b. Levi or, as some say, R. Joshua b. Levi is repeating a case that came before Rabbi.

night, even though done on different dates (after sunset is a new day), the *get* is valid (*Git. 18b.*) Also, he permits a woman to carry the *get* to court (*Git. 5b*) and, at times, requires an extra declaration by an agent to prevent the husband from challenging the *get* (*ibid.*)

This respect to women carries over to *edut* as this statement from *Ket. 13b* shows:

He who declares her fit declares her fit even when most of the men she is likely to have had sexual relations with are unfit (as in the case of the captive woman), and he who declares her unfit holds that position even when most of the men she is likely to have had sexual relations with are fit (e.g., when she "talked" with someone.)

In other words, the court should not try to second guess the circumstances, rather base their ruling on her testimony. He alleviates some of the pain the woman must endure through such a trial.

Finally, as a transition into liturgy and as a continuation of R. Joshua b. Levi's speaking of a woman's *religious* requirements, come his most well-known statements on women: "Women are liable to light the Hanukkah lamp, for they, too, were part of that miracle" (*Shab. 23a.*) "Women are subject to [the law of] these four cups [during the Passover seder] because they too are included in that miracle" (*Pes. 108a.*) "Women are obligated to [observe] the reading of the *Megillah*, because they, too, were included in that miracle" (*Meg. 4a, Ar. 3a.*)

All three are time-bound, positive *misvot*, ones that woman would be excluded from.¹⁵ R. Joshua b. Levi offers the simple and elegant argument for his *p'sak*: "... because they, too, were included in that miracle." No

¹⁵Women are exempt from time-bound *misvot* based on being exempt from wearing *tefillin*. How do we know about *tefillin*? Based on a *hekesh* to *talmud torah* which women are exempt from. How do we know *talmud torah*? From an *asmahta* in the *Shema*: "you shall teach your sons" [that is, your sons and not your daughters.]

proof text, no *hermeneutic* device, only the emotive, logical and historical answer. His halakhot could be rewritten: How could women *not* be required to perform these *misvot*? They were as much a part of their *raison d'être* as men!

R. Joshua b. Levi, though, does not say that women are required to pray three times a day, nor pray on every Shabbat, nor even every *Yom Tov*. Something is different about lighting the *hanukiah*, drinking the *Pesah* wine, and reading the *megillah*. That they each derived from a miracle which saved the Israelite/Jewish people might suggest that R. Joshua b. Levi was interested in salvation. That each was celebrated in the home, not the synagogue (perhaps also true of reading the *megillah* then?) might suggest that he was stating as halakhah something which was common practice, the *minhag* of Lod. That R. Joshua b. Levi did not defend his decisions by addressing the wider issue of which *misvot* are incumbent upon women might suggest that his decisions might have more to do with, again, a description of *minhag*. After all, no one argues with him about these decisions!

Still, it is in R. Joshua b. Levi's name that these statements are passed down in the *Bavli*. This fact along with the other positive halakhot on women above demonstrates that he was concerned with women and their rights. He empathizes with other groups in society which are marginalized. We will see this in later chapters in his aggadah and aggadic teachings. Halakhically, we see it in his treatment of slaves where he allows them to practice their idolatrous practices for a year until they slowly get it out of their system (A.Z. 57a). In his treatment of the caste hierarchy, he says succinctly that through donations to the Temple or the community, a person can raise her or his status in the eyes of that

community: "Money can purify a *mamzer*" (*Kid. 71a.*) For those people who look different, instead of isolating them, he finds a way to embrace them: One who sees a pock-marked person should say: "Blessed is he who varies the creatures." (*Ber. 58b.*) With these statements, R. Joshua b. Levi appears, halakhically, to be a compassionate human being, concerned for those whose status has been damaged and those marginalized by his society.

Strict in human-divine relations -- Focus on Liturgy

R. Joshua b. Levi's approach to *tefillah* is strict in the sense that he devotes much of his halakhic attention to defining a disciplined prayer life. His principle seems to be, the more the better: "It is forbidden for someone to pass behind a synagogue when the community is saying its prayers" (*Ber. 8b*) He gives the Scriptural basis for the *mishnah* which goads the men to synagogue early: "Pious men of old used to tarry one hour before praying" (*Ber. 32b.*) And R. Joshua b. Levi finds a way to keep the people there late: "He who says a prayer has to tarry an hour after he recites *tefillah*" (*ibid.*)

Tefillah, which was ordained instead of the *tamid* offering (*Ber. 26b.*) should be said in its correct time (*Ber. 28a*): "Once the time for reciting *tefillah* for the afternoon has come, it is forbidden for someone to taste a thing before he recites *minhah tefillah*" (*Ber. 28b; Shab. 9b.*) If you are with your animal, you must stay with it and recite *tefillah* (*Ber. 30a.*) And if you happen to come late to the synagogue, you may say *tefillah* only if you can finish it before the *shaliach sibur* begins the *kedushah* (*Ber. 21b.*)

R. Joshua b. Levi addresses the choreography of prayer. The frequency of bowing during the *tefillah* depends on a person's status. The

more important in the human hierarchy, the more bowing necessary. A king bows more than a priest who bows more than a commoner (*Ber. 31a, 34b.*) Saying the *tefillah* with *kavanah* meant much moving around: "It is forbidden to sit within four cubits of one reciting *tefillah*" (*Ber. 31b.*) "He who says *tefillah* has to bend down until all of the vertebrae in his backbone are loosened" (*Ber. 28b.*) The eighteen benedictions of the *tefillah* correspond to the eighteen vertebrae (*ibid.*) At the end of *tefillah*, before *oseh shalom*, one should take three steps back (*Yom. 53b.*)

Even if a person cannot go to synagogue on Shabbat and is alone, he must recite *vayechulu* (*Shab. 119b.*) But, at the synagogue, whoever: "answers 'Amen, may his great name be blessed,' in full strength during *Kaddish* is certain to have all decrees against him annulled" (*ibid.*)

Clearly, prayer is not limited to the synagogue: "Even though a person has recited the *Shema* in the synagogue, it is a *misvah* to recite it in bed" (*Ber. 4b.*) Thus the bedtime *Shema* is ascribed to R. Joshua b. Levi. Almost any occasion, from the trepidation of falling asleep to the exaltation at seeing a friend for the first time in a year or a month; from the scary omens in dreams to the beautiful sight of the rainbow--all are times to acknowledge God and offer a blessing or a verse from Scripture (*Ber. 56b, 58b, 59a.*) And who could forget food? R. Joshua b. Levi ordains the blessings before and after eating any of the seven species from *Eres Yisrael* (*Ber. 44a.*) When reciting *birkat hamazon*, an infant and a slave may count as the "tenth man" to enable God's name to be mentioned in the *zimun* (*Ber. 47b.*) This makes it more possible to give honor to God. People too may be honored. For instance, the cup of wine for *birkat hamazon* may only be given to a generous person (*Sot. 38b.*) For R. Joshua b. Levi, living in a time of social unrest as described in chapter two, he shows that people must help

each other. Generosity is crucial to any good person's character.

As much as R. Joshua b. Levi tries to enforce discipline and quantity of prayer, he does not lose sight of the spirit of the halakhah.¹⁶ When liturgical halakhah might interfere with *kedushah* (my term, not his), he will be lenient in his decisions. In one example, he affirms the position allowing the *Shema* to be recited twice at night or twice during the day to fulfill a person's obligation (*Ber. 8b, 9a.*) A halakhic aggadah explains when this would be permissible:

When R. Isaac bar Judah came, he said, "The statement of R. Aha in the name of R. Joshua b. Levi was not explicit but by inference
"There was a pair of scholars who got drunk at the wedding banquet of R. Joshua b. Levi's son. They came before R. Joshua b. Levi. He ruled, "R. Simeon is sufficiently reliable for an emergency" (*Ber. 9a.*)

In an emergency, it would be permissible to follow the lenient position of saying the *Shema* twice in the day or at night; normally, however, one may not do so.

Another example shows R. Joshua b. Levi's perspective more explicitly:

Even though they have said, "a man should ask for what he needs at the blessing that ends with, "who hears prayer," still, if he happens to wish to offer some sort of further supplication after reciting the *tefillah*, even to the extent of the whole Service for the Day of Atonement, he has every right to do so." (*A.Z. 8a.*)

Even on the Shabbat of *Shabbatot*, *Yom Kippur*, when personal supplications are not said, R. Joshua b. Levi permits them. The theoretical idea that we are so thankful for Shabbat that we do not think of our own needs clashes with reality. He recognizes that a person's *kavanah* would be affected--and the point of prayer lost--if that person could not ask for his needs.

¹⁶See chapter six for aggadic teachings on prayer with the same

Lenient in Ritual when necessary -- Focus on Shabbat

In the area of Shabbat observance, R. Joshua b. Levi's leniency becomes more explicit. Compassion and reality serve as checks to strict observance of the halakhot of Shabbat and on *Yom Tov*. He permits an old man to be carried in his sedan-chair on *Yom Tov* if the public needs him [in the *bet midrash*] (*Bes. 25b.*) Tuned into the needs of public health, he states: "Whatever does injury may be killed on Shabbat" (*Shab. 121b.*) He permits a medical procedure to be performed: "R. Joshua b. Levi said, 'People may lift the *unqlai* on the Sabbath.' What is 'the *unqlai*'? Said R. Abba, 'the cartilage in front of the heart'" (*A.Z. 29a.*) Also, he follows in a leniency for his own health, drinking medicine which would normally be forbidden: "R. Hanina permitted me to drink a cress dish on Shabbat" (*Yom. 49a.*)

R. Joshua b. Levi was forgiving of honest mistakes and human foibles: "The halakhah is in accord with the one who takes up the lenient position when it comes to the fusion meal" (*Eruv. 46a.*) If a person falls asleep on her way while traveling on Shabbat and loses her way--an honest mistake, she may travel in any direction 2000 cubits, using the legal fiction of the fusion meal.

R. Joshua b. Levi often takes a lenient position in disputes with his Northern contemporary from Tiberias, R. Yohanan. A halakhic aggadah shows how a disciple of both dealt with their differences when it came to carrying a lamp, which had gone out, on Shabbat. The issue here is whether the lamp, even though no longer usable, is *muqseh*, forbidden to be touched on Shabbat:

When R. Abbahu came to the locale of R. Joshua b. Levi, he would carry a lamp [on Shabbat]; and when he came to locale of R. Yohanan, he didn't. . . . R. Abbahu concurred with R. Joshua b. Levi, but when with R. Yohanan, he did not [carry a lamp] out of

respect (*Yev. 14a.*)

Leniency did not mean that R. Joshua b. Levi was haphazard in permitting certain activities on Shabbat. A person's physical needs could be taken into account, but they could not dominate the *misvah* of resting on Shabbat:

R. Hiyya bar Abba said, "Three things did R. Assi tell me in name of R. Joshua b. Levi, "He who on Shabbat planes the tops of beams is liable on the count of cutting. He who puts a poultice evenly over a sore is liable on the count of scraping. He who chisels around a stone on the Sabbath is liable on the count of striking with a hammer" (*Shab. 75b.*)



This brief foray into R. Joshua b. Levi's halakhah has shown that his concern lies in developing a religious, regimented life. Tuned into those in society who are disadvantaged, aware of times when the ideal cannot be attained and sensitive to emotional needs, he permits a more lenient position when necessary in ritual observance.

CHAPTER FOUR

RELATING THE HALAKHAH AND AGGADAH

This thesis purports to explore the relation of aggadah and halakhah through the *persona* of R. Joshua b. Levi. In this chapter, we begin looking at the connections. Each of the aggadot will be presented with a selection of halakhot, if they exist, that seem to parallel it. All but two aggadot about R. Joshua b. Levi will be presented; those missing two will appear in chapter six. First, I offer a brief introduction to the *persona* of R. Joshua b. Levi which emerges from his aggadot.

Aggadah - General

In the *Bavli*, there are thirty-three references which reflect an event, action or conversation of R. Joshua b. Levi. Of these, five contain an aggadic teaching, and sixteen, a halakhic statement. As will become clear, some of these seem more rooted in reality than others. For instance, an aggadah about his son's wedding might be true, but his encounter with the Angel of Death could only be symbolic at best. If the "reasonable" aggadot parallel relevant halakhot of R. Joshua b. Levi, there would be an internal consistency to the *persona* of R. Joshua b. Levi in the *Bavli*. If the more fantastic aggadot seem connected by some thread of this *persona*, again the internal consistency would prevail.

The "R. Joshua b. Levi" whom the aggadot describe is a compassionate person who studies Torah with social outcasts (those with

ra'atan skin disease,) makes lenient allowances for Shabbat and fast day observance, teaches Torah to his children, has a preoccupation with death, and merits the friendship of Elijah.

Halakhic Aggadot

I have labeled, "halakhic aggadot," the aggadot which concern either a case R. Joshua b. Levi judged or a report of his practice, both of which offer halakhic direction. There are other aggadot which are not included in this category, but which also seem to indicate praxis. These seemed to be more aggadic than the halakhic aggadot included here. Certainly, there is a degree of arbitrariness to these categories. Still, with so few total aggadot, the reader will become familiar with all the cases by reading this chapter and chapter six.

These halakhic aggadot serve as a bridge category between halakhah and aggadah. They all seem realistic; many seem grounded in historic cases where R. Joshua b. Levi offers his *t'shuvah*. Some parallel not only other halakhot but also some aggadot which follow.

Halakhic Aggadot: Shabbat and Yom Tov

R. Jacob b. Idi sent [word]: "There was a certain old man in our neighborhood and [on festival days] he would go out in his sedan-chair. They came and asked R. Joshua b. Levi [whether or not this is permitted], and he said, "If the public needs him [e.g., in the academy], it is permitted" (*Bes. 25b.*)

Come and take note. When R. Abbahu came to the locale of R. Joshua b. Levi, he would carry a lamp [on Shabbat]; and when he came to the locale of R. Yohanan, he didn't. . . . R. Abbahu concurred with R. Joshua b. Levi, but when with Yohanan, he did not [carry a lamp] out of respect (*Yev. 14a.*)

These halakhic aggadot have already been stated in the previous chapter. Both cases show R. Joshua b. Levi taking a lenient position on

work on Shabbat and *Yom Tov*. In the first case, the issue is whether bearing the man constitutes "unnecessary carrying" which is forbidden on *Yom Tov*. R. Joshua b. Levi's leniency comes because of either compassion for an old man or concern for the "public" which is understood as the men of the *bet midrash* who could benefit from his teaching. Regardless, both show R. Joshua b. Levi using a higher principle than rigid observance of ritual halakhah. The former reason is supported in another statement by R. Joshua b. Levi to his sons: "... Be attentive to an old man who has forgotten his learning on account of some untoward condition" (*Ber. 8b.*)

In the second case, R. Joshua b. Levi held that a lamp which had gone out was not *muqseh*; therefore, one could carry it on Shabbat. R. Yohanan disagreed. Another statement supports this halakhic aggadah. R. Joshua b. Levi reports that R. Simeon's position of permitting such a lamp to be carried on Shabbat is the halakhah (*Shab. 45b.*) Thus, R. Joshua b. Levi's position is internally verified within the *Bavli*.

