Approaching Danger

1. Rambam / Maimonides – Laws of Murderers and Guarding Life (11:4)

This requirement applies to a roof, and similarly, to any place that might present a danger and cause a person to stumble and die. For example, if a person has a well or a cistern in his courtyard, he must erect a sand wall ten handbreadths high around them or make a cover for them, so that a person will not fall in and die.

Similarly, it is a positive mitzvah to remove any obstacle that could pose a danger to life, and to be very careful regarding these matters, as Deuteronomy 4:9 states: "Beware for yourself; and guard your soul." If a person leaves a dangerous obstacle and does not remove it, he negates the observance of a positive commandment and violates the negative commandment: "Do not cause blood to be spilled."

2. Talmud Bavli – Masechit Chullin 9a-b

Rabbi Abba raised an objection to the opinion of Rav Huna: If one saw a bird pecking at a fig or a mouse gnawing at melons, one is concerned that perhaps the bird or the mouse perforated it in the place of the preexisting perforation caused by a snake, and it is prohibited to eat the fig or the melon, due to the danger that the snake might have left its venom.

Rav Huna said to Rabbi Abba: Are you comparing danger to prohibition? Danger is different, and one rules stringently in cases involving danger. Rava said to him: What is different about the fact that the ruling in cases of uncertainty involving danger is stringent, given that in cases of uncertainty involving prohibition the ruling is also stringent?

Abaye said to Rava: And is there no difference between prohibition and danger? But isn’t it the halakha that in a case of uncertainty involving ritual impurity in the public domain, its uncertain impurity leaves it pure, while in a case of uncertainty involving water that is exposed and therefore susceptible to a snake leaving venom in it, the water is forbidden.

3. Talmud Bavli – Masechit Ta’anit 20b

This is like that dilapidated wall that was in Neharde’a, under which Rav and Shmuel would not pass, although it stood in place thirteen years. One day Rav Adda bar Ahava happened to come there and walked with them. As they passed the wall, Shmuel said to Rav: Come, Master, let us circumvent this wall, so that we do not stand beneath it. Rav said to him: It is not necessary to do so today, as Rav Adda bar Ahava is with us, whose merit is great, and therefore I am not afraid of its collapse.

The Gemara relates another incident. Rav Huna had a certain quantity of wine in a certain dilapidated house and he wanted to move it, but he was afraid that the building would collapse upon his entry. He brought Rav Adda bar Ahava to there, to the ramshackle house, and he dragged out a discussion with him concerning a matter of halakha until they had removed all the wine. As soon as they exited, the halakha until they had removed all the wine. As soon as they exited, the wall fell in and died. For example, if a person was dilapidated wall that was in Neharde’a, under which Rav and Shmuel would not pass, although it stood in place thirteen years. One day Rav Adda bar Ahava happened to come there and walked with them. As they passed the wall, Shmuel said to Rav: Come, Master, let us circumvent this wall, so that we do not stand beneath it. Rav said to him: It is not necessary to do so today, as Rav Adda bar Ahava is with us, whose merit is great, and therefore I am not afraid of its collapse.

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building collapsed. Rav Adda bar Ahava realized what had happened and became angry. The Gemara explains: Rav Adda bar Ahava holds in accordance with this statement, as Rabbi Yannai said: A person should never stand in a place of danger and say: A miracle will be performed for me, and I will escape unharmed, lest a miracle is not performed for him. And if you say that a miracle will be performed for him, they will deduct it from his merits. Rav Hanan said: What is the verse that alludes to this idea? As it is written: “I have become small from all the mercies and all the truth that You have showed Your servant” (Genesis 32:11).

4. Talmud Bavli – Masechet Shabbat 42a

Didn’t Shmuel say: One may extinguish a piece of white-hot metal in a public area on Shabbat so that the masses will not be injured?

A Jewish History of Pandemics

5. Rambam / Maimonides – Laws of Murderers and Guarding Life (1:14)

Rambam/Maimonides says: We have learned: ‘For death is come up into our windows for a little moment, until the anger has passed by’ (my people, enter into your chambers, and shut your doors behind you; ye spend out of the house, and in the chambers terror) (Deuteronomy 32:25).

