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ג' אדר תש"פ

Precautions in Shul in the Wake of Coronavirus

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With the spread of the Coronavirus (COVID-19), which as of this date has no specific treatments, numerous halachic issues are being discussed; a few that have practical implications will be addressed here. It is worth noting that while much attention is correctly being placed on this new and yet untreatable virus, these issues apply to any communicable disease such as the flu and lesser sicknesses.

Attending Public Events

The Ashkenazi Chief Rabbi of Israel, Rav David Lau, recently ruled that “anyone who is required to remain in isolation is forbidden from *davening* with the *tzibur*. An *issur gamur* applies to anyone at risk of harming another person, even if the chances are very slight. Likewise, there is an *issur* to enter a place of danger and therefore one should refrain from visiting places where there is a risk of contracting [the virus].” While Rav Lau’s opinion refers to an individual placed in some sort of quarantine, the same logic applies to individuals suffering from various sicknesses, major ones such as the flu and less serious ones as well. It is quite common for a well-intentioned person to think that their personal obligations of *tefilla be-tzibbur* and hearing *kerias ha-Torah*, *megillah* reading or attending a *shiur* are so strong that even though they may not be feeling well, they should push themselves to attend. While their motivation is to be admired, and certainly there are times when “pushing oneself” is indeed a *Midas Chasidus*, in cases of communicable diseases it is wrong. There is a higher obligation not to harm others and one is not permitted to risk doing so in such cases. To expose others to a harmful pathogen renders the offending party as a *Mazik* or *Chovel*, and in certain high-risk cases, perhaps even a *Rodef*, all clear violations of *Halacha*. It should be noted that even in a “lesser” case, namely one in which a person who is not known to be infected but has not been vaccinated for measles (in 2019 when the disease was rapidly spreading in public places), Rav Avigdor Nebenzahl ruled that such a person would be a *mazik*, both for the harm he may cause as well as for the act of frightening others by going into public places.

At the same time, it is easy for some to overreact. Recently a man shared that after sneezing just once, an elderly man asked him to leave the *shul*. While one should deal with every sneeze in a hygienic manner, not every sneeze is cause for alarm.

Good judgment and common sense should be employed in all cases. Hay fever and other allergies are not contagious, and in the case of a minor cold, it may be enough for one to sit at a distance from others; in all cases of doubt one should consult one's doctor for the best advice.

Kissing a *Sefer Torah* or *Mezuzah*

Rav Yosef Eliyahu Henkin (*Edus Le-Yisrael*, #63) writes admiringly of the practice he witnessed among Georgian Jews who do not kiss a *Sefer Torah* directly, but who point at it from a distance and then kiss their hands. Aside from finding this practice to be spiritually appropriate, he writes that it is good not to kiss a Torah adding "that they soil the Torah's cover with saliva when they kiss it, and aside from this being degrading to the Torah, it is unacceptable from the perspective of health, and so too with kissing a mezuzah. (This idea is also alluded to by *Chazal* who said not to drink from a cup and pass it on to one's friend, as is codified in the *Shulchan Aruch O.C. 170:15, Taz* and *Mishnah Berurah*)."

Hand Washing and Sanitizing

On a minimal level, the CDC has recommended the washing of hands. The following is from the CDC website:

Washing your hands is easy, and it's one of the most effective ways to prevent the spread of germs. Clean hands can stop germs from spreading from one person to another and throughout an entire community—from your home and workplace to childcare facilities and hospitals.

Follow these five steps every time.

1. **Wet** your hands with clean, running water (warm or cold), turn off the tap, and apply soap.
2. **Lather** your hands by rubbing them together with the soap. Lather the backs of your hands, between your fingers, and under your nails.
3. **Scrub** your hands for at least 20 seconds. Need a timer? Hum the "Happy Birthday" song from beginning to end twice.
4. **Rinse** your hands well under clean, running water.
5. **Dry** your hands using a clean towel or air dry them.

The "good news" about this advice from the CDC is that it recommends using either hot or cold water and thus creates no problem regarding the use of hot water on *Shabbos*. It should be noted that this is not just a token rinse, and pouring water from a washing cup is clearly not adequate; the recommended washing requires lathering with soap, making sure the entire hand is washed for no less than 20 seconds, followed by a thorough rinse.

In terms of *Shabbos*, liquid soaps are permissible (as seen in *Sehmiras Shabbos* 14:18). Also worth noting is that some shuls and yeshivas have one large cloth

towel hung up for all to use to dry their hands; this can be counterproductive as sharing a public towel may well be a good way to share germs.