Halakhic Aggadot: Personal Status

He said to R. Joshua b. Levi: "I have a strong presumption that this man is a Levite." R. Joshua b. Levi said, "What evidence do you have on the basis of your own observation?" He said: "He took the second position in the reading of the Torah in the synagogue." "Was it in the assumption that he is a Levite, or was it in the assumption that he is a prominent man?" "A priest read before him." And R. Ammi (Soncino: R. Joshua b. Levi) promoted him to the status of Levite on the strength of what that man had said" (*Ket. 25b.*)

When R. Dimi came, he said, 'R. Hana Qaratigena--and some say R. Aha Qaratigena--reported: "There was a case that came before R. Joshua b. Levi--some say, before Rabbi--of a certain child, who, speaking without guile, said, "My mother and I were taken captive by gentiles. I went out to get water, thinking about her; to gather wood, thinking about her." And Rabbi allowed the woman to marry a priest on the strength of the testimony of the child." In the case of a woman taken captive, rabbis have enforced the law in a lenient manner (*B.K. 114b*; cf., *Ket. 27b.*)

In these cases on personal status, there seems to be some confusion of attribution. In the first, either R. Ammi or R. Joshua b. Levi allows a community's assumption of a person's status to be the basis for his status of Levite. In the second, either Rabbi Judah HaNasi or R. Joshua b. Levi preserves the status of a woman taken captive on the basis of minimal evidence. Both cases describe situations that could be very difficult, even painful, for the person involved. The *posek* in both situations makes it as easy as possible for that person's status to be preserved or raised.

The *posek*, very likely, could have been R. Joshua b. Levi. For we have halakhot in his name which also are lenient in the realm of personal status. He is among several rabbis who say that the offspring of an Israelite woman and a gentile who captured her is valid (*Yev. 45a.*) Others call that offspring a *mamzer*. In that demeaning caste of *mamzerut*, R. Joshua b. Levi allows a way out socially, through money: "Money can purify a *mamzer*" (*Kid. 71a.*) This might be the third century C.E. equivalent to Martin Luther King's "judge me not by the color of my skin, but by the content of my character." In the eyes of the community, even a *mamzer* will be seen as a good person if he or she is generous.

While many of his decisions are considered lenient, another principle is at play in his decisions. In the first aggadah, he relies on a person's presumed status in the community. In another case, he also relies on presumed status, but the outcome could be seen as severe:

R. Simeon b. Pazzi said in the name of R. Joshua b. Levi who said in the name of Bar Qappara: "There was a case of a woman who came to Jerusalem with an infant boy riding on her back; she raised him; then he had sexual relations; and they brought them to court and stoned them to death, not because he was most certainly her son, but because he clung to her" (*Kid. 80a.*)

The presumed status of the woman and boy was mother and son. The

sentence of their forbidden sexual relationship thus followed. In cases of presumed status, when real status is not proven, R. Joshua b. Levi considers the impact on the community important. If the community thinks it knows a person's status, justice would seem perverted if a crime did not result in its expected punishment, or, in the case of the Levite, the man given the honor of a Levite, was removed from that honor. But R. Joshua b. Levi's concern for the community goes only so far against an individual's rights. He is willing to push the community to accept a *mamzer* in its midst as well as the offspring of a captive woman. In this way, he balances individual and communal rights.

Halakhic Aggadot: Gittin

... R. Simeon bar Abba brought a get before R. Joshua b. Levi and said to him: "Do I have to say: Before me it was written and before me it was signed, or not?" R. Joshua b. Levi said: "You don't have to make that statement. They made that ruling only for the earlier generations, who were not expert in the requirement that the writ be prepared for the sake of [the woman], but as to the later generations, who are expert in the requirement that the writ be prepared for the sake of [the woman], that is not the case" (*Git. 5b.*)

The case came before R. Joshua b. Levi: He said to him: "R. Simeon is worthy of being relied upon in time of need. [*Gittin* for women written by day and signed by night are valid]" (*Git. 18b.*)

These cases were discussed in chapter three. The first case involves R. Simeon bar Abba who emigrated from Babylonia to Palestine. R. Joshua b. Levi says, in essence, that the early generations of Babylonians did not know halakhah so well, but now he trusts them. Did R. Joshua b. Levi have such positive feelings about Babylonians? This goes against the spirit of his ruling on ordination: "The rite of laying on of hands does not apply outside of the Land" (*San. 14b.*) Certainly, he could have different opinions *vis a vis* the Babylonians on such diverse topics as *gittin* and ordination. Then we

would not have to see these statements as contradictory.

His opinion on *gittin* also could have more to do with his positive view of women than his positive view of Babylonians. In the first aggadah, R. Joshua b. Levi used to require the declaration: "Before me it was written and before me it was signed" as a legal way to prevent the husband from having recourse to annul the *get*. He tells R. Simeon bar Abba that this is no longer necessary because the Babylonians have the requisite legal skills to protect the woman without the added device. While the aggadah primarily shows the changing attitudes and, perhaps, realities of Babylonian rabbinic skill, his underlying concern is protection of women during a divorce.

The second halakhic aggadah, as well as other halakhot already discussed in chapter three, support this stance. In these statements, R. Joshua b. Levi makes it as easy as possible for a woman to receive a valid *get*. He does everything he can to prevent a woman from becoming an *'agunah*.

Halakhic Aggadah: Terefah

R. Joseph, son of R. Joshua b. Levi, asked R. Joshua b. Levi, "If the liver, near the intestines, turns green, what is the halakhah?" "It is *terefah*" (*Hul. 56b.*)

R. Joshua b. Levi had a certain hen [that had fallen into a fire] that he sent before R. Eleazar HaQappar Beribbi [for a ruling.] He said to him, "They are green." And [R. Eleazar HaQappar Beribbi] declared them valid (*Hul. 56b.*)

These rulings, one calling a green liver grounds for the meat being *terefah*, the other not, are contradictory. They might show that R. Joshua b. Levi wanted to be more *mahmir* in his *kashrut* than his teacher, R. Eleazar HaQappar Beribbi. The fact that R. Joshua b. Levi reported forty-

seven other halakhot on sacrifices, purity and food preparation indicates that he spent much time on such decisions as presented here. That he taught his sons about *kashrut* is corroborated with a teaching R. Joshua b. Levi gave his sons regarding *shehitah*, "... and be careful to deal with the jugular veins in accord with the teaching of R. Judah" (*Ber. 8b.*) This presumably was a method sensitive to the pain of the animal, making it as quick as possible. The primary concern would likely be one of health. R. Joshua b. Levi had high standards for what he would consider kosher. He allows wide latitude for breaking Shabbat for health needs, as we saw in the previous chapter, and here too, he is strict in *kashrut* for health reasons. Could this be a hint of the responsible community rabbi, taking extra precautions for his community? It seems likely.

Halakhic Aggadah: Liturgy at wedding

When R. Isaac bar Judah came, he said, "The statement of R. Aha in R. Joshua b. Levi was not explicit but by inference ... There was a pair of scholars who got drunk at the wedding banquet of R. Joshua b. Levi's son. They came before R. Joshua b. Levi. He ruled, 'R. Simeon is sufficiently reliable for an emergency [but normally, one cannot recite the *Shema* two times in the day or night]'" (*Ber. 9a.*)

This case was discussed in chapter three. R. Joshua b. Levi usually is strict when it comes to prayer, but he is forgiving of human foibles.

Halakhic Aggadot: Fast day Practices

Zeira bar Hama was host of R. Ammi, R. Assi, R. Joshua b. Levi, and all the rabbis of Caesarea. Said he to R. Joseph, son of R. Joshua b. Levi, "Son of a great figure, come and I shall tell you a lovely thing that your father would do. He had a towel from the eve of *Yom Kippur* which he would soak in water and make into a kind of dry cloth; the next day with it he would wipe off his hands and feet and face. On the eve of the night of Av he would soak it in water. The next day he would pass it across his eyes." When Rabbah bar Mari came, he said, "On the eve of the 9th of Av they brought him a cloth, and he soaked it in water and put it under his head. The next day he would use it to wipe his face, hands, and feet. On the eve of Yom

Kippur they brought him a towel, which he soaked in water and made into a kind of dry cloth, and the next day he passed it across his eyes." Said R. Jacob to R. Jeremiah bar Tahalipa "You said it to us in reverse order, and we refuted you by appeal to the fact that it is prohibited to wring something out" (*Yom. 78a.*)

R. Isaac bar Nahman . . . stood on his feet and said, "I myself saw R. Joshua b. Levi going out on Yom Kippur in sandals made of bamboo. And I said to him, "On a public fast day, what is the law?" And he said to me, "There is no difference [the law is the same, that it is permitted to do so]" (*Yom. 78b.*)

Do these aggadot tell us about the person of R. Joshua b. Levi? Did he need to wear some foot covering and have a wet towel for physical reasons, such as weakness, body weight or disability or for personal cleanliness and health reasons? Did he try to make fasting as easy as possible or as safe as possible? That he was interested in fasts is attested by another halakhah which gives the reason for taking out the Ark to the open space of the city on a fast day (which we assume was their custom): "In order to express thereby [the idea]: We had a vessel which we kept hidden and now because of our sins it has been rendered common" (*Ta. 16a.*) Also, an aggadah (see below) speaks of R. Joshua b. Levi making fasts to bring rain. Would a person who finds fasting difficult do this voluntarily? Not likely. Just as in the Shabbat and kashrut cases above where he values public health, so too here. He teaches, by his own example, the ability to be strict in the human-divine realm, yet remain protective of his health and cleanliness.

The second aggadah may be analyzed from a different angle. The story of bamboo sandals is repeated on the same page (*Yom. 78b*) in the name of another tradent, the Babylonian, Rabbah bar bar Hanah about R. Eleazar of Ninevah. Does this indicate that the incident happened twice or that an independent tradition became attached to two personalities? The existence of the first halakhic aggadah which contains many tradents'

names attending an event supports the validity of the bamboo sandal tradition or at least gave reason for it to be attributed to R. Joshua b. Levi.

What does connect these aggadot with R. Joshua b. Levi's halakhot is the general leniency permitted. One need not become a martyr to the laws of Shabbat or fast days. There is a point at which some laws interfere with other principles, such as the value of personal and communal health and such as *oneg* on Shabbat and spiritual contemplation on fast days.

Halakhic Aggadah: Verses of Torah are not to be used for healing

R. Joshua b. Levi recited these verses when he went to sleep: Ps. 91:1-10 (the "Song against Plagues") and [some verses in] Ps. 3. But how could he have done so, for did not R. Joshua b. Levi say, "It is forbidden to heal oneself through reciting words of Torah"? (*Shev. 15b.*)

The opening tradition seems plausible. Many statements are recorded in R. Joshua b. Levi's name discussing sleep. The bedtime *Shema* is attributed to him (*Ber. 4b.*) He curses anyone who sleeps on his back (*Ber. 13b; Nid. 14a.*) He finds the nighttime frightening and dangerous, so he forbids anyone to greet his fellow at night (*Meg. 3a.*) Finally, he lists verses from Torah referring to things one might dream about. These verses, he says, should be said to allow for good omens rather than evil ones (*Ber. 56a.*)

The *gemara* "wonders" how to reconcile this tradition with another statement of R. Joshua b. Levi forbidding the use of verses of Torah for healing. This statement could have been polemical against groups who did so, including Christians. The *gemara* answers the posed dilemma by saying that R. Joshua b. Levi permitted saying verses of healing when one was healthy in order to protect oneself from future harm; he forbade such verses when a wound was already present. This seems reasonable;

however, he has no other halakhah in the *Bavli* which corroborates this.

Aggadot

The following aggadot about R. Joshua b. Levi reflect aspects of his life and his legend. Some even contain legal aspects; after all, halakhah addresses all aspects of life. These are discussed here because they are most interesting in telling us about the *persona* of R. Joshua b. Levi rather than his *p'sak din*.

Aggadah: Studies Torah with people with *ra'atan*

Announced R. Yohanan, "Avoid flies that swarm around people suffering with *ra'atan* [a skin ailment that causes trembling and extreme debility of the body.]" R. Zira would not sit windward of such a person. R. Eleazar would not go into such a person's shade. R. Ammi and R. Assi would never eat eggs that came from an alleyway in which such a person lived. By contrast, R. Joshua b. Levi would attach himself to them and would study Torah: "[The Torah] is a lovely hind and a graceful doe." (Prov. 5:19) If the Torah gives grace for those who study it, will it not also protect them [from suffering]?" (*Ket. 77b.*)

There are two pieces to this aggadah: R. Joshua b. Levi's attitude to people with *ra'atan* and his view of Torah. The first is consistent with his view toward other disadvantaged people as shown in halakhot on women and his halakhot sensitive to the needs of the elderly. The second accords with a halakhah found in *Eruv. 54a*:

He who goes along the way without an escort should occupy himself with Torah. For it is said, 'For they shall be escort of grace for your head and chains about your neck' (Prov. 1:9.) If he has a headache, let him occupy himself with Torah (Prov. 1:9.) If he has a sore throat . . . If he has a bellyache . . . If he has a pain in the bones . . . If he has pain all through his body, let him occupy himself with Torah: 'And healing to all his flesh.' (Prov. 4:22.) (cf., *Sot. 46b.*)

This statement does not contradict the halakhic aggadah above which has R. Joshua b. Levi forbidding verses of Torah being used for healing. There, specific verses would be read to obtain the desired result;

here, general study of Torah, not magic words, leads to general well-being.

Aggadah: Tolerance to *minim*

In the neighborhood of R. Joshua b. Levi there lived a *min* [Judeo-Christian] who annoyed him with his interpretation of verses in Scripture. One day R. Joshua b. Levi took a cock, placed it between the legs of his bed, and looked at it steadily, saying, "When the right moment [of the day or night, when a cure takes effect], arrives, I will curse him." But when that moment did arrive, R. Joshua b. Levi had dozed off. On waking, he said, "This shows that it is not proper to attempt such a thing, for: 'And His tender mercies are over all His works' (Ps. 145:9.) Hence, it is not good for the righteous to attempt to punish" (Prov. 17:26) (*Ber. 7a*; cf., *San. 105b*; *A.Z. 4b*.)

Once again, R. Joshua b. Levi shows compassion to an outcast group of people. Though he viscerally wished to curse this person who annoyed him, his conscience would not allow it. Cursing was not foreign to him; he cursed those who slept on their back (*Ber. 13b*; *Nid. 14a*.) He also argues, "Once you start a curse, you may complete it" (*Ber. 29a*.)

This aggadah fits well into the halakhot mentioned above concerning women and the elderly and the aggadah on people with *ra'atan*. Still, neither this symmetry nor the fact that this aggadah appears three times in the *Bavli*, prove that these events occurred. At the same time, it is not disproved. So far, we may reasonably argue that R. Joshua b. Levi was involved in his community, in particular, with the disadvantaged.

Aggadah: Teaches Torah to grandchildren

R. Hiyya bar Abba came across R. Joshua b. Levi who had [hurriedly] thrown a sheet upon his head and was bringing a child to the synagogue. He said, "So what's going on?" R. Joshua b. Levi said, "Is it such a small thing that's written in Scripture: 'You shall make them known to your children [and grandchildren,] (Deut. 4:9)' and next to this, 'The day that you stood before the Lord, your God, at Horev. (Deut. 4:10)' From that time onward R. Hiyya bar Abba did not taste breakfast sausage before hearing a child review his lesson and adding a verse to it. Rabbah bar R. Huna didn't taste breakfast sausage before he brought a child to the schoolhouse (*Kid. 30a*.)

If we picture R. Joshua b. Levi actively engaged in his community, this aggadah shows his involvement also with his family. Every *erev Shabbat*, he would listen to his grandson¹⁷ recite the *parashah*. This took priority over everything else.

No halakhah by R. Joshua b. Levi supports this aggadah about teaching children Torah. His halakhot on Torah concern 1) the reading of the text--twice in Hebrew and once in *targum* (*Ber. 8b*)--and the numbers of verses for minimal public reading--ten (*Meg. 21b*); 2) Whether you may sleep in a room with a Torah--yes if a partition ten handbreadths high separates you from it; and 3) How much water you need to become ritually clean, after seminal emission, in order to study Torah--forty seahs (*Ber. 22a*.)