Whenever a person can save another person’s life, but he fails to do so, he transgresses a negative commandment, as Leviticus 19:16 states: “Do not stand idly by while your brother’s blood is at stake.” Similarly, this commandment applies when a person sees a colleague drowning at sea or being attacked by robbers or a wild animal, and he can save him himself or can hire others to save him. ...

6. Talmud Bavli – Masechet Bava Kamma 60b

The Sages taught: If there is plague in the city, gather your feet, i.e., limit the time you spend out of the house, as it is stated in the verse: “And none of you shall go out of the opening of his house until the morning.” And it says in another verse: “Come, my people, enter into your chambers, and shut your doors behind you; hide yourself for a little moment, until the anger has passed by” (Isaiah 26:20). And it says: “Outside the sword will bereave, and in the chambers terror” (Deuteronomy 32:25). ...

At a time when there was a plague, Rava would close the windows of his house, as it is written: “For death is come up into our windows” (Jeremiah 9:20).

7. Rabbi Moshe Isserles (Rema) – Gloss on Shulchan Aruch (Yoreh De’ah 116:5)

Likewise, one should be cautious about all matters that lead to danger, since danger is more severe than a prohibition, and one should be more concerned with possible danger than with a possible prohibition... they [the earlier authorities] have also written that one should flee from the city when there is an epidemic in the city, and one should exit the city at the onset of the epidemic and not at the end. And all of these matters [the examples brought in the Rema] are due to danger, and one who guards his soul should distance himself from them (and see Choshen Mishpat 427).
8. Kaf HaChayim (R. Yaakov Chaim Sofer 1870-1939 Baghdad-Jerusalem)

One should flee the city when there is a plague in the city, etc. – Since it is a contagious illness, as it states (Devarim 28:21): “God will make pestilence cling to you,” and one should even distance oneself from the area where the sick person is standing or even his possessions or clothing, that one should not be harmed, as it says in the Sha’ar HaKavanot [of the Arizal], page 13d, see there.

9. Notes of Rabbi Yosef MiTrani (1569-1693, Turkey)

And concerning that which we say in the chapter of “HaKoneis” [the sixth chapter of Bava Kamma] that one should gather one’s feet after the davening at night and in the morning, and then the text of Kel Rachum Shemecha, Aneinu, and Mi She’ana, and the “yehi ratzon” following Tehillim, and to mention in it [a prayer on behalf of] the king [of the land] as well. And one should also recite the entire text of “pitum hakoretet” in the morning and evening...

10. Shu”T Maharil (Responsa #41 – R. Yaakov Moelin 1365-1427 France/Germany)

And concerning that which we say in the chapter of “HaKoneis” [the sixth chapter of Bava Kamma] that one should gather one’s feet, I have heard from Rav Shalom, he should live, that once it has begun and strengthened, and it has been given permission to go openly, one should go inside. And we also say that all of the roads are considered to be dangerous. But ideally, it is good to flee.

11. Rabbi Moshe Isserles – Introduction to Mechir Yayin

...I, Moshe Isserles of Cracow, was in exile that we were exiled from our city... due to the foul air [i.e., the epidemic], God forbid, and we lived in a foreign land in the city of Szydlow, a place where there was no fig or grape and nearly no water to drink... and we were not able to observe the days of Purim with celebration and joy, to remove the agony and grief. I said that I would get up and rejoice in my work, and my wisdom stood up for me also... and I put my heart to explore and expound the intent of the Megilla, whose words are an analogy, and an explanation of each word...

12. Rabbi Akiva Eiger (1761-1837, Poland) – Sefer Igerot Sofrim (#29-30)

A correspondence concerning the cholera epidemic, God forbid, so that people will know how to conduct themselves during these difficult times. I received his letter concerning prayer in shul. In my opinion, it is true that a gathering in a narrow area is improper, but it is possible to daven in separate groups, each one consisting of only a small number, approximately fifteen people, and they should begin at the light of morning and afterwards another group, and it should be designated which time each person should come to daven, and the same should be done for Mincha. And one should recite a number of chapters of Tehillim of one’s choosing after the davening at night and in the morning, and then the text of Kel Rachum Shemecha, Aneinu, and Mi She’ana, and the “yehi ratzon” following Tehillim, and to mention in it [a prayer on behalf of] the king [of the land] as well. And one should also recite the entire text of “pitum hakoretet” in the morning and evening...

