

Picture this:

Little Sarala was only nine years old when she received her diagnosis.

LEUKEMIA. The dreaded word shook her parents and entire family to the core. Innocent little Sarala was the life of the party, leader among her friends, and beloved to all. Her family and friends *davened* and rallied with all their might for a bone marrow donor to be found. With little choice and no time to wait, the doctors purified Sarala's own bone marrow and had it reimplanted into her. Finally, Sarala was in remission. Her family welcomed her home with tears of relief and thanks to *Hashem*.

Alas, Sarala's journey with illness was not over. Four years later... the dreaded disease returned with a vengeance. Now a maturing and sensitive teenager, Sarala understood full well that without a donor for a bone marrow transplant she will not make it this time. The doctors will not risk taking her own marrow again.

The doctors say that Sarala has just a short time left to live. The feverish search for a donor yielded no results... until... wait... finally a match is found. Yossi, Sarala's three year old brother, is a match! Sarala's parents are full of hope. Before proceeding, however, they met with R' Sholomo Zalman Auerbach, Foremost *posek* in Eretz Yisroel at the time. R' Sholomo Zalman was the address to *psaken* many medical *sha'alos* that came up the world over.

Sarala's parents described the dire circumstances. Without this transplant, Sarala had almost no hope to live. Yossi was only three, however. His parents would have to consent on his behalf for him to have this procedure.

While doctors do not know the full ramifications of removing bone marrow from a child, they had assured the parents that it is a relatively minor procedure with no harm to Yossi. The alternative was unspeakable. Would it be *halachically* permissible for the parents to agree to the procedure on behalf of their three year old child?

The air is thick. Sarala's parents await R' Sholomo Zalman's *psak* with bated breath. It seems as if Sarala's life hangs on this very moment. They daven that they be *zoche* to see a *yeshuah*. R' Shlomo Zalman sits deep in thought for a long while. Finally, he breaks the silence. He defers the case. He cannot give a *heter* for the parents to sign for the child. Even in the case where Sarala's life depends on it, R' Shlomo Zalman could not *halachically* allow the parents to acquiesce for their child to undergo a medical procedure with only a minimal risk if it is not for his own benefit (*Nishmas Avraham Vol. 4, 243:1*).

Painful, but Torah true.

According to the US government vaccines are classified as “unavoidably unsafe<sup>1</sup>”. Medical journals and package inserts are replete with adverse events from vaccines. The Vaccine Adverse Event Reporting System (VAERS) database reads like a catalog of horrors. That vaccines can and do cause harm is a matter of scientific fact and undebatable. I have spoken to scores of parents in our communities that unfortunately experienced that truth. Whether one decides to vaccinate or not, based on his research and risk-benefit analysis, is called informed consent. Informed consent is a concept which both sensible and is an internationally adopted code due to the German atrocities (Nuremberg Code 1947). However, the notion that one must vaccinate to protect “others” as Rabbi Ten, the OU, and the Yated posit, are pitted squarely against *Halacha*. It is clearly brought down in the *Poskim* (M”B 329:19) that one is not obligated to save his friend’s life even if he would only be putting himself in a *safek* danger. Vaccines clearly have risks and one is not obligated to take these risks for others.

By definition, “Public Health” is a system that includes wastage. Wastage in this context means lives. Justification is that without a minimal amount of death, there would be far greater casualties. But according to the Torah, no life is ever given up for the greater good (*Rambam Yesodai Hatorah* 5:5). The rationale is simple. If the ethical decision of whose life would be chosen to be given up or to put at risk for the sake of the society would be placed in mortal hands, the ability to abuse the law would be monumental. This has proven to be true even in the United States of America. In 1926, a US Supreme Court, in an 8-1 decision (*Buck v. Bell*) ruled, “The principle that sustains compulsory vaccination is broad enough to cover cutting the fallopian tubes.” This was in reference to forced sterilization, which the Supreme Court ruled as legal, based on the precedence of the legality of forced vaccinations. This law has never been overturned. As a matter of fact, the very concept of “Public Health” has its roots in the German *Polizewissenschaft* or “police science”, and all German eugenic programs were carried out in the name of “the greater good”.

Are we willingly embracing a medical dictatorship that runs diametrically opposed to our values, or are we going to try to uphold our religious rights? Was the *metzitza bepeh* fiasco not enough to have us understand that their “science” is hardly what they make it out to be? We have precedence. We have the Torah. We don’t need atheist ethicists from the New York Times to promote *halachically* untenable positions in our own newspapers and magazines. And I end with a plea, *hashiva shoftainu l’rishona*, the time should return when we *passen* with Torah values as opposed to non-Jewish moral principles.

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1 The 1986 National Childhood Vaccine Injury Act acknowledges that vaccine injury or death may be “unavoidable even though the vaccine was properly prepared and accompanied by proper directions and warnings.” 42 U.S.C. 300aa-22(b)(1). The “unavoidable language in the Act is from the Restatement (Second) of Torts that applies to “products which, in the present state of human knowledge, are quite incapable of being made safe.” Restatement (Second) of Torts Section 402A, comment k (1965).

