# Are We There Yet? The Pandemic’s End, and What Happens Then

## Accompanying Sources

### Rabbi Joshua Heller

1. **She’at Hadehak - pressing circumstances**

   **TB Berakhot 9a**

   This pair of Sages got drunk at the wedding of Rabbi Yehoshua ben Levi’s son [and fell asleep before reciting the evening Shema. By the time they awoke, dawn had already passed]. They came before Rabbi Yehoshua ben Levi [and asked him if they could still recite the evening Shema]. He said to them: Rabbi Shimon is worthy to rely upon in pressing circumstances.

2. **Sakkanah - Danger**

   **TB Eiruvin 91a**

   Rabbi Yehuda said: It happened during a time of danger, we would carry a Torah scroll from courtyard to roof, and from roof to courtyard, and from courtyard to enclosure, to read from it.

**TB Shabbat 129a**

The Sages of Neharde’a say: For a woman in childbirth, [there are halakhic distinctions between] three, seven, and thirty days after she gives birth. During the first three days after birth, whether she said: I need [Shabbat to be desecrated] or whether she did not say: I need [Shabbat to be desecrated], one desecrates Shabbat for her.

Between three and seven days after birth, if she said: I need Shabbat to be desecrated, one desecrates Shabbat for her. If she said: I do not need Shabbat to be desecrated, one does not desecrate Shabbat for her.

Between seven and thirty days after birth, even if she said: I need Shabbat to be desecrated, one does not desecrate Shabbat for her; however, we perform all necessary prohibited labors by means of a non-Jewish person.

This ruling is in accordance with the statement of Rav Ulla, son of Rav Ilai, who said: All needs of a sick person whose life is not in danger are performed by means of a non-Jewish person on Shabbat. And this ruling is in accordance with the opinion of Rav Hamnuna, as Rav Hamnuna says:
With regard to a matter in which there is no danger to life, one says to the non-Jewish person to perform the act, and the non-Jewish person performs the act.

Rema on Shulhan Arukh 327:17

It is permitted to tell a non-Jewish person to cook for a minor who has nothing to eat, for the needs of a minor are like the needs of a person who is sick but not in danger, and whatever is forbidden to be done by a Jew cannot be done by the sick person herself, but if a non-Jewish person does it for him, the sick person may help him a bit, for one who helps is not performing substantive labor.
3. Hora’at Sha’ah

**Maimonides: MT Rules of Heretics 2:4**

A court may, however, suspend the application of such [rabbinic] decrees temporarily, even if it is of lesser stature than the original court so that these decrees should not be considered as more severe than the words of the Torah itself. For any court has the authority to abrogate even the words of the Torah as a temporary measure.

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Similarly, if they saw that temporarily it was necessary to nullify a positive commandment or violate a negative commandment in order to bring people at large back to the Jewish faith or to prevent many Jews from transgressing in other matters, they may do what is necessary at that time. To explain by analogy: Just like a doctor may amputate a person's hand or foot so that the person as a whole will live; so, too, at times, the court may rule to temporarily violate some of the commandments so that they will later keep all of them. In this vein, the Sages of the previous generations said: "Desecrate one Shabbat for a person's sake so that he will keep many Shabbats."

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Sh'muel Shemtov, <i>Kadmonim</i>.
When Can Life Get Back to Normal?

1. Plague:

Mishnah Ta’anit 3:4
What constitutes a plague? In a city that can supply five hundred foot-soldiers and three deaths emerged on three consecutive days, behold this constitutes a plague. Less than this is not a plague.

אֵיזֶּהוּ דֶּבֶּר, עִיר הַמוֹצִיאָה חֲמֵש מֵאוֹת רַגְּלִי, וְּיָצְּאוּ מִמֶּנָה שְּלשָה מֵתִים בִשְּלשָה יָמִים, הֲרֵי זֶּה דֶּבֶּר. פָחוֹת מִכָּאן, אֵין זֶּּה דֶּבֶּר.

2. Dina D'Malchuta Dina- the law of the government is the law

TB Bava Kama 113b
Shmuel says: “The law of the kingdom is the law.” Rava said: “Know this because [the government] cuts down palm trees [without the consent of their owners] and constructs bridges from them, and yet we cross over them.”

אמר שמואל דינא דמלכותא דינא אמר איבר הרא בדקל
דיקלי וגשרי גישריgangמואל, לקתי לדכלי, ועברינן עלייהו.

3. Sakanta Hamira Me-isura- we are more strict with danger than a prohibition

Rema on Shulhan Arukh YD 116:5
Similarly, one should be careful of all things that cause danger, because danger is more severe than forbidden acts, and one should be more careful with a suspected danger than with a suspected forbidden act. They [the Rabbis] also prohibited walking in a dangerous place, such as under a leaning wall, or alone at night. They also prohibited drinking water from rivers at night or putting one’s mouth on a stream of water and drinking, because these matters have a concern of danger. It is the widespread custom not to drink water during the equinox; the early ones wrote this, and it is not to be changed. They also wrote to flee from the city when a plague is in the city, and one should leave at the beginning of the plague and not at the end.

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Shulhan Arukh 427:10

Anyone who transgresses any of these things and says "I will endanger myself, and why should anyone else care?" or "I'm not picky about this" - should be lashed as a rebel, and one who is careful of these things will receive blessings of good.

Dashu Bei Rabim - "everybody is doing it"

TB Yevamot 12b

Rav Pappa said: Therefore, learn from here that on a cloudy day or on a day that a south wind [shuta] blows, we may neither circumcise nor let blood. But nowadays, when the masses trample through [these safeguards], the verse “The Lord preserves the simple” (Psalms 116:6) is applied

Balanced Risk:

Responsa of Moshe Ben Yosef Tirani 2:216

[regarding a couple forcing each other to make Aliyah despite the danger of the journey]: They should always go and can force each other if it is not a time of emergency. Even if there is a united Empire, there is still a danger of captivity and death, for all highways have a presumption of danger, and they must give thanks [recite the Gomel prayer upon arrival], but this does not prevent them from forcing each other to make Aliyah, except when there is established danger on the way. But when all of the merchants do not refrain from travelling on the roads, a husband and wife can force each other to do so as well.