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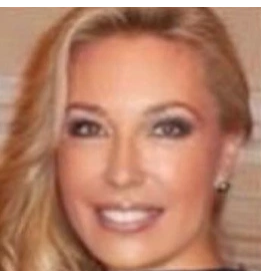


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NESSUN COMMENTO

10 APRILE 2020



by Enrica Martinelli

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As the CoViD-19 epidemic continues to rage all over the world, Israel's chief rabbi, David Lau, has invited Jewish believers to observe a day of fasting and prayer on Wednesday 25 March, the eve of the first day of the Hebrew month of *Nissan*^[1]. In a statement released on 22 March, rabbi Lau wrote that "the sword is hitting the entire surface of the planet", and for believers it is a message to humanity to wake up and move towards an internal renewal that cannot be postponed.

Therefore it is time to observe the ancient rule that urges *teshuvà* (repentance), *tzedakà*^[2] and fasting^[3], meditating on one's actions, striving for spiritual improvement and making real personal change^[4]. On this occasion, every member of the people of Israel must engage in the rigorous application of the *mitzvot*, both of which guide the relationship between man and G-d and those which determine human relations. Therefore fasting^[5] will be accompanied by the afternoon prayers of *Minchà*, recited for the salvation of all generations; those who pray in solitude because of the meeting ban^[6] will also recite the *Selichot* (prayer for forgiveness). The chief rabbi assures that merciful G-d will be able to listen to the plea, save the people of Israel and protect all humanity from catastrophe.

Rabbi Riccardo Di Segni^[7], chief rabbi of Rome, also expressed similar words. He recalled the serious epidemics that the Bible itself testifies as a constant presence in Jewish history, observing that the current pandemic poses a question of meaning, as it challenges man to question his ability to fight an unknown and invisible enemy, counting only on rational or scientific forces.

Forced isolation due to the need to prevent contagion is an opportunity for separation from the community and for introspection, rediscovering the fragility of humanity and the richness of the "traditional Jewish religious recipe (and not only) because of these circumstances" based on the order to follow medical instructions and on three subsequent points: "Social solidarity (because other human beings are more at risk than us), prayer (because the human perspective is not everything) and the review of one's own behavior which is perhaps the most difficult thing to do".

The words of the rabbis significantly link the observance of the rigorous application of state regulations; indeed, respect for the latter is itself a religious obligation, as the orthopraxis of Judaism translates precisely into the observance of the *mitzvot*, and the law represents its ontological essence, as recalled by the Talmudic saying of Solomon “Dina de-Malkuta Dina” (“The law of the kingdom is law”). This interpretation is a constant in the history of the Jewish people, characterized by the phenomenon of “double obedience”^[8] to Halakhic and civil law^[9].

Compliance with the law is a reminder of the responsibility that every Jew is required to observe in current circumstances, thus reconciling faith with reason. This coronavirus challenges the public good and calls for observance of the fundamental Jewish principle of the sacredness of human life, which belongs only to the Creator who forged it in His image and likeness^[10]. G-d commands: “Now choose life, so that you and your children may live” (Deut. 30:19), and this precept represents the *Knotenpunkt* through which the interpreters must reconcile every instance posed by contingent and changing needs with the protection of the principles on which tradition is based.

From this fundamental postulate it follows that saving a human life is a religious duty; that in the event of a threat to life, any religious precept must be suspended; that man is the guardian of his body, which has been given to him and which must be preserved in the best way^[11]; that believers must practise compassion, which derives from the precept of loving one’s neighbor as oneself^[12].

Therefore, compliance with all the *mitzvot*, even in the most problematic circumstances, is combined with the irrepressible obligation to protect one’s own health and that of others by every means^[13]. Therefore we can understand how compliance with the health recommendations of competent bodies and instructions issued by civil authorities in different countries, including the lock-down, are a halakhic obligation^[14], pursuant to which synagogues, schools and community facilities were closed^[15] and common prayer services were canceled, obliging people to undertake domestic prayer only.

In Israel, religious authorities supported state authorities in taking the necessary measures to contain the spread of the infection^[16], encouraging worshippers to stay in their homes and celebrate *Shabbat*^[17] and the other religious holidays that precede *Pesach*^[18], without going to the Temple.

In Italy, state provisions have also prohibited funeral ceremonies, making it impossible for a *minyan* and consequently the recitation of the mourning *kaddish*, even for those who die due to reasons other than viral infection. Similarly, ceremonies related to ritual circumcision, generally festive and participatory occasions, and the *mikveh* bathing ritual, have become impractical.

