

August, 2021  
Ab/Elul, 5781

Dear Friends:

With Rabbi Orrin's permission, I would like to share the following with you, in order that we may all better understand the halakhic implications of Covid vaccination and re-opening.

Between December 2020 and this month, the RA Committee on Jewish Law and Standards ("Law Committee") has repeatedly advised that **"every eligible individual is required to receive vaccinations, and that communal institutions may require this for participation, except in cases where an individual might have a specific medical condition that would contraindicate it."** See, Heller, **"Are We There Yet? Pandemic's End, and What Happens Then,"** <https://www.rabbinicalassembly.org/sites/default/files/2021-07/heller%20pandemic%20end%20teshuva.pdf> (approved 6/30/21 by a vote of 17-0-1), summarizing the prior teshuvot authored by Rabbi Micah Peltz, **"Vaccination and Ethical Questions Posed by COVID-19 Vaccines,"** <https://www.rabbinicalassembly.org/sites/default/files/2021-01/Vaccination%20and%20Ethical%20Questions%20Posed%20by%20COVID-19%20Vaccines%20-%20Final.pdf> (approved 1/1/21, 18-0-0), and by Rabbi David Golinkin In **"Does halakhah require vaccination against dangerous diseases such as measles, rubella, polio and Covid-19?,"** <https://www.rabbinicalassembly.org/sites/default/files/2021-01/Golinkin%20vaccination%20final.pdf>. (approved 1/5/21, 13-0-0).

As our *mara d'atra*, Rabbi Orrin has formally adopted the Law Committee's rulings for SHJC:

"As a matter of *halakha* (Jewish law), based on the *teshuvot* of the RA Committee on Law and Standards, it is our religious obligation to require vaccination of all employees, volunteers, worshippers, etc., except for those with *bona fide* medical reasons for refusing to be vaccinated."

There is really nothing new in these rulings. In 2002, the Law Committee approved a teshuvah authored by Rabbi Isaac Prouser, **"Compulsory Immunization in Jewish Day Schools,"** [https://www.rabbinicalassembly.org/sites/default/files/public/halakhah/teshuvot/20052010/prouser\\_immunization.pdf](https://www.rabbinicalassembly.org/sites/default/files/public/halakhah/teshuvot/20052010/prouser_immunization.pdf), reminding us (among a series of rulings) that "[p]reservation of life and health is a primary obligation of Jewish Law and tradition, taking precedence over virtually all conflicting interests and obligations." But, before that, our tradition and our rabbis have been dealing for thousands of years with the threat of communicable diseases and plague.

Thus, in the Torah we are taught how to deal with communicable diseases that threaten the well-being of the community: the afflicted individual is quarantined outside of the Israelite camp in the desert for a minimum of 7 days and until the Priests determines that he or she can return. (Vayikra/Leviticus, Chapter 13.) Indeed, Miriam the Prophetess was herself required to quarantine outside the camp when she was afflicted. (Bamidbar/Numbers, Chapter 12, verses 10-15).

Our Ashkenazic Rabbis often had to deal with outbreaks of plague and other life-threatening communicable diseases in Europe by ordering quarantines, limiting the size of minayim, and similar steps. See Shurpin, **"Jewish Responses to Epidemics Throughout History,"** [https://www.chabad.org/library/article\\_cdo/aid/4682766/jewish/Jewish-Responses-to-Epidemics-Throughout-History.htm](https://www.chabad.org/library/article_cdo/aid/4682766/jewish/Jewish-Responses-to-Epidemics-Throughout-History.htm). Also,

T. Rashi, “Justifications for Medical Quarantine in Jewish Ethics,” <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7499925/>, published in the Journal of Religious Health in September 2020.

The “prime directives” that have emerged from these teachings and our tradition are simple to understand:

- *Pikuah nefesh* - - the preservation of human life overrides virtually any other religious rule.
- *Sakanot nefesh* - - the avoidance of life-threatening dangers is paramount
- Mishnah [Sanhedrin](#) 4:5; *Yerushalmi Talmud* [4:9](#), Babylonian Talmud Sanhedrin 37a - - whoever saves a life, it is considered as if he saved an entire world
- “Therefore choose life” - - Devarim/Deuteronomy 30:18

Given these guiding principles (and other cited in the individual papers), the Law Committee has also approved four halakhically-acceptable, alternative options for each congregation to follow (under the guidance of its *mara d’atra*), depending on local circumstances, including the degree of danger posed by Covid-19 infections in the community, ranging from resuming traditional in-person service, at one extreme, to completely virtual services, at the other. Three of these are explained in detail another paper by Rabbi Heller, “Counting a Minyan via Video Conference,” <https://www.rabbinicalassembly.org/sites/default/files/2021-07/heller%20-%20zoom%20minyan.pdf> (approved 7/23/21). The votes on these options were 17-0-1 (Option 1), 11-6-3 (Option 2), and 9-9-2 (Option 3). The fourth option is set forth in a teshuvah by Rabbi David Fine, “A Minyan Is Constituted In Person,” <https://www.rabbinicalassembly.org/sites/default/files/2021-07/fine%20-%20minyan%20in%20person.pdf> (approved 7/23/21 (11-6-1). [Note: under the “plurality” rules of the Law Committee, any practice which is approved by 6 or more of the rabbis on the Law Committee is considered “validated” and halakhically acceptable to the Conservative Movement.]

The High Holidays pose a special challenge as the Covid infection rate, scientific evidence, and governmental advisories change from day-to-day. The Re-Opening Committee and Board are continuing to monitor the evolving situation in the community, in order to select the course of action and protocols best suited to protect our members and the community in keeping with the Law Committee’s and Rabbi Orrin’s guidance to promote being vaccinated and to save life.

Whatever the ultimate decisions for this year, please remember that the Jewish People have survived since the days in the desert by understanding that, yes, we are our brothers’ (and sisters’) keepers, and that the need to protect ourselves and each other from disease comes first and foremost.

With every good wish for a new year of happiness, family, friends, prosperity, and especially good health for one and all.

~Ed Rudofsky