On the other hand, his actions, reflected in the halakhah, do support this aggadah. There are six statements in the *Bavli* that are recorded as the words of R. Joshua b. Levi to his sons. That he spent time teaching his sons and grandsons seems likely; that others learned from his example more than from his words is supported by this aggadah in the actions of R. Hiyya bar Abba and R. Rabbah bar R. Huna.

Aggadot: Relating to the Land of Israel

A certain guardian was [living] in the neighborhood of R. Joshua b. Levi, who was selling land and buying oxen, and [R. Joshua b. Levi] said nothing to him at all. He accorded with the principle of R. Yose, for it was taught in a *baraita*: "R. Yose said: In all my days I have never called my wife my 'wife' or my ox my 'ox.' Rather I [call] my wife 'my house' and my ox 'my field'" (*Git. 52a*.)

R. Joshua b. Levi once visited Cabla [Gabela-Neusner] (S.E. of Dead Sea) where he saw [vines laden with] grape clusters as big as calves. "Calves among the vines!" he exclaimed, and was told, "They are

¹⁷The aggadah says "child" but preceding this story is an aggadic statement attributed to R. Joshua b. Levi uses the Deuteronomy verses to prove that a person must teach their grandson as well as son (see chapter

clusters of ripe grapes." At that, he again exclaimed, "Land, land, withhold your fruits. For whom are you producing your fruit? For these Arabs, who on account of our sins have risen up against us?" The following year, R. Hiyya happened to visit there. When he saw clusters of grapes as big as goats, he exclaimed, "Goats among grapes!" So they said to him, "Go away. Do not do to us what your companion did" (*Ket. 112a.*)

These aggadot show two perspectives of the Land of Israel. In the first, a halakhic aggadah,¹⁸ R. Joshua b. Levi permits the Land to be sold, presumably to non-Jews (as that would be the issue.) In accord with R. Yose, R. Joshua b. Levi seems to agree with a non-land based theology where home is wherever one's wife (sic) is, and land, wherever you bring your oxen. Though he still lives in *Eres Yisrael*, he lived, of course, after the destruction of the Temple, exiled from Jerusalem. To permit the Land to be sold means not to believe that the Land is inherently sacred.

Perhaps this allowance had more to do with accepting the reality of real estate than with conviction. R. Joshua b. Levi does make it harder to renounce ownership of a field than even the Torah stipulates:

As to the law of the Torah, even if it is in the presence of only one person, it is a valid act of renunciation, and how come they have required three? It is so that one may effect acquisition and the other two serve as witnesses to his valid action (*Ned. 45a.*)

This halakhah makes renunciation more deliberate since three are needed, but it does not indicate a theology as the aggadah does. Perhaps the aggadah does not portray R. Joshua b. Levi's true theology. It could be that R. Joshua b. Levi allowed the selling of land, not out of theological conviction as the *Bavli* claims, but out of the realities of his day. This would then accord better with the second aggadah.

R. Joshua b. Levi calls on the Land to stop producing its fruits for

¹⁸Included here rather than above in the section of halakhic aggadot because of its juxtaposition with the second aggadah.

non-Jews. He acknowledges that God allowed the Arabs to rise up against the Jews because of the Jew's own sins. Still, he feels that there is a special relationship between the Jews and the Land, such that its fruit should not be for the enemies of the Jews. But are the Arabs enemies or just those occupying the Land in the Jews' absence? After all, R. Joshua b. Levi is speaking to them and is not worried for his own safety after his not-so-polite request of the Land. This is not clear in the text.

R. Joshua b. Levi's relation to other non-Jews seem, if not positive, then at least not negative. He stops short of cursing a *min*, even though he wants to, because he realizes that this is not proper. The offspring of a woman captured by a gentile is valid, but this has more to do with compassion toward the woman than what R. Joshua b. Levi thinks about the gentile. He does consider the non-Jew's feelings when he allows a slave, even after conversion to Judaism, twelve months to continue making wine into libations so he may slowly get the idolatry out of his system (A.Z. 57a.). This ruling comes despite the fact that he is outspoken in opposing idolatry, even equating it to the transgression of the whole Torah (*Hor. Ša.*; cf., *Šab. 68b*; *Yev. 9a.*) This is relevant to the above aggadah because the grapes which he hopes will not grow for the Arabs, could be used for wine libations. Perhaps commerce would bring that wine to the Jews who would then drink such questionable wine.

The aggadah then would not necessarily be inconsistent with R. Joshua b. Levi's generally sensitive approach to the non-Jew. His decision to call on the Land not to produce for the Arabs, as we have seen, could have more to do with protecting Jews than hurting Arabs. His other decisions regarding the non-Jew above also usually have less to do with the non-Jewish partner than the Jewish. Even in the case of the slave, allowing a

slave to continue in idolatrous practice gives more leeway to the Jewish owner for keeping a productive person.

These two aggadot show us that R. Joshua b. Levi was fully involved in the real estate and commerce issues of his day. Therefore his relation to the non-Jew, which might seem harsh at times or, more usually, altruistic at others, sometimes has more to do with *realpolitik* than human relations. Knowing this side to R. Joshua b. Levi does not take away from his being compassionate; it more importantly "rounds" his *persona*. The more complex this *persona*, the more likely it reflects something of the historical man.

Aggadah: Visiting bereaved only when . . .

R. Joshua b. Levi would go to a house of mourning only in the case of someone who had died without children, in line with the verse, 'Weep bitterly for the one who goes away, for he shall return no more nor see his native country' (Jer. 22:10) (*M.K.* 27b; cf., *B.B.* 116a.)

This aggadah begins the discussion of R. Joshua b. Levi's interest in death. R. Joshua b. Levi would only go to *shiv'a* if there had been no offspring, no one to carry that family's name into the future. If true, this shows how, as a rabbi, he did not function in this part of peoples' lives. Seemingly, this would go against the *persona* thus far understood, that R. Joshua b. Levi was sensitive to community and to family. However, we should not equate our understanding of rabbinic functioning and views toward death with a third century, *Eres Yisrael* rabbi's.

The value of children, though obvious, was one that we have seen R. Joshua b. Levi act upon (cf., discussion above on teaching Torah to children.) According to this aggadah, so important were children to him, that the above scenario would be the only time he would attend a house of mourning.

No halakhah by R. Joshua b. Levi deals with this matter directly. Related are his three halakhot on death and mourning: 1) R. Zeriqa said in the name of R. Ammi who said in the name of R. Joshua b. Levi, "In presence of a corpse, people may speak only about matters having to do with the deceased" (*Ber. 3b.*) 2) R. Jacob bar Aha reports that R. Joshua b. Levi agrees with the opinion of Rabban Simeon b. Gamaliel that one must turn his bed upside down (a mourning practice) even if the bed is expensive (*M.K. 27a.*) 3) R. Simeon b. Pazzi said in the name of R. Joshua b. Levi, "That rule [that *kriah* does not count] applies only if the person actually died after the act of speech had come to an end, but if it was while the act of speech was still in play, he does not have to tear his clothes again" (*Ned. 87a.*)

Perhaps this halakhic activity on death and mourning is minimal. His aggadic teaching, however, we will see in the next chapter shows a deeper interest on his part to match the aggadot that now wax fantastic.

Aggadah: Angel of Death teaches R. Joshua b. Levi how to avoid death

The Angel of Death told me three things: when dressing in the morning, do not take your shirt from your attendant, do not let water be poured over your hands by one who has not already washed his own hands, and do not stand in front of women when they are returning from the presence of a deceased person, because, sword in hand, I go leaping in front of them, and have permission to do harm. If one should happen to meet such women, what is his remedy? He should remove himself a distance of four cubits; if there is a river nearby, let him cross it; if there is another road, let him take it; if there is a wall, let him stand behind it. If he cannot do any of these things, let him turn his face away and say, "the Lord said unto Satan, 'the Lord rebuke thee, O Satan. . .'" (*Zeh. 3:2*) until they have passed by (*Ber. 51a.*)

R. Joshua b. Levi does not have halakhot in his name repeating these ways to avoid death. Each of the three are superstitious occasions that the

Angel of Death stands ready to grab people. Why does R. Joshua b. Levi meet the Angel of Death to learn these pearls of wisdom and not another rabbi? Does this reflect anything of the person of R. Joshua b. Levi? Was he frightened of death, preoccupied with it? It seems, as discussed above, that indeed he was.

Aggadah: Son dies and sees *olam haba*

[R. Joseph, the son of R. Joshua b. Levi,] became ill and his spirit left him. [After his spirit returned to him,] his father asked him, "What did you see?" He replied, "I saw a world turned upside down. The people high up here were low there, and people low here were high there." [R. Joshua b. Levi] said to him: "You saw a world in which right is made clear. But what of you and me--where were we placed?" "Just as we are here, so were we there. I also heard them say, 'Happy is he who comes here with his learning in hand.' I also heard them say, 'They who were martyred by the [Roman] government--no man is allowed to stand within their compartments.' Who are they? Shall I say R. Akiba and his comrades? Had they no other merit but this? Obviously even without this [they would have attained this rank.] What is meant therefore must be the martyrs of Lod. [Julianus and Pappus who were executed in Lod in the reign of Hadrian] (B.B. 10a; cf., Pes. 50a.)

This aggadah is consistent with the *persona* of R. Joshua b. Levi who is concerned with death. His son has a near-death experience, or actually dies and comes back to life, and R. Joshua b. Levi interrogates him about what he saw in *olam haba*. All of the son's answers soothe rather than upset, offer relief rather than disbelief. 'The good will be rewarded' is the essence of what the son saw. Learning Torah, which he and his father spend countless hours on, will make them happy. And those martyrs of their people, those who died in the hands of Rome, whose deaths they must have agonized over (how could God allow them to die like that?!) will be doubly rewarded in *olam haba*. Justice may not be meted out in our life time, but surely it awaits after the grave. This view, the aggadah suggests,

was central to R. Joshua b. Levi's theology.

Aggadah: How R. Joshua b. Levi actually avoids death

[Following the aggadah of R. Joshua b. Levi studying Torah with people with *ra'utan*, comes this tale:] He asked the Angel of Death to show him his place in Paradise, and the Angel gave him his sword to carry on the way as a token that he would not harm him. When they reached the gate of Paradise, R. Joshua b. Levi ran through alive. The Angel of Death seized his garment in an attempt to hold him back, but R. Joshua b. Levi escaped. The Angel of Death then begged for his sword, but R. Joshua b. Levi refused to return it until a *bat kol* commanded: "Return the sword for the world needs it." Glad to have regained his sword, the Angel of Death departed and the prophet Elijah went before R. Joshua b. Levi announcing: "Make way for the son of Levi." As R. Joshua b. Levi looked about, he saw Rabbi Simeon bar Yochai seated on 13 rugs of gold. R. Simeon asked him: "Are you the son of Levi?" and R. Joshua b. Levi replied that he was. "Has a rainbow been seen during you lifetime?" R. Simeon asked, and R. Joshua b. Levi answered that a rainbow was seen. "Then you are not the son of Levi," R. Simeon said, "for your merit should have protected your generation so that a rainbow should not be needed." As a matter of fact no rainbow was seen during the lifetime of R. Joshua b. Levi, which was the best proof of his piety, but he refused to boast of it (*Ket. 77b.*)

R. Joshua b. Levi actually goes to *olam haba* without dying! The rabbi who was much concerned with death, perhaps frightened by it, escapes the "knife." As R. Joshua b. Levi moves from community rabbi to mythic hero, he becomes the rabbinic counterpart to his friend Elijah who also escapes death. He even tries, as his typical sympathetic self, to give others the same blessing. In this part he fails. How would we live life to the fullest without the fear of the "knife" at the end? The aggadah is reassuring in that it shows a hereafter beyond our death. Existentially, it suggests that the fear of death is important for leading a fulfilling life in this world, *olam hazeh*. The wisdom of this aggadah comes from having R. Joshua b. Levi, who feared death and was very involved in helping others in *olam hazeh*, be the master of death and expert in *olam haba*. In fact, as

aggadic traditions after the *Bavli* continue to develop. R. Joshua b. Levi becomes the guide to the hereafter, to the Garden of Eden and Gehenna.¹⁹

Once in Paradise, the aggadah shows R. Joshua b. Levi as exceedingly humble, not acknowledging his own prominence in his generation. No halakhah speaks to this humility but we will see in chapter six how central it is in his aggadic teaching.

Aggadah: R. Joshua b. Levi meets the messiah

R. Joshua b. Levi found Elijah standing at the door of the burial vault of R. Simeon ben Yochai. He said to him, "Am I going to come to the world to come?" He said to him, "If this master wants." Said R. Joshua b. Levi, "Two did I see, but a third voice did I hear." He said to him, "When is the messiah coming?" He said to him, "Go and ask him." "And where is he sitting?" "At the gate of the city. [some mss.: 'Rome']" "And what are the marks that indicate who he is?" "He is sitting among the poor who suffer illness, and all of them untie and tie their bandages all together, but he unties them and ties them one by one. He is thinking, 'Perhaps I may be wanted, and I do not want to be held up.'" He went to him, saying to him, "Peace be unto you, my master and teacher." He said to him, "Peace be unto you, son of Levi." He said to him, "When is the master coming?" He said to him, "Today." He went back to Elijah, who said to him, "What did he tell you?" He said to him, "Peace be unto you, son of Levi." He said to him, "He [thereby] promised you and your father the world to come." He said to him, "But he lied to me, for he said to me, 'I am coming today,' but he didn't come." He said to him "This is what he said to you, 'Today, if you will obey his voice' (Ps. 95:7)" (*San. 98a.*)

Once again, R. Joshua b. Levi must know whether he will merit *olam haba*. This time, he speaks not to his son, not to the Angel of Death, but to Elijah and then the messiah himself. The aggadah then turns to the question of when the messiah will come. It depicts a stirring image of the messiah being among the poor at the gates of Rome, wrapping his bandages one by one, ready to come at a moment's notice. The messiah will come once the people are ready, not to lead the armies of good against those

¹⁹See "Massekhet Gan 'Eden ve-Gehinnom" for a compilation of these traditions.

of evil. This view of channeled messianism--that the messiah arrives as the last step of redemption, not the first--and the fact that the messiah sits among the social outcasts conforms to the *persona* of R. Joshua b. Levi. He does not wait for some apocalypse to help those outside the city gates of his society. He studies *Torah* with people with *ra'atan*, is favorable toward women, the elderly, and the non-Jew. However much R. Joshua b. Levi anticipated *olam haba* with fear and trembling, he committed himself to making the world ready for the messiah. Perhaps he did so precisely because of that fear of death, as discussed above.

This aggadah, along with the one above where he escapes death, represents the culmination of R. Joshua b. Levi's aggadic tradition in the *Bavli*. It takes his many traits, consistently shown in his halakhah and aggadah, and brings them together in original and inspiring stories.

Aggadah: Punished by Elijah for not seeking mercy for man eaten by lion

[They ought to have sought mercy for their generation and they did not do so.] That is like the case of the fellow who was eaten by a lion three parasangs from [the town where] R. Joshua b. Levi [lived.] On that account, [blaming the sage for not seeking mercy for those who lived in his place,] Elijah stayed away from him for three days (*Mak. 11a.*)

Strangely, R. Joshua b. Levi here is castigated as not being concerned for his community, a trait in which previous aggadot and halakhot have shown him to be exemplary. Could this again be "rounding" out the character of R. Joshua b. Levi, showing how *even* he could be negligent in compassion toward others? If so, this shows the idealism of the aggadah, demanding nothing but perfection from its rabbis. Elijah apparently was pushing R. Joshua b. Levi always to be thinking of his community's needs, always to be seeking mercy for them. The implication of this aggadah is

that somehow he could have prevented this tragedy. What an awesome and daunting responsibility!