The most painful deprivation concerns the impossibility to celebrate the imminent Passover according to traditional methods. The Passover *seder* is the most important occasion for Jewish families, and also involves those who are less observant, as it summarizes the fundamental principles and values of Judaism and takes place according to a complex ritual of biblical derivation^[19] that this year will not be possible to follow, forcing many families to remain separate or to meet only in online video conferences^[20]. The CoViD-19 pandemic has deeply attacked Jewish religiosity, characterized by a family and community life which has been wounded by the necessary social distancing, causing afflictions on the same psychological wellbeing of believers, which the Communities try to sustain by combining “institutional support”^[21] with respect for the deepest Tradition of Jewish religious life, which invites us to “stay in ourselves, to return to ourselves”, developing the domestic dimension of Judaism^[22] by compensating the necessary renunciation of the community dimension, rediscovering the sense of *Shabbat*, “momentary pause to listen to our inner voice, an interruption, to ask ourselves who we are and where we are going, in fear that the agitation, the profuse energies, the conflicts undertaken [...] will not make

us forget the values that justify the existence of a Jewish community and of the people who make it up. Our sages say that if all Jews observed a Shabbat entirely, the Messiah would come immediately [...]. Let us take this great opportunity!"^[23].

[1] The choice of the eve of *Nissan* is very significant since the first day of *Nissan*, *Rosh Chodesh Nissan*, is the beginning of the Jewish calendar. The order to count time and establish the calendar is the first *Mizvah* that Israel receives from G-d in view of the next liberation from slavery in Egypt. On the first day of *Nissan*, Israel, begins to observe the *mitzvòt* by counting time and giving meaning to the existence of time. Israel begins to create the world in collaboration with G-d (observing the *mitzvòt*) on the first day of *Nissan*. *Nissan* is the month of freedom, salvation and love. A *Nissan* G-d has redeemed Israel and *Nissan* will redeem it in the future. *Rosh Chodesh Nissan* is *rachamin's* New Year, mercy.

[2] This literally means "to dispense loving kindness" and is a fundamental social value in the daily life of Jews.

[3] See the press release on the fast of the chief rabbi of Rome, dated 23 March:

<https://www.shalom.it/blog/mondo/emergenza-coronavirus-il-mondo-ebraico-in-preghiera-ha-indetto-un-digiuno-b788441> (<https://www.shalom.it/blog/mondo/emergenza-coronavirus-il-mondo-ebraico-in-preghiera-ha-indetto-un-digiuno-b788441>).

[4] <https://www.jpost.com/Israel-News/Israels-Chief-Rabbi-calls-for-public-fast-day-amid-coronavirus-outbreak-621964> (<https://www.jpost.com/Israel-News/Israels-Chief-Rabbi-calls-for-public-fast-day-amid-coronavirus-outbreak-621964>).

[5] For those who cannot practice fasting, for health reasons or otherwise, not even half a day, fasting with the tongue is prescribed, excluding the reading of the Torah and prayer.

[6] Without a *minyan*, which is the ten-person quorum needed for public prayer. For Orthodox Jews, ten adult men must be present for a *minyan* to exist.

[7] In an interview with *Il Messaggero* newspaper on 19 March, available online on the link

https://www.ilmessaggero.it/roma/news/coronavirus_roma_riccardo_di_segni_news-5119473.html
(https://www.ilmessaggero.it/roma/news/coronavirus_roma_riccardo_di_segni_news-5119473.html).

[8] Clearly represented by the precise observation of F. LUCREZI, *Appunti di diritto ebraico*, I, Giappichelli, Turin 2015, p. 50.

[9] For a historical reading of the principle and how it survived the values of the Enlightenment and the French Revolution, see G. GRAFF, *Separation of Church and state, Dina de-Malkhuta Dina in Jewish Law, 1750-1848*, University of Alabama Press, Birmingham 1985. For an in-depth application there of to family law, see Rabbi A. Di Porto, *Dina demalkuta dina*, in *Le relazioni familiari nel diritto interculturale*, I. ZUANAZZI and M.C. RUSCAZIO (ed.), Libellula Ed., Tricase 2018, pp.73-81.

[10]. "Our sages teach us that God, in granting each of us a soul, invites us to be H

Reflection by rabbi Warren Goldstein, chief rabbi of South Africa, available on the

<https://www.jpost.com/Opinion/South-African-chief-rabbi-to-Post-Coronavirus-has-a-sp>

[11] For example, by not exposing yourself to the danger of contagion or by accepting all the necessary treatments for recovery.

