

## To vaccinate or not to vaccinate: the Halachic viewpoint.

Preserving someone's life is a biblical commandment that takes precedence over all other commandments. As such, one is obligated to desecrate Shabbos in order to save oneself or another person from danger. If a person is in a situation of *pikuach nefesh* and a medical treatment can possibly save him without increasing his risks, he is obligated to undergo this treatment, lest he transgress the commandment of **ונשמרתם מאד לנפשתיכם**. However, if the treatment carries risks, he is not necessarily obligated or even permitted to take the treatment. Consider a person who is suffering from cancer and his only option is chemotherapy. If the success rate of the treatment is greater than the risks it carries, he may be obligated to undergo the treatment. But if the risks of succumbing to this type of chemo are greater than the chances of being cured, it is very questionable whether subjecting himself to this course of treatment is permitted altogether ('ח"ג סי' נ"ח, ח"ג סי' שו"ת אגרות משה יו"ד ח"ב סי' נ"ח, ח"ג סי' (ל"ו, וח"מ ח"ב סי' ע"ד אות ה

However, let's consider a **healthy** individual who is offered to undergo a medical procedure in order to improve his health or to increase his life expectancy. In this case, even if the benefits outweigh the risks, he is not obligated to undergo the procedure since there is no immediate *pikuach nefesh*. A healthy individual cannot be forced to assume any health risk, even if the prospect is to gain major health benefits for himself or for others (רמב"ם הל' אישות פכ"א הי"א, יו"ד סי' קנ"ז ס"א וביד אברהם) (שם).

Vaccines are being administered to healthy individuals in order to protect them from various diseases. However, the FDA and vaccine manufacturers concede that vaccines carry low incidence risks of seizure and death, among other serious side-effects. Consequently, even if these risks are much smaller than the benefits, they are sufficient to Halachically justify someone's refusal to get vaccinated. Indeed, the *Tiferes Yisroel* wrote (*Yomah 8, Boaz 3*):

ומזה נ"ל היתר לעשות אינאקולאטיאן של פאקקען (small pox inoculation) אף שא' מאלף מת ע"י האינאקולאטיאן עכ"פ אם יתהוו בו הפאקקין הטבעיים הסכנה קרובה יותר, ולכן רשאי להכניס את עצמו בסכנה רחוקה כדי להציל את עצמו מסכנה קרובה ... ואע"ג שאינו חיוב רשאי.

Additionally, many scientists, researchers and conventional doctors have come to challenge the validity and benefits of our vaccine program. They claim that the risks and side-effects of vaccines are far greater than previously thought and that they outweigh the benefits; that many common conditions such as allergies, asthma, diabetes, etc., are related to vaccines. They have many studies, clinical and medical data to support their claims. According to their opinion, not only is receiving a vaccine risky, it is a violation of the commandment of **ונשמרתם מאד לנפשתיכם**. On the other hand, the majority of doctors share the opinion that the benefits of vaccines far outweigh their risks and that it is a judicious choice to vaccinate (although not a Halachic obligation, as explained above). This medical debate has not been settled, and both sides cite extensive sources supporting their views.

Whenever there is doubt or disagreement between medical authorities, the Halachah dictates that one should follow the majority. However, those who are part of

the minority and are convinced of their opinion must act according to their belief (ע' או"ח סי' תרי"ח).

Consequently, while the average individual who has no personal opinion on the vaccine issue should follow the majority of the medical world and vaccinate his children, those whose research has led them to the opposite conclusion have the Halachic obligation to avoid vaccination, lest they transgress the commandment of וּנְשַׁמְרֶתֶם מֵאֵד לְנַפְשׁוֹתֵיכֶם. In that sense, although two neighbors may be acting in opposite ways, one vaccinating his children and one not, they are both following Halachah.

Some have questioned the right of non-vaccinating parents to reduce the herd immunity effect and increase the chances of a disease outbreak. However, the danger of bacteria differs greatly from the danger of cigarette smoke, for example. Cigarette smoke is created by smokers and the damage it causes to bystanders remains the smokers' sole responsibility. By contrast, viruses and bacteria are brought onto society by Hashem. Although we are commanded to protect ourselves and others, as long as a person fulfills this obligation according to Halachah, he is exempt of all responsibility.