There are no halakhot that parallel this aggadah. Halakhah, being more grounded in this world, does not offer impossible standards. It is the role of the aggadah--which this aggadah exemplifies--to show us the heights to which we should aspire.

Aggadah: Makes rain

R. Hama bar Hanina decreed a fast, but no rain came. He was asked, "Why is it that when R. Joshua b. Levi decrees a fast, rain does come?" He replied, "I am merely I, while he is the son of Levi." So the people said to R. Hama ben Hanina, "Come, let us prepare our hearts for prayer. Perhaps the community will turn contrite in their hearts, and rain will come down." All besought God's mercy, and still no rain came. R. Hama-bar Hanina then asked the people, "Are you united in praying that rain come down for us?" The people said, "Yes." So he said, "Sky, O sky, cover our visage [with clouds]." But the sky did not cover itself. Then he said, "How impudent is the sky's visage!" At that, it covered itself with clouds and rain began to fall (Ta. 25a.)

R. Hama bar Hanina succeeded his father as the senior rabbi in Sepphoris. R. Joshua b. Levi in Lod appears to have been an accomplished "rain maker," well-known in the Galilee. R. Hama bar Hanina says, in essence, that he is not as great as R. Joshua b. Levi. The aggadah shows that, in fact, R. Hama bar Hanina does have difficulty bringing rain. The strange way that rain comes only after he loses patience might be a subtle critique of this practice.

This aggadah shows, again, how R. Joshua b. Levi worked on behalf of his community, in this case, in a ritual function. It also conveys, through R. Hama bar Haninah's initial failure, that R. Joshua b. Levi's relationship with the community must have been good to produce positive results.

That he would fast to bring rain, recalls the discussion above on his personal constitution. If fasting were difficult for him, it seems that he might choose another method to bring rain. The text here does not discuss anything about how the fast was, so we may not learn anything from it on this topic.



Four aggadot remain to be discussed. Two concern the role of aggadah in R. Joshua b. Levi's academy. These will appear in chapter six. The last two are actually the same, one line of text, simple in syntax, but enigmatic in meaning: "R. Joshua b. Levi cursed anyone who slept on their back." Without trying to understand exactly what he meant, it is interesting that the two citations of this aggadah appear in the beginning and end of the *Bavli*, in *Ber.* 13a and *Nid.* 14a. Not only may this indicate a strong editorial hand in the *Bavli*, but also an interest in R. Joshua b. Levi generally.

Many of the aggadot about R. Joshua b. Levi do not have an iron strong connection to his halakhot. Some of the aggadot even self-consciously show a confusion of attribution or repetition of the aggadah in another's name. Still, none outright contradict his *persona* developed from his halakhah. Some do give new twists to our understanding of R. Joshua b. Levi, but, as we have seen, these "round" out the character sketch of this rabbi rather than refute it. Together, the aggadot develop the *persona* of a compassionate rabbi involved in community and home, as his halakhot bear witness, who merits the fanciful legends later attached to him.

CHAPTER FIVE

AGGADIC TEACHINGS: FOCUS ON *OLAM HABA*

The R. Joshua b. Levi we know from his halakhot gains significant depth from his aggadic teachings. When he wants to express how people should act in relation to each other and to God, the ideal language of the aggadah allows him to do it. He can decry the act of gossip, for example, by saying an awful disease comes to the world because of it, rather than simply legislating against it (*Shab. 33b.*) After all, could one really make it illegal?

Although the line between halakhah and aggadic teaching cannot be drawn razor sharp, it is interesting, but not significant, that there are half as many aggadic teachings as there are halakhot, 128 and 259 respectively. The numbers do not indicate reputation, for R. Joshua b. Levi was primarily known as an expert aggadist (see chapter six.) As mentioned in chapter three, an aggadic teaching of his actually closes the Mishnah (*Mishnah Uksin 3:12*):

In the future, the Holy One, blessed is He, will make each righteous person inherit 310 worlds of reward, as it is written, "That I may cause those who love me to inherit substance (צָרָה); and I will fill their treasures" (Prov. 8:21.)

The numerical equivalent to the word, "substance (צָרָה)" is 310 which is the basis for R. Joshua b. Levi's *drash*. This statement moves us directly to an important theme in his aggadah. He often speaks of the world to come, *olam haba*. This will be the primary focus of the chapter. First, I will

present the general picture of his aggadic teachings and how they relate to the themes and subjects highlighted thus far in this thesis.

Aggadic teachings -- General

R. Joshua b. Levi's aggadic teachings cover everything from synagogue attendance (*Ber. 8a*) to the economic livelihood of a scribe (*Pes 50b*,) from the merit of *sedakah* (*B.B. 9b*) to the identity of the future conquerors of Rome (*Yom. 10a*).²⁰ The plurality of his teachings focus on vice and virtue or in Yiddish, how to be a *mentsch*. There are twenty-one such statements. For a rabbi whose human relations appear so positive and compassionate, this is an affirmative fact. He also has much to say about the history of the Israelites, from Creation to Joshua to Rome. These comments, along with his *midrashim*, combine to number thirty-one statements. As with all the numbers offered in this thesis, these ought to be used only for general understanding not for strictly delineated categories.

Connections with the halakhah

In chapter three, R. Joshua b. Levi's halakhot on women, liturgy and Shabbat were discussed. All three areas will be further developed here with his aggadic teachings. With the least number of parallels, R. Joshua b. Levi has only one teaching on Shabbat: "R. Tanhum said in the name of R. Joshua b. Levi, 'A person should always run to take up a matter of law, and even on Shabbat . . . I too run'" (*Ber. 6b*). This does not help much with the theme of leniency on Shabbat, unless "running" is considered *melahah*! Even if it does not contradict nor affirm his view on Shabbat, it does teach how important the halakhah was to him.

Showing more connections, R. Joshua b. Levi has nine statements

²⁰See appendix C.

loosely concerning liturgy. These match the seriousness of his halakhot on this topic. One should go to synagogue morning and evening and get there early (*Ber. 8a, 47b.*) An oft quoted statement shows the rationale for some of his leniencies: "Even a partition made of iron will not create an obstruction between Israel and their father in Heaven" (*Pes. 85b; Sof. 38b.*) This offers insight into his sense of the holy. God's relationship with Israel is not limited to any space, any time nor any halakhah. This was an important message for his day. R. Joshua b. Levi affirms God's abiding covenant and fights the tendency, in times of trouble, to allow halakhah become an end in of itself.

On women, there are seven aggadic teachings. Some ring with familiar sympathy toward women: "Whoever rapes his wife will have unworthy children" (*Eruv. 100b.*) Others are more questionable. In a discussion about bodily defects in a woman which would be grounds for invalidating a marriage without a *ketubah*, comes the following:

R. Nathan said, "It is a bodily defect if a woman's breasts are bigger than those of others." By how much? R. Miasha, grandson of R. Joshua b. Levi, said in the name of R. Joshua b. Levi: "By one handbreadth" (*Ket. 75.*)

So, if a woman's breasts are three to four inches (a handbreadth) bigger than the "normal" population, she is blemished! How are we to understand this? Was R. Joshua ben Levi ready to take away a woman's rights based on such a reason? Did R. Miasha correctly hear his grandfather? I am at a loss on this one.

R. Joshua b. Levi also defends several rabbinic views toward women which--by today's standards--are not so favorable. In his day, these were standard practice and perhaps, in his eyes, favorable toward women. For instance, he says that a man will have sons worthy of giving instruction if

he keeps away from his wife during *nidah* (Shev. 18b.) In another example, he provides a Scriptural base for a man asking his wife three questions on Shabbat: did she light the candles, offer the *hallah*, and observe *nidah*. The woman's punishment for neglect of any one of these three is death in childbirth. These are *misvot* that only the woman can do and the man only ask about. R. Joshua b. Levi offers no innovation nor improvement here. As with his halakhot, discussed in chapter three, his attitude toward women proves to be slightly progressive, but no more than that. Still, in his context, we should not underestimate his compassion toward women.

Olam haba

R. Joshua b. Levi shows much interest in the subject of death and the afterlife. He observes that death does not come easy:

R. Alexandri said in the name of R. Hiyya bar Abba and some say R. Joshua b. Levi: "When the end time of a person has come, everything conquers him, as it is written: 'And it will be that whosoever finds me will slay me' (Gen. 4:14)" (Ned. 41a.)

Likely, he found consolation in the rabbinic doctrine of the resurrection of the dead, an idea which he "proves":

How on the basis of Scripture may we prove the resurrection of the dead? As it is said, "Blessed are those who dwell in your house, they shall ever praise you, *selah*" (Ps. 84:5.) What is said is not "praised you" but "shall praise you," on the basis of which there is proof from the Torah of the resurrection of the dead (San. 91b.)

Our souls, meanwhile, go to *olam haba*, the world to come. In *olam haba*, we see the just rewards or punishments for our actions in this world. *Olam haba* solves Job's question for R. Joshua b. Levi as well as most of his contemporaries who have seen their fair share of evil in the world. Their theodicy: we must do *misvot* and, even if something bad happens to us in this world, we will be amply rewarded in the next: "Lord of the world, you

have judged well, you have condemned well, you have properly assigned Gehenna for the wicked and the Garden of Eden for the righteous" (*Eruv. 19a.*)

The message R. Joshua b. Levi offers repeatedly is this: be careful, even scrupulous, in your performance of *misvot* and of being a good person, for your day will come:

All of the religious duties that Israelites carry out in this world come and give testimony in their behalf in the world to come, as it is written: "Let them bring their witnesses that they may be justified" (Is. 43:9.) that is, Israel; "and let them hear and say, It is truth" (*ibid.*,) this refers to gentiles (*A.Z. 2a, 4b.*)

Not only does sweet, perhaps innocent, revenge come against those who scoffed or vanquished Israel, but salvation too:

Whoever properly sets his ways in this world will have the merit of witnessing the salvation of the Holy One, blessed be he, as it is said, "To him who orders his way I will show the salvation of God" (Ps. 50:23.) Do not read "orders" but "properly sets" [his] way (*M.K. 5a; cf. Sot. 5b.*)

If you perform *misvot* and incur loss in this world, your just rewards will come in the next world.

R. Joshua b. Levi does not use "*olam haba*" as the answer to all justice. He offers some hint that justice acts in this world as well. For instance, we might expect his interpretation of Proverbs 15:15 to refer to *olam haba*: "All the days of the afflicted are evil; he that is of a good heart has a continuous banquet." We could see R. Joshua b. Levi saying "all the days" and "continuous banquet" happen in *olam haba*. Instead he says

"All the days of the afflicted are evil" (Prov. 15:15) refers to someone who is worrisome. But "he that is of a good heart has a continuous banquet" (*ibid.*) refers to one who is serene (*B.B. 145b; San. 100b.*)

He also queries: "... but are there not Sabbaths and festival days [on which the afflicted gets some pleasure]" (*B.B. 145b; San. 101a.*) In other words,

people who are evil or good do have some kind of reward or punishment in this world. R. Joshua b. Levi's comment does not come from belief in a supernatural response, rather from psychological insight. A person's demeanor, his or her way of being in this world, stems from the inner essence of a person. A truly good person will radiate serenity and goodness in this world; an anxious person will suffer evil days for they can only transmit, and thus receive, negative feelings.

With similar psychological empathy, R. Joshua b. Levi writes: "He who casts suspicion on genuinely good people in the end will be smitten in his own body on that account" (*Yom. 19b.*) Guilt feelings from attacking a good person's character will eventually have psychosomatic results. Illness may come from inner turmoil, R. Joshua b. Levi realizes. On the other hand, he does not grant the maligned, good person the option of "venting" his feelings: "He who joyfully bears the chastisements that befall him brings salvation to the world as it is said, 'Upon them have we stayed of old, that we might be saved'" (*Ta. 8a.*) Psychological process must make way for moral righteousness. As consolation, the good-who, for R. Joshua b. Levi, would be the same ones who study Torah--do receive some reward in this world:

This matter is written in the Torah, repeated in the Prophets, and further repeated in the Writings: "Whoever is devoted to study of the Torah, his property prospers for him." It is written in . . . Deut. 29:8 . . . Josh. 1:8 . . . Ps. 1:3 (*A.Z. 19b.*)

Learning leads to good business sense and thus material reward. Similarly, R. Yohanan reports that R. Joshua b. Levi said to his sons, "Go morning and evening to the house of prayer, that your life may be prolonged" (*Ber. 8a.*) Whether R. Joshua b. Levi believed that God rewards a person with long life for faithful synagogue attendance, or that the

disciplined lifestyle and focus on one's "spiritual life" had positive personal benefits, we cannot know for sure. The latter, less literal, interpretation does fit in well with his other statements.

As we have seen, there is a side of R. Joshua b. Levi who has insight into human nature and its psychological effects in *this* world and who understands the practical, this-worldly benefits of Torah study and synagogue attendance. There is another side. He also speaks about reward in more fantastic ways. In the following statements, does he use hyperbole to highlight the importance of some actions, or does he intend more mystical meaning?

A person should always get up early to go to the synagogue so that he will derive the merit of being counted among the first ten. For even if one hundred people come after him, he receives for himself the reward that is coming to all of them (*Ber. 47b.*)

If ten people read in the Torah, the one who rolled it up receives the merit of all them (*Meg. 32a.*)

Without answering the question of R. Joshua b. Levi's intent yet, other statements make his position more clear. True reward, reward that comes from God, is in *olam haba*.

Whoever recites the song [of praise] in this world will have the merit of saying it in *olam haba*, as it is said, "Happy are those who dwell in your house, they shall ever praise you, *selah*" (*Ps. 84:5*) (*San. 91b.*)

God's favor comes not only for liturgical observance, but also for being a caring, compassionate person.

R. Simeon b. Pazzi said in the name of R. Joshua b. Levi who said in the name of Bar Qappara: "Whoever sheds a tear for a good man--the Holy One, blessed be he, counts them up and puts them away in his treasure house, as it is written: 'You count my grievings, put my tears into your bottle, are they not in your book?' (*Ps 56:9*)" (*Shab. 105b.*)

R. Joshua b. Levi has much more to say about a person's character.

Gehenna awaits anyone who dishonors a scholar: "Whoever tells [stories] after a deceased disciple of sages [has died] will fall into Gehenna" (*Ber. 19a*.) On the other hand, one honors God when making herself or himself a better person:

Whoever sacrifices his *yesser hara*, impulse to do evil, and confesses on that account is regarded by Scripture as though he had honored the Holy One, blessed be he, in the two worlds, this world and *olam haba*, for it is written, "Who offers the sacrifice of confession honors me" (Ps. 50:23) (*San. 43b*.)

Together, these statements of character allude to R. Joshua b. Levi's reaction to the social unrest of his day. His intent is to show that being good to one another is worthwhile. Reward for helping others comes in this world, but doubly so in the world to come. This confidence of *olam haba* could have gone a long way to inspiring his community. In a time when life was difficult financially and socially, R. Joshua b. Levi goaded his people to rise to the challenge, to struggle with the *yesser hara* and be decent and compassionate to one another. Both his words and deeds vouch for this goal.