[12] “With all of humanity originating from two people only, our sages say that God also conveys the sanctity of every human life. Just as saving Adam or Eve at the dawn of Creation would have meant saving the entire world, so too should we recognize that each life has the value of the world”. See the reflection of rabbi Warren Goldstein (<https://www.jpost.com/author/warren-goldstein>), cit.

[13] “These two fundamental duties must be reconciled as much as possible, even if the protection of life and health takes precedence over everything”. Statement from the Assembly of the Rabbis of Italy:

Le mitzvot ai tempi del coronavirus. Il comunicato dell’ARI (<https://www.mosaico-cem.it/vita-ebraica/ebraismo/le-mitzvot-ai-tempi-del-coronavirus-il-comunicato-dellari>)

The chief rabbi of France, Haïm Korsia, talks about the principle of *Pikuach nefesh*, during the religious program *A origin Berechit. Emission spécial Pessah. La préservation des vies* aired on Sunday 5 April on *France 2*. An excerpt is available on the link <https://www.facebook.com/alorigineberechit/videos/1109330346078922/> (<https://www.facebook.com/alorigineberechit/videos/1109330346078922/>).

[14] *On this point Rabbi Alberto Somekh, states: “I believe that the most significant Talmudic passage for our current situation is the following: deverba-‘ir – kannèsraglekha (Bavà Qammà 60): ‘When pestilence is in the city, stay inside’”, i.e.: stay at home. Talmud contains three verses that support this recommendation. The first is taken from the last plague of Egypt, the death of the firstborns, which happened at midnight. Jews were asked not to leave their houses until the morning (Shemot 12,27), because once the plague hit it would make no more distinctions. And should there be any doubt about the restriction only being valid for one night there is another verse: “My people, come into your chambers and close your door about you; hide for but a moment, until the wrath is past’ (Yesha’yahu 26,20). And should we again think that it may do us good to go out together with others to overcome the fear within, we should remember that “From outside, the sword (of disease) will bereave, and terror from within” (Devarim 32,25). Hence, recent government regulations are perfectly in line with tradition and should be respected. **Anyone who leaves their house without a reason to do so is not just breaking a law of the State, but also Halakhah”.***

Compare <https://www.mosaico-cem.it/vita-ebraica/ebraismo/talmud-se-in-citta-ce-una-pestilenza-ritira-i-tuoi-passi-cioe-chiuditi-in-casa> (<https://www.mosaico-cem.it/vita-ebraica/ebraismo/talmud-se-in-citta-ce-una-pestilenza-ritira-i-tuoi-passi-cioe-chiuditi-in-casa>).

[15] <https://www.jpost.com/Israel-News/Dont-go-to-synagogue-on-Shabbat-says-Tzohar-due-to-coronavirus-621614> (<https://www.jpost.com/Israel-News/Dont-go-to-synagogue-on-Shabbat-says-Tzohar-due-to-coronavirus-621614>).

The Tzohar rabbinic association of Zionist rabbis urged worshippers not to attend the synagogue during Shabbat for fear of further spreading the coronavirus epidemic. The organization noted that countless other rabbinic associations outside of Israel have issued similar instructions, based on the finding that the continued gathering of worshippers in synagogues could lead to devastating public health consequences.

[16]. With the sole exception of the strong - and sometimes violent - opposition from

Compare <https://www.jpost.com/Israel-News/Ultra-Orthodox-in-Israel-ignoring-social-d>

<https://www.jpost.com/Israel-News/Flagship-ultra-Orthodox-yeshivas-learn-Torah-despi>

After weeks of stalemate, the oldest ultra-Orthodox rabbinic leader, rav Chaim Kanie

<https://www.jpost.com/Israel-News/Leader-of-ultra-Orthodox-world-calls-for-lone-prayer-due-to-coronavirus-622805?amp=1> (<https://www.jpost.com/Israel-News/Leader-of-ultra-Orthodox-world-calls-for-lone-prayer-due-to-coronavirus-622805?amp=1>)

The spread of numerous infections in ultra-Orthodox communities is worthy of note (the ultra-Orthodox city of Bnei Brak was found to have the highest number of patients per capita infected with coronavirus, <https://www.jpost.com/HEALTH-SCIENCE/13-people-in-haredi-Bnei-Brak-tested-positive-for-coronavirus-623021> (<https://www.jpost.com/HEALTH-SCIENCE/13-people-in-haredi-Bnei-Brak-tested-positive-for-coronavirus-623021>)), all educational institutions have now been closed by order of the Minister of Health, MK Yaakov Litzman. See the *Avvenire* newspaper of 31 March and <https://www.jpost.com/Israel-News/Litzman-told-all-ultra-Orthodox-schools-yeshivas-be-closed-down-621441> (<https://www.jpost.com/Israel-News/Litzman-told-all-ultra-Orthodox-schools-yeshivas-be-closed-down-621441>).

