

Rav Asher Weiss

on

Covid-19 Vaccine

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Covid-19 Vaccine

Rabbanim, communal leaders, and the wider public are seeking guidance regarding the new COVID-19 vaccine. Is it permissible to receive the vaccination, or is it preferable to refrain from doing so? Is a person obligated to be vaccinated in order to protect himself and others?

Given that this is a brand-new vaccine that was developed in a very short timeframe and its long-term effects have not yet been observed, there are those who are expressing hesitation about its safety. However, public health authorities in many developed countries have already approved its use, and, according to medical experts, it is safe and absolutely effective.

The question of vaccinations was first raised 250 years ago when Dr. Edward Jenner introduced the smallpox vaccine. The *Tiferes Yisrael* (*Avos 3, Boaz 1*) commented that “*the pious Dr. Jenner is [counted] among the Chasidei Umos haOlam and will rightly receive his reward in the World to Come for saving the lives of tens of thousands of people*”. The *Tiferes Yisrael* did not, however, directly address the question as to whether it was appropriate to be vaccinated.

However, he notes elsewhere (*Yoma 8, Boaz 3*) that although vaccinations can have serious side effects, including death, a person should nevertheless be vaccinated as the danger of the disease is far greater.

One of the contemporary Rabbanim, R’ Avraham Hamburg (Rabbi of the city of Hague in the Netherlands and later in London), published a Sefer called *Alim l’Terufa* in which this question is discussed. He cites many *Teshuvos* from the Halachic authorities of his time that unanimously ruled that people should receive the smallpox vaccine in spite of the fact that several people had died as a result.

In his Sefer *Shu”t Zera Emes* (2: 32), R’ Yishmael haKohen of Modena, one of the great Poskim of the generation, recorded his debate with R’ Chaim Yehuda Giron over this question. R’ Giron argued that it was proper to refrain from vaccination as it had caused the death of several people (though the risk to any individual in the population was remote). The *Zera Emes* replied at length, examining whether a person may actively put himself at small risk of danger in order to avoid another potential danger. He concluded that vaccination was recommended as the relative risk of the disease is far greater than that of the vaccine.

R’ Giron replied that, due to his uncertainty, he would refrain from ruling on this matter. The *Zera Emes* conceded that although he felt that one should be vaccinated, those who are reticent to rule are entitled to conduct themselves passively (*Shev v’Al Ta’aseh*) and withdraw from the discussion.

R’ Abdallah Somech, in his *Sefer Zivchei Tzedek* (Y.D. 116: 41) notes that although the *Zera Emes* had qualms about the question of vaccinations, “*We remain with our view, and offer praise to*

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God for we have expert doctors who know how to prepare inoculations and nobody has ever been harmed. This is a regular occurrence.”

R' Somech's disciple, the *Kaf haChaim* (Y.D. *ibid.* 60) similarly notes, “*Now the doctors are wiser; they administer vaccinations by means of an injection in childrens' arms which prevents them from developing smallpox.*” R' Chaim Falagi (*Tochachos Chaim, Vayetze, s.v. “u'Mikol Makom Im Yitztarech'”*) concurs.

Clearly, the position of the great Poskim of the smallpox era was that a person should undergo vaccination despite the small risk of vaccine-associated death. Though there were people who died as a result of vaccination, they represented only a tiny minority (“*Mi'uta d'Mi'uta*”), and the danger to the wider public of contracting smallpox was far greater. If this was true at that time, then it is certainly true today when modern vaccinations are considerably safer.

Regarding the COVID-19 vaccines, pharmaceutical companies have conducted clinical studies of efficacy and safety with full transparency and external oversight. Over 80,000 people have participated in the placebo-controlled trials to date, and approximately half of the participants received the vaccine. Of the tens of thousands who received the vaccine, not one died as a result. Of those who received the placebo, six died during the course of the studies, compared to only two deaths in the vaccine group, and no link was found between their death and the vaccine.

According to all medical experts, though this vaccine has been developed and approved in record time, it is one of the most effective and safe vaccines that has ever been produced.