While questions of reward and punishment affect a person individually--and R. Joshua b. Levi has more to say on this²¹--they also have impact on a communal level. If it is hard to explain why a good, synagogue attending Jew dies young, it is equally difficult to understand how Israel can be exiled from her Temple and from Jerusalem. The developing

²¹Two other statements are relevant to the argument: 1) And that is in line with what R. Joshua b. Levi said, "What is the meaning of the verse of Scripture, 'Which I command you this day to do them' (Deut. 7:11)? 'This day you are to do them, but you may not put them off until tomorrow; this day you are to do them, and tomorrow will be for receiving a reward for doing them' (*Eruv. 22a*; *A.Z. 3a*; *A.Z. 4b*.) 2) R. Simeon b. Pazzi said in the name of R. Joshua b. Levi who said in the name of Bar Qappara: "Anyone who fulfills the duty of eating three meals on the Sabbath is saved from three punishments: the anguish of the messiah, the judgment of Gehenna, and the war of God and Magog . . ." (*Shab. 118a*.)

rabbinic theology certainly is clear, that punishment comes from sins, personal and collective. Still, at least a remnant of Israel will always remain, even in this world, and certainly in *olam haba*:

Why is Israel compared to an olive tree? It is to tell you, just as the leaves of an olive do not fall off either in the dry season or in the rainy season, so Israel will not be null either in this world or in the world to come (*Men. 53b.*)

R. Joshua b. Levi seeks to reassure his generation of God's abiding covenant even in the face of troubled times.



R. Joshua b. Levi is fully a man of a post-Temple, post messianic-fervor Judaism. He believes one day of studying Torah is better than a thousand burnt offerings (*Mak. 10a.*) The messiah's arrival will only be hastened if the Israelites have merit (*San. 98a.*) And God's relationship with Israel is so close that not even an iron wall could separate them (*Sot. 38a.*)

To make sense of the monumental changes in Judaism, the calamities that befell Israel and his beliefs mentioned above, he relies on *olam haba* for justice. Reward for *misvot* might not happen in this world--though some benefit may occur--but doing *misvot* and being a *mentsch* will be amply rewarded in *olam haba*.

How did he know? How could R. Joshua b. Levi say that reward would come in *olam haba* and that Gehenna awaits those who do evil? It seems that the rabbis in Babylonia asked the same questions. They did not question his knowledge of *olam haba*, but they rewarded his certainty with even greater certainty. They made R. Joshua b. Levi into a legend, a master of both death and *olam haba*.

CHAPTER SIX

RELATING THE AGGADIC TEACHINGS AND THE AGGADAH

In chapter four, we saw the colorful *persona* of R. Joshua b. Levi portrayed in the aggadot. There, I sought to answer the question: to what degree is there consistency between this *persona* and the halakhot spoken and repeated by this same rabbi. Now, knowing something about the *persona* of R. Joshua b. Levi and his halakhot, we look at how these connect with his aggadic teachings.

By its very nature, aggadah speaks in grander and more vivid language than halakhah. Take, for instance, R. Joshua b. Levi's relationship to Torah. We have already seen in previous chapters the following: He states halakhically, "He who goes along the way without an escort should occupy himself with Torah" (*Eruv. 54a.*) He states aggadically, "Whoever is devoted to study of Torah, his property prospers for him" (*A.Z. 19b.*) It is said about him in an aggadah, "R. Joshua b. Levi would attach himself to them [those with *ra'atan*] and would study Torah" (*Ket. 77b.*) In each case, Torah in some way helps or protects. The aggadic teaching goes one step further than the halakhah by offering a reward, one that R. Joshua b. Levi cannot guarantee, but is fond of doing as we saw in the previous chapter.

With all three selections on Torah, there is consistency. Perhaps, this is not difficult for such a popular topic as Torah. Nonetheless, these interrelationships, at this point at least, show the plausibility of a consistent

persona of R. Joshua b. Levi in the *Bavli*.

Halakhah serves as a reality check on aggadah. Aggadically, R. Joshua b. Levi may say, "Go morning and evening to the house of prayer, that your life may be prolonged" (*Ber. 8a*.) Whereas, in his halakhah, he can cater to real cases, such as at the wedding of his son, where he allows the *Shema* to be said twice in the day or twice at night because of extenuating circumstances. Halakhah allows for leniency, aggadah does not.

For all the compassion that he can bring forth in his halakhot, R. Joshua b. Levi favors the strict, idealism of the aggadah at least equally. The two aggadot about him which were omitted in chapter four tell us about his relationship to aggadah:

R. Hanina ben Agil asked R. Hiyya son of R. Abba: "Why does it not say in the first version of the Ten Commandments, 'That it may go well with thee,' while in the second version there is such a promise?" He replied: "Before asking me why 'That it may go well with thee' is not mentioned in the first version, you should ask me whether such a promise does or does not occur in the second version—the fact is, I do not know whether it occurs or not. [Since no halakhah exists on this verse, he could not remember it.] Go to R. Tanhum bar Hanilai, who visits regularly with R. Joshua b. Levi, an expert in Aggadah." When he went to him, R. Tanhum said: "From R. Joshua b. Levi, as it happens, I never heard anything on this matter. But Samuel bar Nahum told me . . ." [the rest is not important for our purposes] (*B.K. 54b-55a*).²²

R. Shimi bar Uqba, and some say, Mar Uqba, often was in session before R. Simeon b. Pazzi, who had laid forth exegeses [*mesader ha-aggadah*] before R. Joshua b. Levi. He said to him: "What is the meaning of the verse of Scripture, 'Bless the Lord O my soul . . .' (Ps. 103:1)? . . ." [the rest is not important for our purposes] (*Ber. 10a*.)

According to these aggadot, not only was R. Joshua b. Levi a *baki be-aggadah*, an expert aggadist, but he had a student in his academy.

²²Considered a *baki be-aggadah*, "know-it-all of haggadah." [Said already of the Tanna R. Ishmael by R. Tarfon, in *M.K. 28b*. On *baki*, see H. Yalon, *Studies in Language* (Hebrew) (Jerusalem: Mossad Bialek, 1971),

responsible for ordering the aggadot, a *mesader ha-aggadah*. With the large number of aggadot that we have looked at in chapter five (see appendix C,) these attributions seem likely. These would also explain, perhaps, why R. Joshua b. Levi became such a popular protagonist for many aggadic legends.

As further support for these aggadot, R. Joshua b. Levi valued²³ aggadah enough to make it a reward for *sedakah*: "Whoever is accustomed to do acts of *sedakah* gains the merit of having sons who are masters of wisdom, wealth, and aggadah" (*B.B. 9b.*) For someone who invested many words about the importance of children and teaching them Torah, this statement should be taken seriously.

On the other hand, R. Joshua b. Levi's relationship to aggadah is not so straightforward. Though not part of *Bavli* proper, a statement of his in a minor tractate is perplexing: "He who writes down an aggadah will have no share in the world to come; he who studies it will suffer humiliation, and he who listens to it will receive no reward" (*Masekhet Sofrim 16:2.*) Perhaps this refers not to aggadah in general, but to some sectarian books,²³ or perhaps only to the act of writing them down. Could he say this statement about writing down aggadah while having a person in his academy "order" the oral aggadot? The statement in *Masekhet Sofrim* is typical of R. Joshua b. Levi's in that it speaks of *olam haba*, so it could be an accurate attribution. Perhaps the distinction between oral and written aggadah was obvious to him and his contemporaries. Why then would oral traditions be permitted while written not? I can only speculate that if they were written, the rabbis would lose control over their interpretation; sectarians could take it and use it for their own ends. Also, the people

²³Levine, 105.

might base their religion on the mystical and magic of aggadah while losing sight of the halakhah which anchors Judaism to this world. All of this is speculation; what is certain is that R. Joshua b. Levi had much to say about aggadah. That is strong enough basis to begin exploring the relationship of his aggadic statements and the wonderful aggadah written about him.

Aggadic Teachings and the Aggadot

In many ways, the connections between R. Joshua b. Levi's aggadic teachings and the aggadah about him are stronger than between his halakhah and the aggadah. Below, these connections will be explicated. The full texts of the aggadot will not be reprinted below since they appear in chapter four; a selection from each will be given to spark the memory of the reader as we look at each aggadah from a new perspective. Also, the halakhic aggadot will not be analyzed again. Aggadot which speak in general terms--as discussed above, do not usually correlate with such specific cases. As it turns out, R. Joshua b. Levi's aggadic teachings do help us in two of these halakhic aggadot. We will look at these first.

Halakhic Aggadah: Liturgy at wedding

A pair of scholars got drunk at the wedding banquet of R. Joshua b. Levi's son. R. Joshua b. Levi ruled that under the circumstances, it was permitted for them to recite the *Shema* two times in the day or night, but normally it is not permissible (*Ber. 9a.*)

As mentioned in the previous chapter, what gives R. Joshua b. Levi the latitude to make such a judgment could be a belief summarized in the following aggadic teaching: "Even a partition made of iron will not create an obstruction between Israel and their father in heaven" (*Sot. 38b.*) Though this phrase is used in literal ways, to indicate that a man standing

outside the synagogue door may be counted in the minyan (*Pes. 85b*) and a person out of view of the priest will receive blessing during *birkat kohanim* (*Sot. 38b.*) it might also suggest that lenient readings of halakhah are permissible for no "partition made of iron" [read: halakhah] can keep God apart from Israel.

Halakhic Aggadah: Verses of Torah are not to be used for healing

R. Joshua b. Levi recited these verses when he went to sleep (*Ps. 91* "Song against plagues" (*Ps. 91:1-10; Ps. 3*). But how could he have done so, and did not R. Joshua b. Levi say, "It is forbidden to heal oneself through reciting words of Torah"? (*Shev. 15b.*)

Words of Torah do have power, R. Joshua b. Levi seemed to believe. At the beginning of this chapter, his views on Torah were discussed. The aggadic teaching given there described study of Torah leading to the prospering of property (*A.Z. 19b.*) Property does not equal health as the above aggadah describes, but both do show the impact of Torah on the material, physical world. Another aggadic teaching takes this one step further:

What is the meaning of the verse, "This is the Torah which Moses set (*sam*) before the children of Israel" (*Deut. 4:44*)? If a man merits it, it becomes an elixir (*sam*) of life for him; if not, an elixir of death. That is what Rava meant in saying, "If used the right way, it is an elixir of life; if not used the right way, an elixir of death" (*Yom. 72b.*)

The difficulty the *Bavli* has reconciling an aggadic tradition about R. Joshua b. Levi and a halakhah in his name--a similar project to this thesis (!)--might show the fine line between Torah as an elixir of life and as an elixir of death. If Torah has power, a person like R. Joshua b. Levi who loves Torah might have struggled his whole life with the question of when Torah is being used correctly and when not. The fact that he once said that verses of Torah may not be used for healing and, at another time, he used

Torah for his bedtime *Shema*, does not have to be problematic. The *gemara's* answer, discussed in chapter four, suggests that the first statement is for when a person is healthy, the second, for when a person has a wound. Torah may be used as protection, not as active healer. These two traditions juxtaposed in this aggadah show the tension inherent in the power of Torah and add depth to the *persona* of R. Joshua b. Levi.

Aggadah: Studies Torah with people with *ra'atan*

R. Joshua b. Levi would not flee from people with skin ailment *ra'atan*, but would study Torah with them (*Ket. 77b.*)

The compassionate R. Joshua b. Levi, portrayed here, is one we want to believe is true. Certainly, halakhot discussed in chapters three and four vouch for this character trait. And an aggadic teaching also supports it:

Simeon b. Pazzi in the name of R. Joshua b. Levi who said in the name of Bar Qappara, "Whoever sheds a tear for a good man -- the Holy One, blessed be he, counts them up and puts them away in his treasure house, as it is written: 'You count my grievings, put my tears into your bottle; are they not in your book' (Ps. 56:9)." (*Shab. 105b.*)

Unfortunately, we have two aggadic teachings specifically about people with skin ailments that seem to contradict R. Joshua b. Levi's position above. Following the familiar rabbinic *drash* that the skin ailment, *sara'at*, in Leviticus should be understood as punishment for gossip, R. Joshua b. Levi states:

Why is the one afflicted with *sara'at* treated separately, in that the Torah has said that he shall bring 'two birds for his purification-offering' (Lev. 14:4)? Said the Holy One, blessed be he, "He does the work of babblers; therefore, the Torah has said, let him bring an offering of babblers (i.e., chirping birds)" (*Ar. 16b.*)

A similar statement, with confused attribution, reads:

R. Samuel bar Nadav asked R. Hanina . . . others say he asked R. Joshua b. Levi, "Why is the one afflicted with the skin ailment treated separately, in that the Torah has said, 'He will dwell all by himself,

... (Lev. 13:46)?" He said, "He [through his gossiping] brought a separation between a man and his wife, between one person and the next. Therefore the Torah has said, 'He will dwell all by himself.'" (*Ar. 16b.*)

This last tradition has been attributed to others besides R. Joshua b. Levi. He might not have ever said it. Perhaps the first tradition also was mistakenly attributed to him. This conjecture would help reconcile the aggadic teachings with the aggadah about R. Joshua b. Levi studying with people with *ra'atan*. This argument, though, is not conclusive.

If we assume that the attributions are correct, we have another option. For one, the aggadic teachings tell something about why people develop skin diseases with the consequence of separation from the community. Does this preclude a compassionate person defying this separation? In the Torah, where the issue is public health, the answer is yes. To the other rabbis who would not study with the people with *ra'atan*, the answer is yes. To R. Joshua b. Levi, who seems to see illness as a result of character faults--as these aggadic teachings corroborate--the answer might be no. If a personal attribute led to disease, then the powerful words of Torah have the potential to heal. This connection was discussed above and again is relevant. In one aggadic teaching that summarized R. Joshua b. Levi's view of Torah, we see that the jump to his studying Torah with people with *ra'atan* might not be so great:

R. Joshua b. Levi said, "Every day a *Bat-kol* goes forth from Mount Horev, proclaiming these words, Woe to mankind for contempt of the Torah, for whoever does not labor in the Torah is said to be under the divine censure; as it is said, As a ring of gold in a swine's snout, so is a fair woman who turns aside from discretion (Prov. 9:22); and it says, And the tables were the work of God, and the writing was the writing of God, graven upon the tables (Ex. 32:16.) Read not *harut* (graven) but *herut* (freedom), for no man is free but he who labors in the Torah. But whosoever labors in the Torah, behold he shall be exalted, as it is said, And from Mattaneh to Nahaliel, and from Nahaliel to Bamot (Num. 21:19)" (*Avot 6:2.*)

In the last sentence, the meaning of the place-names are used to make the following *drash*: from the gift of Torah [Mattaneh] one receives a Divine heritage [Nahaliel] that leads to being raised up to a high place [Bamot.] By being with people with *ra'atan*, R. Joshua b. Levi acts on his own words. Even if their condition came about because of sin, they ought to have a way to re-enter the community of Israel. This view of sinners is supported by R. Joshua b. Levi's view of the worst sin in Israel's history, the classic archetype of sin, the building of the golden calf: "The Israelites made the golden calf only to give an opening to penitents: 'O that they had such a heart as this always, to fear me and keep my commandments' (Deut. 5:26)" (A.Z. 4b.) If he could see sin as an opportunity for penitence in the case of the golden calf, how much the more so, in the case of people with *ra'atan*. His words and his actions are in consonance, his *persona* sound.

Aggadah: Tolerance to *minim*

R. Joshua b. Levi did not curse an annoying *min* in his neighborhood even though he wanted to (Ber 7a; San. 105b; A.Z. 4b.)