And one should be careful that more than the aforementioned number of people not push to enter the shul, and this...
can be done by stationing a policeman to supervise, that once there is already the maximum number present, they should not allow others to enter until after they have concluded...

One should not be nervous and one should distance himself from all types of sadness, one should not walk at night in the air of the city, but in the afternoon when the sun is shining it is helpful to walk in the fields to get fresh air, and open windows in the morning so that air enters the rooms [of one’s home]...

My holy congregation here... did what I instructed them to focus their hearts on Hashem... to inspect their actions, to improve on wrongdoings, to knock on the entrancceway of Hashem with prayers and supplications... and also to pray for our master, the great king, Hashem should raise his glory, and his children, officers, servants, and all of the residents of our country... and to increase the amount of tzedaka given, which saves one from death...

I also warned time after time, warning after warning, that people’s manner of eating and drinking should be according to what the doctors have instructed to be cautious about, and they should distance themselves from them like the distance of two bowshots [see Bereishit 21:16], as if they were forbidden foods, and they should not violate their words even to a hairsbreadth. And this includes being careful about everything [that the doctors say], such as not going out from one’s home in the morning on an empty stomach, and the necessity to drink hot water beforehand. And one who transgresses the instructions of the doctors in his manner of practice has greatly sinned to God, since danger is more severe than prohibition, especially where there is danger to him and to others, where he could God forbid cause the illness to spread through the city, and his sin would be too great to bear.

The Theology of Pandemics

13. Devarim / Deuteronomy – Chapter 7 Verse 15

The LORD will ward off from you all sickness; He will not bring upon you any of the dreadful diseases of Egypt, about which you know, but will inflict them upon all your enemies.

14. Rabeinu Nissim (R. Nissim of Gerona 1320-1380, Spain) – Drashot HaRan (Homily #10)

And these, our eyes have seen (the disease) spread out in this year in a way that the world was turned upside down in one year more than it had been turned over and damaged in the previous two-hundred years. And what happened in several places is similar to what happened to Datan and Aviram... Is it not our eyes that have seen the “rebuke of God, our Lord, and His strong hand, ... and let it be easier for us to turn towards Hashem with a full heart, as He has decreed that we should not despair with this... And in this way, it seems to me that these are afflictions of love...

- The type of illness they were witnessing went against the normal order of things, and should be interpreted as a sign from Hashem.
- Events of this magnitude remind us that Hashem truly runs the world, and that should inspire us to do a deep and complete Teshuva.

15. Rabbi Shlomo Duran (1400-1467, Algiers) Shut HaRashbash # 195

Question: Will fleeing from one place to another during the time of an epidemic help a person or not? As if he is inscribed on Rosh Hashana for death, how will fleeing help, and if he is inscribed for life, even staying put will not harm him.

Answer: Every person has a set amount of time to live, and this is written in the Torah, “I will fill the number of your
days” (Shemot 23:6). It is repeated in the Prophets, “I will add to your days,” (Yeshayahu 38:5), and repeated a third time in the Writings (Ketuvim), God has informed me of my end, etc.” (Tehillim 39:5). And it is mentioned in the words of our Sages in the chapter of Ein Bein Hamoder (Nedarim 41a) that once the end of a person’s time [in this world] has arrived, everything has dominion over him...

And they said in the chapter of Hakoneis that if there is a plague in the city, one should gather his feet, and Rava during a time of Divine anger closed his windows, meaning during a plague... as if you don’t say this, but that everything is decreed on Rosh Hashana on every individual, if so then there is nothing in the realm of possibility, and the one who is inscribed for life does not need to protect himself, and the one who is inscribed for death, protecting himself will not help, and there is no third category. If so, why were our Sages protecting themselves and instructing people to protect themselves from the plague? And our great sages would flee from it, as we have heard that Rabbeinu Nissim fled a number of times...

- We are living in historic times. The halachic questions of our day will be studied by our ancestors.
- Let us try to find the hand of God in these challenges, when we respond to ensure safety, and in our worldview.
  - Rav Kook’s teaching:
    - הֵסֵתֵר יְהוּדֵי בָּאָרֶץ = הֵסֵתֵר הַצְּהָרָה