[17] <https://www.jpost.com/Israel-News/Jerusalem-eerily-quiet-on-Shabbat-as-coronavirus-keeps-people-home-621814> (<https://www.jpost.com/Israel-News/Jerusalem-eerily-quiet-on-Shabbat-as-coronavirus-keeps-people-home-621814>)

[18] <https://www.jpost.com/Tags/synagogue> (<https://www.jpost.com/Tags/synagogue>). Many holidays, also in Italy, were celebrated in streaming, such as, for example, the *Purim* festival, with the reading of the *Meghillat Esther*, thanks to the purchase of the SW Zoom meeting platform by Ucei. See <https://moked.it/blog/2020/03/09/purim-nei-giorni-del-coronavirus-la-diretta-streaming-restare-uniti/> (<https://moked.it/blog/2020/03/09/purim-nei-giorni-del-coronavirus-la-diretta-streaming-restare-uniti/>).

The statement from the Assembly of Italian Rabbis provided detailed instructions on how it is possible to fulfill the *mitzvot* related to the celebrations without violating the Halakhic duty to comply with government regulations.

[19] *Passover is the stem cell of the Jewish people*, «The New York Times», 31 March. Rabbi Roberto Della Rocca explains the message that can be drawn from the Jewish tradition, in this moment of great difficulty. “Our history is the paradigm of resilience. Just think that the *Haggadah*, which we will read the first two evenings of *Pesach*, and which sees us as direct protagonists of the exodus from Egypt, has invariably been read over the centuries: even in the most tragic moments the Jews have not ceased to teach their children, during the Séder, that the Eternal Father continued to free us from slavery and that we were free”. See <http://moked.it/blog/2020/04/05/studio-rispetto-delle-tradizioni-leempio-ebraico-resilienza/> (<http://moked.it/blog/2020/04/05/studio-rispetto-delle-tradizioni-leempio-ebraico-resilienza/>).

[20] Israel has limited Easter celebrations to 10 people – a paltry number taking in

<https://www.jpost.com/Israel-News/Coronavirus-Passover-Families-on-Zoom-solo-seders-and-broken-traditions-621380> (<https://www.jpost.com/Israel-News/Coronavirus-Passover-Families-on-Zoom-solo-seders-and-broken-traditions-621380>)

However, not all rabbinic authorities agree that online celebrations are possible or lawful: in this regard, see the opinion of the Assembly of Rabbis of Italy in <https://www.mosaico-cem.it/vita-ebraica/festeeventi/assemblea-dei-rabbini-ditalia-un-seder-insieme-ma-isolati> (<https://www.mosaico-cem.it/vita-ebraica/festeeventi/assemblea-dei-rabbini-ditalia-un-seder-insieme-ma-isolati>).

[21] See interview by Noemi Di Segni, President of the Union of Italian Jewish Communities to The Jerusalem Post available at the link <https://www.jpost.com/International/Italian-Jews-keep-sense-of-community-despite-coronavirus-lockdown-621591> (<https://www.jpost.com/International/Italian-Jews-keep-sense-of-community-despite-coronavirus-lockdown-621591>)

[22] “Those who are alone will not have a less important Pessah, they will simply have a real Pessah where they will deepen the sense of liberation”. Just as happened in the land of Egypt, when the angel of death passed and the Jewish people had to lock themselves in the house to be saved, at the present moment, it is necessary to stay in houses to be spared from the epidemic. These were the words of rabbi Haïm Korsia in <http://www.diresom.net> (<http://www.diresom.net>). On the way of understanding and experiencing the Passover holidays spent in isolation, see also the “Open letter from the chief Rabbis of the world” still on www.diresom.net (<http://www.diresom.net>) and <http://moked.it/blog/2020/04/03/collettiva-individuale-la-preghiera-risposta-allemergenza/> (<http://moked.it/blog/2020/04/03/collettiva-individuale-la-preghiera-risposta-allemergenza/>).

[23] Rabbi Roberto Della Rocca, Director of the Training and Culture Area of the Union of Italian Jewish Communities. See his reflection in <https://moked.it/blog/2020/03/12/lemergenza-gli-insegnamenti-trarre-ripartiamo-nel-segno-dello-shabbat/> (<https://moked.it/blog/2020/03/12/lemergenza-gli-insegnamenti-trarre-ripartiamo-nel-segno-dello-shabbat/>).

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