With R. Joshua b. Levi's aggadic teachings, we gain new insight into how his compassion operates. He shows compassion even for those who go against everything he believes in. As we have seen, he deplores gossip: "Croup [skin disease] comes to the world because of gossip" (Shab. 33b.) Yet those who, supposedly, engaged in that vice, are precisely the ones he goes after to study Torah. This we have fully explored above. Now, again, though he viscerally dislikes *minim*, he does not curse them. He struggles to be good, to overcome his *yeser hara*. Is this a Jewish spin on, 'love thy enemy'?

Aggadah: Teaches Torah to grandchildren

R. Joshua b. Levi realizes he forgot to hear his grandson recite the *parashah* and runs to do so (*Kid. 30a.*)

The connections between this aggadah and some aggadic teachings are clear and direct. He talks about the need to teach Torah not only to one's son but to one's grandson. His proof comes from juxtaposing two verses in Deuteronomy: "... and you shall make them known to your children and your children's children" (4:9) and "The day that you stood before the Lord your God in Horev." (4:10) Thus teaching children is like standing at Mt. Sinai:

R. Joshua b. Levi said, "Whoever teaches his son Torah is credited by Scripture as though he had received Torah from Mt. Horev" (*Ber. 21b.*)

R. Joshua b. Levi said, "Whoever teaches his grandson Torah is credited by Scripture as though he had received Torah from Mt. Horev" (*Kid. 30a.*)

Once again, R. Joshua b. Levi teaches not only with words, but with actions. In the above aggadah about him, his listening to his grandson recite the *parashah* inspires other rabbis to do the same. This message offers a balance to reports of rabbis who left family for years and years to study in the academy. R. Joshua b. Levi affirms the need to be close to family and to spend regular, meaningful time with them. Or, if this reads too much into the text, he affirms the need to spend time with his sons and grandsons, teaching them the tradition.

Aggadot: Relating to the Land of Israel

R. Joshua b. Levi allows guardian in his neighborhood to sell land to buy oxen (*Git. 52a.*)

R. Joshua b. Levi once visited Cabla and calls on Land to not provide such good produce for the Arabs who had taken the Land after the Jews had sinned (*Ket. 112a.*)

R. Joshua b. Levi's discussion of the Land of Israel often encompasses the topic of idolatry. According to rabbinic interpretation, the first Temple was destroyed because of idolatry, the second, because of causeless hatred. "The land of Israel was destroyed only after seven courts had sanctioned idolatry: Jeroboam b. Nebat, Baasha b. Ahiah, Ahab b. Omri, Jehu b. Nimshi, Pekah b. Remaliah, Menahem b. Gadi, and Hoshea b. Elah . . ." (*Git. 88a*.) Though this speaks of the first Temple, idolatry still is a central concern of R. Joshua b. Levi: "Said Raba, and some say R. Joshua b. Levi, and some say Kadi: Said Scripture, 'Now in case you err and you do not do all these commandments' (Num. 15:22)--which is the commandment that weighs in the balance as equal to all the commandments? You must say, it is idolatry" (*Hor. 8a*.)

These statements, perhaps by R. Joshua b. Levi, support the idea discussed in chapter four on the second aggadah above, that his issue with the produce has to do with its use in idolatrous ways. These aggadic teachings do not shed any new light on the discussion, nor do they help prove that this aggadah is consistent with R. Joshua b. Levi.

No aggadic teaching helps us understand or support the first aggadah.

Aggadah: Visiting bereaved only when . . .

R. Joshua b. Levi would go to a house of mourning only in the case of someone who had died without children (*M.K. 27b; B.B. 116a*.)

That R. Joshua b. Levi considered a person who did not have children differently, as this aggadah suggests, is supported in an aggadic teaching: "Anyone who has no children is regarded as a corpse, as it is said: 'Give me children or else I am dead' (Gen. 30:1)" (*Ned. 64b*.) This statement and the above aggadah are consistent with other statements about his relationship

with children. These are discussed above and in chapter four.

Why would he, a caring person, not visit mourners who did have children? Could this indicate that he normally did not have time, did not consider it part of his rabbinic function, or that he avoided mourners from his own fear of death? This realistic aggadah about his practice of visiting houses of mourning could have fed into the more supernatural traditions that developed about him, to which we now turn.

Aggadah: Angel of Death teaches R. Joshua b. Levi how to avoid death

The Angel of Death told me three things: when dressing in the morning, do not take your shirt from your attendant, do not let water be poured over your hands by one who has not already washed his own hands, and do not stand in front of women when they are returning from the presence of a deceased person . . . (Ber. 51a.)

Aggadah: Son dies and sees *olam haba*

R. Joseph, the son of R. Joshua b. Levi, sees *olam haba* and assures his father that the good will be rewarded, martyrs doubly so (Pes. 50a.)

Aggadah: How R. Joshua b. Levi actually avoids death

R. Joshua b. Levi tricks the Angel of Death by jumping into Paradise without dying, but does not succeed in keeping the Angel of Death's knife from him. Modestly, R. Joshua b. Levi claims that no rainbow was seen in his lifetime (Ket. 77b.)

These three aggadot raise three issues to be analyzed, R. Joshua b. Levi's views on death, *olam haba*, and humility. These first two were the focus of chapter five. For someone who describes death as a time when everything conquers him (Ned. 41a,) a tradition that has him worry about his place in *olam haba* and who actually escapes death is not surprising. That this aggadah immediately follows the account of his studying Torah with people with *ra'atan* indicates that he merited this good fortune because of his compassion for others. In fact, following his entry into heaven, comes the account of his contemporary, R. Hiyya, who also tries to

trick the Angel of Death, but fails, presumably because he did not study Torah with the people with *ra'atan*.

In the previous chapter, we analyzed his many aggadic teachings which spoke of a reward in *olam haba*. The surety with which he spoke of *olam haba* could be the basis for many of these aggadot. At least they show a reason that R. Joshua b. Levi would be the protagonist of expeditions with Elijah, the Angel of Death and the messiah (below.)

In the third aggadah, R. Shimon bar Yohai asks R. Joshua b. Levi whether a rainbow had appeared in his lifetime. A rainbow, as a sign of God's eternal covenant, would not be necessary during the life of a great sage, whose very existence is sign enough for his generation. R. Joshua b. Levi cannot say that he is that great sage of his generation. This aggadah, then, preserves his humility, an attribute R. Joshua b. Levi spoke often about:

When the Temple stood, a person would offer a burnt offering, and the reward of a burnt offering would go to his credit, or he would do the same with a meal offering, and the reward of a meal offering would go to his credit. But he who is humble is regarded by Scripture as though he had offered up all the sacrifices, for it is said, "The sacrifices of God are a broken spirit" (Ps. 51:19.) And his prayers are not rejected, for it is written, "A broken and contrite heart, O God, you will not despise" (Ps. 51:19) (*San. 43b; Sot. 5b.*)

It seems, then, that many elements of R. Joshua b. Levi's *persona* come together in these aggadot: his love of Torah, his relationship with his sons, his compassion for others, his fear of death, his interest in *olam haba*, and his humility. The pieces of this *persona* have connections to many statements of R. Joshua b. Levi. At times, though, connections only go so far, and do not explain how R. Joshua b. Levi could be said to have avoided death when he, we can be fairly sure, never spoke of that fact. We will not know who wrote this tradition or why. What we do know is that

legends, once born, have a way of taking on a life of their own. For our purposes--as we observe that there are connections between the statements and the aggadot--this answer is sufficient.

Aggadah: R. Joshua b. Levi meets the messiah

Elijah sends R. Joshua b. Levi to the messiah at the gates of Rome who tells him that he will have a good place in *olam haba* and that he, the messiah, will come today. Elijah explains that he meant, today, if Israel heeds God's voice, that is, the commandments (*San. 98a.*)

This aggadah works on many levels, each connecting to different parts of R. Joshua b. Levi's *persona*. The aggadah begins with R. Joshua b. Levi visiting Elijah at the cave where R. Simeon bar Yochai and his son hid from the Romans for twelve years. During that time, all they did was study Torah. Thus, at the outset of this aggadah, the importance of *Talmud Torah* is emphasized.

At Bar Yochai's cave, R. Joshua b. Levi asks Elijah whether he will go directly to *olam haba* after he dies. Just as he grilled his son, R. Joshua b. Levi wants to be sure of his place after death. By the end, Elijah interprets the messiah's greeting, "Peace unto you, son of Levi," as R. Joshua b. Levi and his father gaining *olam haba*. Once again, he is reassured.

One of the most striking parts of this aggadah is the image of where the messiah waits. He sits not only among those with skin diseases (he is wrapping bandages) who are poor, pushed outside the gates to the outskirts of the city, but he is in Rome,²⁴ the enemy conquerors of Israel. These two elements, people with skin disease and enemy, mirror the kinds of people we have already seen R. Joshua b. Levi showing compassion for, namely,

²⁴According to *Dikdukei Sofrim ad loc.*

those with *ra'atan* and the *minim*. We do not have aggadot about him helping the poor, but he has at least one aggadic teaching about *sedakah*, cited above, which states that the reward of doing *sedakah* is having sons who are masters of wisdom, wealth, and aggadah (B.B. 9b.) R. Joshua b. Levi values generosity, helping those with less means, something which was crucial to any sense of community in a time when taxes to Rome were high and there was such financial instability.

Another aspect of this aggadah is the delayed arrival of the messiah. Elijah must explain to R. Joshua b. Levi that the messiah's answer meant that Israel must work for the messiah, must merit his coming. This parallels this aggadic teaching of R. Joshua b. Levi's that precedes this aggadah in *Sanhedrin*:

R. Alexandri said, "R. Joshua b. Levi contrasted verses as follows: It is written, 'In its time [will the messiah come],' (Is. 60:22) and it is also written, 'I [the Lord] will hasten it' (ibid.) [What is the meaning of the contrast?] If [the Israelites] have merit, I will hasten it; if they do not, [the messiah] will come in due course. It is written, 'And behold, one like the son of man came with the clouds of heaven' (Dan. 7:13); and it is written, 'Behold, thy king comes unto thee' . . . lowly, and riding upon an ass' (Zeh. 9:9.) However, the two verses declare: If Israel are meritorious, the messiah will come 'with the clouds of heaven'; if not, he will be 'lowly, and riding upon an ass.' King Shapur [I] said to Samuel: 'You say that the messiah will come riding upon an ass. I would like to send him a brightly colored steed of mine.' Samuel replied: 'Do you have a thousand-hued steed?' (San. 98a.)

R. Joshua b. Levi's Judaism is a merit based system. If you do *misvot* and are a good person, you will gain reward in *olam haba* or gain the merit of ten men, or a 100 men, or whatever the case may be. The messiah will come, for that is God's plan to save the world. The only way, however, to bring near that day is not to wait for it, but to work for it, gaining merit through *misvot*.

That the messiah waits at the gates of Rome, among the poor and those with skin diseases, shows the kind of work Israel must do to merit the messiah's arrival. They must help the helpless, defend the defenseless, empower the powerless. Perhaps this aggadah seeks to explain where R. Joshua b. Levi gained his impetus to work for those marginalized by society.

Aggadah: Punished by Elijah for not seeking mercy for man eaten by lion

R. Joshua b. Levi fails to seek mercy for people in his vicinity. When man dies by a lion, Elijah stops visiting him for three days (*Mak. 11a.*)

As we learned in the above aggadah, people must make the world ready for the messiah. Elijah, who will herald the messiah's coming, emphasizes this point in this aggadah which highlights the special responsibilities of communal leaders. They, and in this case, R. Joshua b. Levi, must help all those in his vicinity; no supernatural miracle will save them. This aggadah takes this point to the extreme. Even an unfortunate incident, even if natural, such as a man being eaten by a lion, was his responsibility. What could he have done? He could have sought mercy. The issue is not necessarily that R. Joshua b. Levi could have prevented the tragedy, but that he be concerned about it. He ought to care about each person in his area, worry about them, do what he can to help them, and when something happens beyond his control, to feel upset about it.

This message parallels a comment of R. Joshua b. Levi in a discussion on when *zehut avot*, the merit of the patriarchs, was exhausted. If *zehut avot* was still active, then the exile, the destruction of Jerusalem and all other tragedies could not have happened, for God would forgive that generation of Israel based on the merit of the patriarchs. R. Joshua b. Levi

believed that *zehut avot* was used up from the time of Elijah (cf., I Kgs. 18:36) (*Shab. 55a.*) Thus, from the beginning of the prophetic age, when the people were castigated for not taking care of the least among them, when compassion had to be cultivated and social justice preached, from that time, the people of Israel had to gain their own merit.

Aggadah: Makes rain

R. Hama bar Hanina has trouble making rain for Sepphoris, as R. Joshua b. Levi could in Lod (*Ta. 25a.*)

If R. Joshua b. Levi failed in the aggadah above, here he is a community hero. He not only knows the needs of the general populace but empowers all to work together to merit a positive outcome. Through fasting, the people show their dedication to God, their communal supplication. R. Hama b. Hanina in Sepphoris tries to gain the people's trust like R. Joshua b. Levi. R. Joshua b. Levi's fame as a person in touch with his community was, according to this aggadah, solid even in his own day.



In all of the aggadot about R. Joshua b. Levi a consistency of character prevails. The aggadic teachings ascribed to him only deepen this character, not contradict it. This still does not tell us anything about when these traditions were written down, how much they reflect the historical R. Joshua b. Levi, or to what historic conditions the writers might have been responding. What we do know now is that whoever wrote the aggadah captured well the R. Joshua b. Levi we have gotten to know through his aggadic teachings.

CHAPTER SEVEN
 COMPARING THE AGGADAH
 IN TALMUD BAVLI AND BERESHIT RABBAH

The previous chapters have concentrated on the consistency of R. Joshua b. Levi's *persona* within the *Bavli*. Now we step outside the *Bavli* and question the accuracy of the *Bavli's persona*. In this task, we are greatly limited. The texts available to us have been altered here and there long after the time of R. Joshua b. Levi. Also, the authors and redactors of the texts were not necessarily trying to write biography or accurate history as we understand them. Though we will never know fully the historical R. Joshua b. Levi, this does not prevent us from asking the questions.

Bereshit Rabbah is an *Eres Yisrael* text edited around the time of the redaction of *Talmud Yerushalmi*, no later than 425 C.E. It is "the earliest Amoraic aggadic Midrash extant" according to one scholar.²⁵ Traditionally, the work is ascribed to R. Hoshaya, the first tradent mentioned in the text and a contemporary of R. Joshua b. Levi. R. Hoshaya led the academy in Caesaria, mid-way between the Southern Lod and the Northern Sepphoris and Tiberias.

By looking at an *Eres Yisrael* text, we can compare traditions developed close to R. Joshua b. Levi's home and *realia* with those that we have seen in the *Bavli*. With this comparison, I will speculate about the development of the traditions of R. Joshua b. Levi.

²⁵M. Herr, "Genesis Rabbah," *Encyclopedia Judaica*.

Bereshit Rabbah compared to Talmud Bavli

R. Joshua b. Levi's name appears sixty-seven times in the Vilna edition of *Bereshit Rabbah* and seventy-four times in the Theodor-Albeck edition. This chapter will rely on the Theodor-Albeck version. In this edition, interestingly, no statement has a confused attribution (i.e., *some say R. Joshua b. Levi said.*) While this is not proof, it does show that the authors/redactors were more confident of where their traditions came from than in the *Bavli* where confusion often exists.

From *Bereshit Rabbah* (abbreviated *B.R.*) all of the aggadot about R. Joshua b. Levi will be presented below as well as a selection of his relevant aggadic teachings and halakhic aggadot. The aggadot from the *Bavli* will not be reprinted, only referred to, as they should now be familiar to the reader.

