CLARIFICATION REGARDING OUTDOOR MINYANIM
Parshas Behar Bechukosei 5780
By Rav Yaakov Feitman, Kehillas Bais Yehudah Tzvi

In my over 40 years Boruch Hashem of Rabbonus, the question of outdoor Minyanim during this pandemic has been one of the most difficult I have ever encountered. This is paradoxically not because the Halacha is so abstruse or unattainable. On the contrary, some aspects are clear as day and require very little research. It is because there are two opposite positions which are in conflict, both of which are being presented by decent people who make cogent arguments for their side.

To briefly review, for a long time I was adamantly opposed to any kind of Minyanim – indoor or out – because of the possibility of even one person being endangered by someone who is carrying the Coronavirus. The Halacha is clear that we are mechalel Shabbos and most other Halachos just to prevent danger to even one person. The answer was therefore a “no-brainer.” No Minyanim. What has changed, however, is that Boruch Hashem, the numbers of new cases has dramatically dropped in our communities. After numerous discussions with infectious disease experts and governmental officials, we have determined that with very specific limited guidelines and limitations, “Porch Minyanim” for Tefilah B’tzibur will be allowed. At the present moment, we have received conflicting messages from Nassau County regarding Back Yard Minyanim. Although one politician has apparently signed off on limited Minyanim, others are adamantly against them at this time. Therefore, at the moment, the only type of Minyanim we have permission to conduct are “Porch Minyanim” with everyone on their own property, with no exceptions.

That being said, please note that if, as has been alleged, the rules and guidelines are being stretched, disrespected and ignored, the permission herein granted – i.e. any hetter – is hereby cancelled and rendered null and void from the outset. I am sad to say that a number of people have called to tell me that the guidelines have already been broken in several ways. First of all, there has been socialization before and after Minyanim. Secondly, children have been playing together before, during and after Minyanim. Thirdly, in some cases, numerous people have been congregating on some of the properties. Please do not think of people who have made these calls as “snitches.” They are actually mal’achei shemirah who are making sure that we are all safe and not endangering anyone else.

I have been in touch with other Rabbonim and officials of Nassau County who have assured us that the guidelines we sent out last week are both legal and sound in preventing further spread of this terrifying disease r”l. These include the following rules:
1) Everyone must engage in Social Distancing, meaning keeping at least six feet from anyone else.

2) Everyone must wear a mask, not just have them available.

3) Absolutely no child under the age of Bar Mitzvah may participate.

4) The Baal Koreh only, standing alone, should receive all the Alyios. He should also preferably do Hagbah and then may step away to allow someone else to finish rolling up the Torah.

5) There is to be absolutely no socialization before or after the Minyan. In case of cold, rain etc. it is forbidden to go indoors. Even if this means that davening will not be completed, the “Minyan” should not go indoors under any circumstances.

6) Individuals who are immuno-compromised or have other health issues should not participate in these Minyanim. Neither should anyone who is over the age of 65.

7) To be clear, there is no mandate or mitzvah to participate in these Minyanim. It is still preferable to daven B’yechidus with great kavanah, as most Gedolei Yisrael have been doing for two months. This procedure is merely a heter – permission to participate in a Minyan.

8) Each Minyan must have a Gabbai who will report to his Rov. In the case of our Shul, I ask that each Gabbai report to me after each Minyan honestly and thoroughly. In the event that these heterim are abused, ignored or sidestepped, the entire Minyan will be stopped immediately.

9) As the weather turns warmer and with Shavuos just ahead, we must be vigilant that these guidelines be strictly enforced. We may be dealing with Dinay Nefashos and Pikuach Nefesh for some time to come and we dare not become lax in the primary mandate to save and preserve lives.

I take this opportunity to wish everyone a good Shabbos and a good Yom Tov ahead. In the zchus of fulfilling the mitzvos of and may we be zocheh soon to return to our Bais Haknesses and Bais Hamedrash and fulfill , as we would love to do.

Rabbi Yaakov Feitman