I have previously discussed at length (in my weekly Shiurim on Parshios Vayishlach and Bereishis 5781) that one of the axioms of Halacha is reliance upon scientific and medical data and the opinions of scientists and doctors in their fields of expertise. Halacha even guides us as to the protocol when experts disagree with one another; dictating that we follow the majority or most expert opinion (see *Shulchan Aruch, O.C. 618: 3-4* and *Mishna Berura 10*).

It is true that on occasion, the Gedolim question the conclusions of doctors. R' Yechezkel Katzenellenbogen, the *Gadol haDor* of the early 18th century, questioned the doctors of his time who believed that spread of epidemics were due to poor air quality (“*Kilkul ha'Avir*”)¹ (*Shu"t Knesses Yechezkel 16*). During the cholera epidemic of 5633 (1873), R' Mordechai Ettinger (*Ma'amar Mordechai 67*) quoted the *Knesses Yechezkel* as support for his questioning the position of the doctors who advised that even healthy individuals shouldn't fast on Yom Kippur.

However, R' Ettinger ultimately concurred with the doctors. He recalled that 40 years earlier, his great uncle, the *Yeshuas Yaakov*, had ruled during the cholera epidemic of 5591 that even healthy people should refrain from fasting on Tisha b'Av of that year – based upon the opinion of medical experts.

¹ R' Katzenellenbogen was arguing with a contemporary Posek who ruled that water should be boiled on Shabbos to wash a baby after his *Bris Mila* based on this medical opinion.

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We see that although the Gedolim do sometimes question the positions taken by doctors, they nevertheless rely on their opinions when dealing with matters of possible *Pikuach Nefesh*.

Regardless, this discussion is not relevant to the case at hand. The efficacy and safety of the COVID-19 vaccine has been attested to by thousands of medical experts, as well as the governmental health agencies and authorities in many developed nations. There is no basis for concern about serious side effects or vaccine-associate deaths.

Additionally, I have contended (see *Kovetz Zichron Shabsi v' Aryeh, Kovetz 3 m'Bei Rav, 7*), that if we carefully follow the advice of the experts in their fields, even if they have erred, we will be divinely protected. This is the concept of “*Shomer Pesa'im Hashem*”, that anybody who faithfully follows the way of the Torah and acts in accordance with the common practice accustoms himself to the path that is commonly trod, will be protected by Heaven, even if he thereby endangers himself.

In this case, the overwhelming majority of scientific researchers and medical experts are clearly of the view that the vaccine poses negligible risk of serious danger. This is especially true as the coronavirus pandemic is rapidly spreading in our communities and the world, causing many deaths each day.

To our great distress and shame, we have become indifferent to the plight of others. At the start of the pandemic, every person truly felt responsible for the other – we mourned together with those families who had lost a loved one to this dreaded new virus and felt their pain. People scrupulously upheld the recommendations of masking and social distancing in order to protect the elderly and the vulnerable.

But today, as the death toll mounts, and even some of those who have recovered from the virus continue to suffer from its lingering effects, and as studies reveal that this virus causes irreversible damage to many of the body's systems, many have become indifferent to the suffering of others. **Woe to us who experience that embarrassment and shame.**

Whereas originally a feeling of unity rested upon our communities, today this has been reversed and in place of love and caring there is hatred and dispute. Lest we forget, disputes cause the trait of strict judgment to be unleashed upon us from Heaven.

In light of all of the above, it is certainly appropriate for each person to be vaccinated.

However, I cannot rule that there is an obligation to be vaccinated. Every person is within his rights to refrain from doing so, and to instead continue wearing a mask at all times and to practice social distancing. However, the more people who are vaccinated, the greater the feeling of safety and wellbeing will be, which will elevate the risk of infection. It therefore appears to me that it is Halachically correct to be immunized with the coronavirus vaccine.

May it be His will to deliver us from disease and misfortune and to prevent plague from striking us, and may He send a *Refua Sheleima* to all of the sick among the people of Israel.