Aggadah:

R. Joshua b. Levi said: "I went round to all the masters of aggadah in the South asking them to tell me the meaning of this verse (Gen. 46:1,) but they did not elucidate it for me, until I stood with Judah b. Pedayah, the nephew of Ben Hakappar, who explained to me: When a teacher and his disciple are walking on the way, you first greet the disciple and then the teacher. R. Huna said: When R. Joshua b. Levi came to Tiberias he asked R. Yohanan and Resh Lakish about it. R. Yohanan said: The reason is because a man owes more honor to his father than to his grandfather. Resh Lakish said: He offered sacrifices for the covenant with the tribal ancestors. . . (B.R. 94:5.)

We have three things happening in this aggadah of interest. The first is that R. Joshua b. Levi is associated with aggadah, going out of his way to search for an answer from aggadic masters. He has no problem traveling to deepen his learning in aggadah. This supports the *Bavli's* contention about his interest in this material.

The second concerns geography and the relation of *Eres Yisrael*

tradents. R. Joshua b. Levi seeks an answer first among the aggadic masters in his area, in the South, but finds none who can help him. He then finds Bar Kappara's nephew Judah b. Pedayah, whose answer he accepts. A difficulty with this scenario is that there are no other references of R. Joshua b. Levi interacting with or passing on the traditions of Judah b. Pedayah in either *Bereshit Rabbah* or *Talmud Bavli*. This alone does not make it impossible; other texts including *Talmud Yerushalmi* may have such statements. It does put up a red flag about the text's accuracy.

In the second part of this selection from *B.R.*, R. Joshua b. Levi asks questions of R. Yohanan and Resh Lakish. We have much evidence of these scholars interacting, particularly R. Joshua b. Levi and R. Yohanan (*Ber. 8a; Yom. 60b; Yev. 39a, etc.*) But, R. Joshua b. Levi is the elder of the three. The Tiberian Yohanan and Resh Lakish belong to the second generation of Amoraim, not the first as does the Southerner R. Joshua b. Levi. Could this scenario be correct with R. Joshua b. Levi submitting to a younger generation? What seems to be happening is that *B.R.* is betraying a pro-Tiberian, pro-Northern bias. R. Joshua b. Levi both finds a teacher in the North, with whom we have no other record of his interacting, and submits to the authority of younger tradents from the North. This discussion should, at the very least, prompt us to treat *B.R.* with some caution.

The third point of interest here is that R. Huna, who relates the second part of this aggadah is a Babylonian. A contemporary of R. Yohanan and Resh Lakish, he headed the academy at Sura after Rav. If a Babylonian's statement is related in *B.R.*, does this affect our understanding about its dating? Without delving into that question, it is possible that Huna, like his predecessor Rav, was in Tiberias which would

explain its inclusion here.

Shabbat leniencies.

R. Joshua b. Levi asked Resh Lakish: "Is it permitted to buy uncircumcised [heathen] slaves from a Gentile?" "About when do you ask me?" He replied, "About a festival." "It was taught: This is permitted even on the Sabbath" (B.R. 47:10.)

R. Eleazar b. Azariah said: "You may bathe the infant on the third day after circumcision when it falls on the Sabbath." R. Jacob b. Aha said: "R. Yohanan and R. Jonathan used to exhort midwives frequently, saying to them, 'Whatever you do on weekdays, you must do on the Sabbath, when that is the third day.'" Samuel said: "Because there is danger." Said R. Assi to him: "If because of danger, let us heat water for him on the Sabbath, for we learned: A man may warm a sheet and put it on his stomach on Shabbat; but one may not take a bath full of hot water and put it on his stomach on Shabbat." Said R. Joshua b. Levi: "There is no prohibition here, for it is indeed permitted" (B.R. 80:9.)

These two halakhic statements are consistent with R. Joshua b. Levi's stance in the *Bavli*. Whenever cases occur that match strict observance of Shabbat laws against another principle, whether a broad view of *pikuah nefesh* or a personal need, R. Joshua b. Levi adopts a lenient view of Shabbat observance. In the first halakhic aggadah above, R. Joshua b. Levi does not offer the lenient view but is associated with the view, since by asking Resh Lakish, he would subscribe to his *p'sak*. This again raises the question of his relation to Resh Lakish discussed above. This will not be addressed again here.

In the second aggadah, R. Joshua b. Levi permits on Shabbat as much or more than his colleagues for alleviating the pain associated with the third day after a circumcision. Pain does not lead to *oneg*, and as we have seen in his decisions in the *Bavli* concerning Shabbat and fast days, R. Joshua b. Levi does not let strict ritual observance interfere with the larger principles involved, especially cleanliness and health care.

Liturgy:

R. Joshua b. Levi said: "Our patriarchs instituted the three services. Abraham instituted the morning prayer, for it says, 'And Abraham got up early in the morning to the place where he had stood before the Lord' (Gen. 19:27.) Now 'standing' refers to prayer, as it says, 'Then stood up Phinehas, and prayed' (Ps. 106:30.) Isaac instituted the afternoon prayer, as it says, 'And Isaac went out to meditate in the field toward evening' (Gen. 24:63.) Meditation connotes prayer, as it says, 'I pour out my meditation before Him' (Ps. 142:3); similarly, 'I will meditate and supplicate, and he has heard my voice' (Ps. 60:18.) Jacob instituted the evening prayer, as it says, 'And he lighted (*va'yifga*) upon the place.' Now '*pegi'ah*' refers to prayer, as it says, 'Neither lift up cry nor prayer for them, neither make intercession (*tifga*) to Me' (Jer. 7:16) (*B.R.* 65:9.)

We have seen that R. Joshua b. Levi is concerned with prayer, a fact which this teaching supports. But, in the *Bavli*, R. Joshua b. Levi traces the origin of the prayer services to the sacrificial system, not to the patriarchs: "As to the recitation of the Prayers, they were ordained as the counterpart of the daily whole-offering" (*Ber.* 26b.) Both statements could still have been said by R. Joshua b. Levi. The one in *B.R.* serves a more homiletical purpose than in *Berakhot*. Its purpose also is to show that the patriarchs were *shomrei misvot*, even though they had not received the *misvot* from God which did not occur until Moses brought them down from Mt. Sinai. Minimally, this aggadic teaching confirms R. Joshua b. Levi's interest in liturgy.

Sons and grandsons:

'And Israel strengthened himself, and sat upon the bed.' Miasha, R. Joshua b. Levi's grandson, received a post of authority from the Government. Whenever he entered his house his grandfather would rise before him, in order to pay honor to authority (*B.R.* 97.)

This aggadah, unknown in the *Bavli*, shows R. Joshua b. Levi's respect for governmental (presumably Roman) authority. In the face of this authority, the traditional line of respect of son to father or grandson to

grandfather would even be reversed. This is made clear in a statement in the *Bavli* by R. Joshua b. Levi about his son: "As for me, it is not appropriate for me to stand up before my son, but it is because of the honor that is owing to the household of the patriarch" (*Kid. 33b*.) R. Joseph, R. Joshua b. Levi's son, married the daughter of Judah Nesiah, the patriarch. In the *Bavli*, where we learn about the son, and *B.R.*, where we learn about the grandson, we see that his descendants are doing well for themselves and that R. Joshua b. Levi has the humility to respect this fact, which is symbolized by him rising before both his son and grandson. Both this humility and his respect for children and grandchildren are consistent with what we have learned about R. Joshua b. Levi in the *Bavli*.

The marginalized, poor, enemy:

When R. Joshua b. Levi visited Rome, he saw there pillars covered with tapestry in winter, so that they should not contract, and in the summer, that they should not split. As he was walking in the street, he espied a poor man wrapped in a mat--others say, in half an ass's pack-saddle. To those pillars he applied the verse, "Your righteousness is like the mighty mountains"--where You give, You give in abundance; while to the poor man he applied the verse, "Your judgments are like the great deep"--where You smite, You smite with force (*B.R. 33:1* [only in Theodor/Albeck not in Vilna].)

"When a man's ways please the Lord, He makes even his enemies to be at peace with him" (Prov. 16:7.) "Enemy," said R. Yohanan, refers to a man's wife. "To a snake," said Samuel. "To the impulse to evil," said R. Joshua b. Levi. R. Berekhiah said: In saying "even his enemies," Scripture includes pests in a man's house, such as gnats, fleas, and flies (*B.R. 54:1*.)

"When a man's ways please the Lord, He makes even his enemies to be at peace with him" (Prov. 16:7.) R. Joshua b. Levi said: The words "those hostile to him" refer to the *yesser hara*, the impulse to evil. In the way of the world, when a man grows up in a city with another for two or three years, he is bound to the other in affection. But this one [*yesser hara*], though it grows up with a man from youth to old age, [its hostile nature is such that] if it is with him for even 70 years, it will bring him down; and even if it is with him for 80 years, it will still bring him down. In David's question "Who is like unto You,

who delivers the wretched . . . and the needy from his despoiler?" (Ps. 35:10.) R. Aha identified "his despoiler" by asking, "Is there a despoiler greater than the *yeser hara*?" [In contrast to David, and suggesting that man himself should cope with the impulse], Solomon said, "If he who is hostile to you is hungry, give him bread to eat, and if he is thirsty, give him water to drink" (Prov. 25:21) [silence his mouth with] the bread of Torah and the water of Torah (B.R. 54:1.)

When R. Joshua b. Levi visited Rome with its spectacular architecture, according to the first aggadah, he only saw the injustice of a culture that cared more for its pillars than for its poor. This picture not only conforms with the view of R. Joshua b. Levi as a compassionate person, but also resonates with the aggadah in the *Bavli* where the messiah waits among the poor outside the gates of Rome. As long as that poor man is ignored, society will not create a hospitable environment for the messiah. In this aggadah above as with the aggadah about his studying Torah with people with *ra'atan*, R. Joshua b. Levi defends people who are marginalized by society with both words and actions. He calls attention to their plight in important circles (e.g., Rome) and publicly shows himself with them (e.g., people with *ra'atan*.)

In describing the *yeser hara* in the two aggadic teachings above, R. Joshua b. Levi offers a telling statement: "In the way of the world, when a man grows up in a city with another for two or three years, he is bound to the other in affection." Given enough time, R. Joshua b. Levi believes, any person will become his friend. No person is an enemy for life; no enemy cannot be "won" over. This tells us a lot about how he viewed human relationships and how he succeeded in them. He must have loved people: interacting with Roman "enemies," not cursing *minim*, caring for the poor, and helping women's status. His only enemy is not a person, certainly not his wife, as R. Yohanan suggests, nor even an animal, as Samuel

suggests, but rather the human struggle with his or her "evil" desires. It is a lifetime struggle. If R. Joshua b. Levi's life is any indication, the acknowledgement of how hard the struggle can be allows a person to do some wonderful things with his life. As R. Joshua b. Levi said, "Whoever sacrifices his *yesser hara* and confesses on that account is regarded by Scripture as though he had honored the Holy One, blessed be he, in the two worlds, this world and the world to come. . . ." (*Suk. 52a.*)

Death, Messiah, Land of Israel:

R. Hanina said: "In the Messianic age there will be death among none save the children of Noah." R. Joshua b. Levi said: "Neither among Israel nor among the other nations . . ." (*B.R. 26:2.*)

At the time of their departure from this world, Zavdi ben Levi, R. Joshua b. Levi and R. Yose ben Patrus (*Vilna: ben Parta*) each quoted one of the following three verses. One quoted, "For this let every one that is godly pray unto You in a time when You may be found" (*Ps. 32:6*) also; "For in him does our heart rejoice, because we have trusted in his holy name," (*Ps. 33:21*); another quoted: "You prepare a table before me in the presence of my enemies. . . ." (*Ps. 23:5*); also, "So shall all those that take refuge in You rejoice" (*Ps. 5:12*); and the third quoted, "For a day in Your courts is better than a thousand" (*Ps. 84:11*). The Rabbis said: [The third quoted this verse]: "Oh how abundant is Your goodness, which You have laid up for them that fear You" (*Ps. 31:20*). This proves that when the righteous are departing from the world, the Holy One, blessed be He, shows them their reward . . . (*B.R. 62:2; 92:2.*)

R. Joshua b. Levi said: "When God created [the first person,] he created him by his attributes of Justice and Mercy, and when he banished him, he likewise banished him in accordance with his attributes of Justice and Mercy (*B.R. 21:7.*)

"Bury me not, I pray, in Egypt" (*Gen. 47:29*). Why did all the patriarchs demand and yearn for burial in the Land of Israel? R. Eleazar said: "There is a reason for it." R. Joshua b. Levi explained that in saying, "There is a reason for it," R. Eleazar alluded to the verse "O that I might walk before the Lord in the lands of the living" (*Ps. 116:9*), a verse our masters, in the name of R. Huldah, explained as follows: "Why did the patriarchs yearn for burial in the Land of Israel? Because the dead buried in the land of Israel will be the first to come to life in the days of the messiah and will enjoy the age of the

messiah." "But he who dies outside the Land and is buried there has," said R. Hanninah, "two agonies to contend with [the agony of dying and the agony of burial outside the Land]." "Does this mean," asked R. Simon, "that the righteous buried outside the Land will lose out? No. What will the Holy One do for them? For their sake, He will provide underground passages, which go on and on like subterranean caves, and the righteous will roll through them until they reach the Land of Israel, where the Holy One will restore the spirit of life to them and they will stand up. And the proof? The verse 'I will open your graves, and cause you to come up out of your graves, O My people, when I bring you into the Land of Israel' (Ezek. 37:12), followed by 'I will put My spirit in you and ye shall live' (Ezek. 37:14)" (B.R. 96:5.)

As we would expect, R. Joshua b. Levi is associated with several aggadic teachings connected with death. In the first, he widens the circle of those saved from the knife of death in the time of the messiah. Not only Israel and the children of Noah, but all nations will be spared death. Just as he does actively in the aggadah with the Angel of Death, he wants to help others escape death. The tradition of R. Joshua b. Levi's escaping death must not have been known in *Eres Yisrael*, though, since we have an aggadah including his death bed words!

The third aggadic teaching ostensibly about the Garden of Eden also speaks about the current exile from the Temple. In God's justice, the people of Israel were banished from the Temple and Jerusalem, but in God's mercy, the people did not die immediately for their sins. R. Joshua b. Levi was evidently very thankful for this! He must have also been thankful for what is expressed in the fourth aggadic teaching. Death is bad enough when it happens, but to be outside of the Land of Israel is too much to bear. When the messiah comes, those closest to Jerusalem will come back to life first. While R. Joshua b. Levi might not have voiced all of these details in the above selection, it is indicated that he was aware of them when he made his comment on R. Eleazar's statement.

It is not too hard to see how these traditions might have led to the stories that are recorded in the *Bavli*, bringing R. Joshua b. Levi face to face with the Angel of Death, the messiah, and *olam haba*. It shows that there were likely traditions, not recorded in the *Bavli*, that also helped form the *persona* of R. Joshua b. Levi in Babylonia.

On Rain:

R. Joshua b. Levi said: "When rain comes down, cattle long to rut" (*B.R.* 13:6.)

R. Joshua b. Levi said: "When rain comes down, it [makes plants grow and thereby] gives contour to the face of the earth" (*B.R.* 13:17.)

These two aggadic teachings are included only to show that R. Joshua b. Levi had something to say about rain. I do not want to make the jump to say that these could be a basis for the aggadah about him being an accomplished rain maker, but, at the very least, there is some connection.