Addressing the Use of Hand Sanitizer When You Cannot Use Soap and Water

The CDC states:

“You can use an alcohol-based hand sanitizer that contains at least 60% alcohol if soap and water are not available. Washing hands with soap and water is the best way to get rid of germs in most situations. If soap and water are not readily available, you can use an alcohol-based [hand sanitizer](#) that contains at least 60% alcohol. You can tell if the sanitizer contains at least 60% alcohol by looking at the product label. Sanitizers can quickly reduce the number of germs on hands in many situations. However, sanitizers do **not** get rid of all types of germs. Hand sanitizers may not be as effective when hands are visibly dirty or greasy.”

It should be noted that recent disclaimers from the FDA are not meant to discourage the use of hand sanitizers, but only to highlight that their use is not a guarantee of safety, even if it is a useful aid in avoiding the spread of germs. The FDA said that no Purell products have been tested against Ebola and the flu. Clearly the CDC encourages their use if one cannot wash with soap and water.

It should be noted that there may be many times when one cannot easily get to a sink, but the use of a sanitizer may be a ready option; *shuls* may be such a case.

The Use of Hand Sanitizers on *Shabbos*

It has become common in our society to use hand sanitizers such as Purell; as such, there is no prohibition of *refuah* on *Shabbos* even when used for obvious medicinal purposes. This is based on the ruling in the *Shulchan Aruch* (*O.C.* 328:37) that foods that are eaten or activities that are commonly performed by healthy people are permitted even when done for reasons of health. Additionally, these activities are in fact not performed for the sake of healing, but rather to protect or prevent harm. Examples of this also include the permissible use of a bandage meant to protect an injury from being banged or rubbed (*Aruch Ha-Shulchan* 328:23,24,27), the use of toothpaste to prevent decay (*Yabia Omer* 4:29:16, the debates about toothpaste are for other reasons, not with regard to *refuah*) or the application of liquid insect repellent (*Sehmiras Shabbos* 14:31). All are permitted on *Shabbos* and are not included in the prohibition of *refuah*, whether the concern is major or minor.

Hand sanitizers come in various forms, including gels and liquids. Based on the *Shulchan Aruch* (*O.C.* 327), Rav Hershel Schachter has pointed out that applying olive oil or other substances of the same viscosity are permitted on *Shabbos*. Accordingly, the liquid forms (generally sprayed on) are clearly permitted on *Shabbos*. Following the CDC guidelines, one needs to make sure that the entire hand-- top and bottom and between the fingers-- has been properly covered.

The gel raises the question of the *melacha* of *memare'ach*. It should be noted that many, if not most, of the products labeled as “gel” are in fact a liquid that pours, not thicker in consistency than olive oil and are not subject to the prohibition of *memare'ach*. Those products which may be a true gel, and which have a noticeably thicker consistency, raise a concern. However, it is important to note that the *Magen Avraham* (O.C. 316:24, quoted by *Mishnah Berurah* 316:49) ruled that a thicker substance, if it is obliterated (i.e., it is rubbed into the skin so it does not leave a coating), is not subject to the prohibition of *memare'ach*. This ruling is also applied by Rav Ovadia Yosef (*Yabia Omer* 4:27:1,2) regarding the use of toothpaste, and in a more universal way by Rav Shlomo Zalman Auerbach (quoted in *Sehmiras Shabbos* chapter 33, note 58) who ruled “that rubbing in the ointment until it is totally melted and absorbed into a person’s skin is not considered *memare'ach*, as the prohibition is only when the ointment remains and one wants to leave a layer on the surface of his body.”

Accordingly, if a gel is thin and easily poured, it is viewed by the *Halachah* as a liquid and may be applied without any hesitation. In cases where there is a fear of communicable disease, and neither a liquid nor a thin gel is available, there is certainly room to permit the use of hand sanitizer, provided one was careful to fully rub it into the skin until it was no longer noticeable.

Conclusion

While much of this seems like common sense, it is all too easy to be in denial and think that these problems will not affect us and our communities. It is also possible to overreact, either by “too much caution” at the expense of *mitzvos*, or by finding sources in *Halacha* and not take proper precautions; neither is appropriate. Given the newness of this entire situation it is also possible that as facts change, or as more medical information becomes available, some of these guidelines may change. Further guidelines will be offered if appropriate.