Ultimately, it is Hashem who controls health and disease. The Torah says: רָאוּ עֵתָה כִּי אֲנִי הוּא וְאֵין אֱלֹקִים עִמָּדִי, אֲנִי אֲמִית וְאֲחִיהַּ מִחֲצֵי וְאֲנִי אֲרַפָּא וְאֵין מִצִּיל (Devarim 32:39). Vaccines are not 100% effective (91% of those affected by the recent mumps outbreak had been fully vaccinated), and neither is the herd immunity effect (epidemics occur even in communities exceeding the herd immunity thresholds). Vaccines are only a form of השתדלות, which should be accompanied with prayer that Hashem bless it with success (רש"י ברכות י: ד"ה שגנו, שו"ת הרשב"א סי' תי"ג ד"ה ואולם, מ"ב סי' ר"ל סק"ו). If a person's beliefs obligate him not to vaccinate, his actions will not reduce the שמירה coming from Above, since they are sanctioned by Halacha.

To believe otherwise is to integrate secular society's *kfira* into our way of thinking. It would jeopardize our שמירה from Above and cancel out any benefit gained from herd immunity, *chas veshalom*.

In the spring of 2012, a school in Lakewood asked Rabbi Chaim Kanievsky *shlita* to rule on the matter of accepting non-vaccinated children into school. The *sheilah* was presented by HaGaon Rav Eliezer Dunner *shlita* of Bnei Brak, together with a letter from a prominent *frum* doctor explaining the reasons why schools should refuse unvaccinated children. Rav Dunner wrote back the following:

#### To whom it may concern

**Concerning children whose parents don't allow them to be vaccinated, I asked מרן הג"ר חיים קניבסקי שליט"א if one has the right to stop them coming to school or חדר because they might cause other children to become ill ח"ו:**

**He answered that one cannot stop them from coming to school or חדר.**

**I understood from him that the חשש that these not-vaccinated children could cause other children who were vaccinated to become ill is so remote that this חשש cannot be taken into consideration as a reason to stop the not-vaccinated children from coming to school or חדר.**

He added that if there are parents of vaccinated children who are scared that their children might become ill because of those children who are not vaccinated, then they should keep their vaccinated children at home, but I understood from him that since the חשש is so remote, that they don't have to be scared.

"בברכת "הסירותי מחלה מקרבך ואת מספר ימיך אמלא

אליעזר הלוי דינר.

On the 29<sup>th</sup> of Tishrei 5774 (Oct. 30<sup>th</sup> 2014), many Poskim and Gedolim signed the following letter:

**The Torah commands, (ונשמרתם מאד לנפשותיכם) דברים ד, טו. This Biblical commandment requires one to be very vigilant in caring for one's life, and to refrain from any action that may put his life or health in danger. The benefits and risks of vaccination is a much debated topic in medical and scientific circles. Although one may follow the opinion of most doctors and choose to vaccinate his children, the individual who has done his research has the obligation to act according to his knowledge. If his research has led him to understand that the risks of vaccination are greater than its benefits, and particularly when his view is supported by many medical doctors and researchers, the commandment of ונשמרתם ומאד לנפשותיכם obligates him to shield his children from vaccines. This is even more so when a parent has reasons to believe that his children are sensitive to vaccines. To act otherwise would be a transgression of the above Biblical commandment.**

**Schools must honor the request for religious exemption from such parents, for it is entirely justified. Coercing parents to vaccinate against their will under the claim of protecting the public is a display of lack of בטחון, for the risk that the unvaccinated children are posing to the public is statistically so small that it is not the duty of a מאמין בה to worry about it (see the letter of Rav Chaim Kanievsky Shlita. The medical establishment, too, is of the opinion that this risk is insignificant. This is the reason why schools are obligated by law to accept religious exemptions as long as there is no outbreak of preventable disease). Additionally, anyone coercing someone to vaccinate against his better judgment becomes responsible before Hashem for any adverse reaction - big or small - that could result from it, ח"ו.**