Two aggadot that directly parallel the *Bavli* with important differences:

On the verse: "And God said: This is the token of the covenant . . . (Gen. 9:12.) Elijah of blessed memory and R. Joshua b. Levi were sitting and studying together, when they came to a ruling of R. Simeon b. Yohai. Said one: "Here is the author of the ruling; let us go and question him about it." So Elijah of blessed memory went to him, "Who is with you?" he asked. "The greatest of his generation, R. Joshua b. Levi," he answered. "Has the rainbow appeared in his days?" he inquired. "If it has, he is not worthy of being received by me." [*Vilna* has R. Joshua b. Levi answer "yes" to the question about the rainbow] (*B.R.* 35:2.)

Ulla the son of Kasher was wanted by the government. He arose and fled to R. Joshua b. Levi at Lod, whereupon officers were dispatched after him. R. Joshua b. Levi argued with him and urged him [to surrender], saying "Better that you should be executed rather than that the whole community should be punished on account of you." He allowed himself to be persuaded and surrendered to them. Now Elijah used to speak with him, but when he acted thus he ceased to visit him. He fasted thirty days, after which he came to him, and he asked him, "Why did you absent yourself?" "Am I then the

companion of informers?" he retorted. "But is this not a *Mahnitha*: "If a company of people, etc." "And is that a teaching for the pious?" he retorted. "This should have been done through others and not through you!" (*B.R.* 94:9.)

These two aggadot are the most intriguing in *Bereshit Rabbah* for they parallel familiar aggadot with significant twists. In the first, we recognize the discussion of the rainbow from the aggadah of R. Joshua b. Levi tricking the Angel of Death by jumping into heaven without dying. There, the above aggadah is appended to the end, after he arrives in *olam haba*. In *B.R.*, the aggadah connects to Genesis 9:12 where God gives the rainbow as a sign of God's covenant never again to destroy humankind. At the outset, we learn that R. Joshua b. Levi merits not only meetings with Elijah, but study sessions as well, with the added advantage of being able to talk directly to dead sages about their halakhic positions. (If only this thesis could benefit from such meetings!) They speak to R. Simeon b. Yohai who will only speak to those who are the greatest of their generation, whose very lives are God's "rainbow." We are to assume that no rainbow existed during R. Joshua b. Levi's days since Elijah himself declared him "the greatest of his generation." In the Theodor-Albeck edition, there is no response from R. Joshua b. Levi. The Vilna and the *Bavli* have R. Joshua b. Levi humbly answering that a rainbow had been seen in his day even though, according to the *Bavli*, no rainbow had shone. It is possible that the Vilna manuscript was influenced by the aggadah in the *Bavli* which would suggest that the *Bavli* invented his humility in this instance.

Most interesting is the fact that a tradition of R. Joshua b. Levi consorting with dead sages and Elijah exists in an *Eres Yisrael* document. The *Bavli* elaborated on an existing *Eres Yisrael* tradition, making the "rainbow aggadah" the basis for a longer, more fantastic tale. Still, its

kernel was known to a source much closer in time and geography to the historical R. Joshua b. Levi.

The second aggadah also has a core that parallels a *Bavli* aggadah. This time, the *Eres Yisrael* version is longer and more elaborate. The central idea is that Elijah did not visit R. Joshua b. Levi for a period of time because R. Joshua b. Levi did not treat people as compassionately as he should have in his position of leadership. In the *Bavli*, he did not seek mercy for those in his territory with the result that a lion ate a man outside of town. In *B.R.*, he delivered to the Romans a Jew whom they wanted in order to save the rest of his town. He did this knowing that the Romans would kill that man, an permissible act but, as R. Joshua b. Levi learns, not for as righteous person as he who is an example to many.

The key difference in these variant traditions is that the *B.R.* aggadah seems closer to the *realia* of *Eres Yisrael* under Roman rule. The *Bavli*, with its apolitical version, might have wanted to edit out reference to any ruling government, not wanted to incite its populace or disturb its host country. This is a pattern which repeats itself in the *Bavli*. It is in the *Bavli*, for instance, that we first have the Hanukkah story told with the apolitical miracle of the oils instead of the rebellious miracle of the spears. These two aggadot, then, teach us more than any others about the chain of R. Joshua b. Levi's traditions. It appears that later generations took great liberties with his aggadot while remaining true to his *persona*.

Bereshit Rabbah aggadah with no parallel in the *Bavli*:

R. Joshua b. Levi went up to Rome; when he arrived at Acco, R. Hanina greeted him and found him limping upon his thigh, at which he remarked, "You resemble your ancestor: And he limped upon his thigh (*B.R.* 78:5--not in Vilna.)"

This aggadah tells us that R. Joshua b. Levi interacted with Rome, presumably on behalf of the Jews. Like the aggadot about his visit to Rome where he contrasted the poor and the pillars, the mention of his grandson working for the government and Ulla ben Koshier fleeing the Roman authorities, these references to Rome are not included in the *Bavli*. Two aggadot in the *Bavli* also seem to have taken out a reference to Rome: 1) when his son reports about the martyrs of Rome having a special place in *olam haba*, "Rome" is replaced by "government" (*B.B. 10b; Pes. 50a*); 2) when he greets the messiah, he is outside the gates of not "Rome," as some versions have it, but the "city."

There are several reasons these changes could have occurred: 1) the Babylonian tradents were not concerned with presenting a biography of our tradent; 2) the Babylonian tradents purposely removed references to Rome for the reasons stated in the previous section; 3) these traditions were not known or not remembered for some reason in Babylonia. The second reason seems most likely in light of the fact that the Vilna edition of *B.R.* also does not include most of these selections on Rome and follows the *Bavli* in the "rainbow" aggadah. R. Joshua b. Levi, the mythic hero, was formed not only from his *persona* but from political concerns as well.



This results of this chapter's comparison are not surprising. The aggadot from *Bereshit Rabbah* when contrasted with those of *Bavli*, more closely reflect the *realia* of R. Joshua b. Levi's life. As the traditions travel to Babylonia, the details lessen and the legends grow more fantastic. In this move, though, the aggadot maintain a consistent *persona*. This fact allows us to conjecture that the historical R. Joshua b. Levi must have

reflected the qualities that his *persona* exemplifies. That is, in some way, he must have been sensitive to the needs of the marginalized, lenient in Shabbat and some ritual halakhah, concerned with death and *olam haba*, and active in representing his community. There is no reason to doubt these attributes.

CHAPTER EIGHT

CONCLUSION

Who is R. Joshua b. Levi in the *Bavli*? As we have seen in this comprehensive look at his halakhot and aggadic teachings and the aggadot about him, the following are aspects to his *persona* listed with examples: 1) *He values generosity and humility*: He says that a *mamzer* can improve his or her status by giving donations to the community. 2) *He empathizes with the disadvantaged and marginalized by society*: He helps the elderly travel on *Yom Tov*, provides a blessing for those who look different, refrains from cursing a *min*, and includes women in several ritual, *Yom Tov misvot*. Also, he has insight into human nature and finds ways to encourage his community to be good to each other. 3) *He helps individuals in painful issues of personal status*: He does everything he can to prevent a woman from becoming an *'agunah* and a captive woman from losing her status when she returns to her community. 4) *He is strict in health and cleanliness*: He will sooner call questionable meat *terefah* than his teacher and will not afflict himself on fast days to the detriment of his health and cleanliness. 5) *He believes in prayer as a central to his life*: He institutes the bedtime *Shema*, offers blessings for throughout the day, and encourages coming to the synagogue early and staying late. 6) *He is devoted to the study of Torah and teaching it to future generations*: He says that teaching one's grandson Torah is tantamount to receiving it on Mt. Sinai and that studying Torah can lead to benefits of protection and healing.

7) *He is lenient in Shabbat and Yom Tov ritual*: He permits a lamp that went out to be carried on Shabbat. 8) *He is intrigued and concerned with death and olam haba*: He describes the horror of losing all of one's senses at death. Also, he speaks of the reward for many *misvot* as being in *olam haba*.

The more fantastic aggadot in the *Bavli* reflect the above character traits and beliefs. That he meets the Angel of Death and his son goes to *olam haba* matches his concern with death and the hereafter. That he tells R. Shimon ben Yohai that a rainbow appeared in his life shows his humility. That he meets regularly with Elijah comes from his devotion to Torah. That Elijah stays away from him for three days after a man was eaten by a lion shows the importance he places on his community responsibilities. This motif reappears in the story about his successful bringing of rain for his community. That he meets the messiah outside the gates of Rome demonstrates his work with the disadvantaged and the importance of living in this world and not only waiting for the next.

The above paragraphs summarize what this thesis has shown, namely: 1) that there is an internal consistency in the *persona* of R. Joshua b. Levi as presented in the *Bavli*; and 2) that the aggadot about R. Joshua b. Levi are not formed *ex nihilo*, but are grounded in the statements attributed to him.

As to the question of historicity, I have offered some speculation based on a comparison of the above *persona* with the traditions by and about R. Joshua b. Levi in *Bereshit Rabbah*. Nothing contradicts his *persona* in the *Bavli*. This alone suggests the possibility that the character traits mentioned above reflect reality. More than this cannot be said. What can be discussed is how some of the traditions changed from *Bereshit Rabbah* to

the *Bavli* or do not appear. For instance, many of the overt historical traditions relating especially to Rome have been taken out of the *Bavli*. Yet, some of the halakhic aggadot in the *Bavli* also hint at realistic situations dealing with real estate issues, commerce, and Shabbat leniencies in different communities. This historical background remains a part of his *persona*.

R. Joshua b. Levi, the community rabbi of Lod, had a legacy that, in many ways, granted him a life after death in *olam hazeh*. This legacy developed a life of its own, growing more fantastic in the lands of Babel. Along the way, the mythic hero, R. Joshua b. Levi, never lost sight of R. Joshua b. Levi, the community rabbi.

APPENDIX A

AGGADIC AND HALAKHIC REFERENCES TO R. JOSHUA B. LEVI
IN TALMUD BAVLI: ARRANGED BY TRACTATE

Tractate	Halakhah	Hal. Agg. (both)	Aggadah	Agg./Agg. T. (both)	Aggadic Teachings
Berakhot	45	2	1	2	10
Zeraim totals	45	2	1	2	10
Shabbat	16				17
Pesahim	12		1		8
Eruvin	9				6
Rosh Hashanah	5				2
Yoma	9	2			5
Sukkot	9				1
Besah	3	1			3
Ta'anit	2		1		3
Megillah	17				1
Hagigah	1		1		1
Moed Katan	2				
Moed totals	75	3	3		47
Yevamot	14	1			1
Ketubot	10	2	3		2
Nedarim	3				2
Nazir	1				9
Sotah	11				4
Gittin	11	3			3
Kiddushin	4		1		
Nashim totals	54	6	4		21
Bava Kama	5	1	1		3
Bava Mesia	2			1	4
Bava Batra	4		1	1	13
Sanhedrin	3		1		2
Makkot	3				2
Shevuot		1		1	11
Avodah Zarah	10				1
Horayot	1				
Nezikin totals	28	2	4	3	35
Zevahim	5				1
Menahot	4				3
Hullin	25	2			6

Bekhorot	7				2
Arakhin	2				2
Temurah	3				
Keritot	1				
Tamid	2				
Kodashim totals	50	2			14
Niddah	5	1			
Teharot	5	1			
TOTALS	259	16	12	5	128

APPENDIX B

SUMMARY OF R. JOSHUA B. LEVI'S HALAKHAH IN THE *BAVLI*

Liturgy	61
Prayers	45
Torah Reading	6
Blessings/Curses-number of citations (each may several blessings)	11
Shabbat and Holidays	46
Shabbat	13
Hanukkah	2
Pesah	3
Rosh Hashanah	1
Yom Kippur	6
Fast day	1
Sukkot	11
Purim	9
Purity / Sacrifice	49
Purity laws	8
Temple Offerings - Rites	12
Tithes/Consecrated Items	12
<i>Shēhitah</i> / <i>Terefah</i>	17
Women (and related topics)	32
Marriage/Divorce	13
Women	18
Other	13
Slavery	8
Class status/ Converts	8
On Halakhah	7
Priests	6
Talmud Torah/ Purity	5
Business/Acquisitions/Land management	6
Civil Law/ Courts	4
Idolatry and use of food from idolaters	3
Punishment for idolatry	3
Kavod hamet / Mourning	3
Calendar	1
Nazir	1
Public Safety	24
Miscellaneous	

APPENDIX C

SUMMARY OF R. JOSHUA B. LEVI'S AGGADIC TEACHINGS
IN THE BAVLI

Virtues / Daily practices / being a mensch	21
Midrash	19
Death and <i>clam haba</i>	14
Tradition / Jewish history	12
Prayer/Synagogue/Torah Reading/Priestly Benediction	9
Women	7
God / Theodicy	7
Diseases / healing / Torah as healing and protection	7
Interesting: Dreams, meanings of aleph-bet, names for Gehenna & <i>yeser hara</i>	6
Talmud Torah / Importance of Teaching Torah to children	5
Miracle of the Show Bread (one <i>drash</i> appears 4x)	4
Sage - disciple relationship	4
Idolatry	3
Messiah	1
<i>Shalom Bayit</i>	1
Rejoice with Bride and Groom	1
On Halakhah - studying law even on Shabbat	1
Homiletics; how he began one sermon on Esther	1
There's no money in being a scribe	1
Sympathetic view toward penitence	1

APPENDIX D

SUMMARY OF THE AGGADAH ABOUT R. JOSHUA B. LEVI

IN THE BAVLI

AN AGGADIST

- R. Joshua b. Levi called "Expert in aggadah" [B.K. 55a]
- R. Joshua b. Levi has student called "mesuder ha-aggadah" [Ber. 80a]

HUMAN RELATIONS

- Tolerance--R. Joshua b. Levi does not curse a *mitn* (3x) [Ber. 7a; San. 105b; A.Z. 4b]
- He did curse (those sleeping on back) (2x) [Ber. 13b; Nid. 14a]
- Visiting the bereaved only when person died childless (2x) [M.K. 27b; B.B. 116a]
- Studies Torah with people with *ra'atan* [Ket. 77b]
- Punished by Elijah for not seeking mercy for man eaten by lion [Mak. 11a]
- Called on Land of Israel to stop making fruits for Arabs [Ket. 112a]

HALAKHIC CASES

- Shabbat Leniency for old man to ride, to bet midrash [Bes. 25b]
- Shabbat Leniency--Abbahu carries lamp on Shabbat in his locale [Yev. 14a]
- Wedding of son--Leniency in prayers in emergency [Ber. 9a]
- Case of affirming/raising personal status to "Levite" [Ket. 25b]
- Allowing woman to marry priest on son's testimony (2x) [Ket. 27b; B.K. 114b]
- Accepting toward Babylonians in writing gittin [Git. 5b]
- A case on gittin; trying to prevent *'agunah* [Git. 18b]
- On *terefah*; whether green intestines makes *teref* (2 diff.) [Hul. 56b; Hul. 56b]
- Has a guardian doing business transactions which he permitted [Git. 52a]

LIFE AND TIMES OF R. JOSHUA B. LEVI

- Learning from his actions on Fast Days: wet cloth ok on fast day [Yom. 78a]
- Learning from his actions on Fast Days: wearing bamboo sandals ok [Yom. 78a]
- Learning from his actions: importance of teaching children [Kid. 30a]
- Learning from his actions: what he says when he goes to sleep [Shev. 15b]

RAIN MAKER, ANGEL OF DEATH, AFTERLIFE and MESSIAH

- Maker of rain; but Hanina of Sephoris cannot do it [Ta. 25a]
- Angel of Death teaches him three ways to avoid death [Ber. 51a]
- He actually avoids death; tricking Angel of Death; is greatest of generation [Ket. 77b]
- Son dies and sees *olam haba*; comes back and tells dad about it [Pes. 50a; B.B. 10a]
- He meets Messiah; Elijah explains he'll come after we make world ready [San. 98a]

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