

Miketz 5781 –

The vaccine against Covid 19 is here, what does Torah and Jewish law say about us taking it, should we or should we not?

In this week's Torah portion, Miketz, there are dark and difficult times in both the land of Israel and in Egypt. There has been a severe famine in both countries. The economic devastation of the famine in Egypt was utter and complete. In next week's parsha we're told that the entire population of Egypt, other than the priests, lost all their money, all their livestock, and all their land. It makes the economic impact of the coronavirus look mild by comparison.

People were saved because of wisdom – Joseph's wisdom. Joseph both saw what was coming, and he had the wisdom to know what to do to prepare for the difficult times ahead, and so he saved many lives.

It's appropriate we read this story during Hanukkah, a time of miraculous deliverance for the Jewish people, and it's fitting that during the darkest time of year we read a story of going from dark times to better times.

It's also a fitting story for this week. This week wisdom is once again saving the world. This week a great light is shining marking a transition from a time of darkness: on Monday the first vaccinations against the coronavirus were given. One of the first Canadians to receive the vaccine was Gloria Lallouz right here in Montreal at Maimonides Geriatric Centre. Lallouz was excited to receive the vaccine. She said for eight months she never went out – not even into the corridor. She knew eight people at Maimonides who have died from COVID. She said, "I hope everyone gets the vaccine because it's important to keep living."

"I hope everyone gets the vaccine because it's important to keep living."

And yet there are people who say they will refuse to get vaccinated. 48% of Canadians say they would take the vaccine immediately if it were offered. 14% say they will flat out refuse to get vaccinated, and the other 38% say they'll take it, but want to wait.

The Jewish tradition tells us we are obligated to get vaccinated. There are two reasons for this obligation: we are obligated to protect ourselves, and we are obligated to protect other people.

The Torah commands us *וְרַק הַנַּשְׁמָה לְךָ וְנַפְשְׁךָ מְאֹד* , "Just guard yourself and guard your soul exceedingly." The rabbis teach "guard yourself" means look after your physical body. We are obligated to take actions that protect ourselves from danger and health hazards.

Some people may say, "there's not enough data, I want to wait to make sure the vaccine is safe."

So far over 13,000 Canadians have died from COVID-19. How much safer than the virus does a vaccine need to be? The Pfizer clinical trial inoculated over 21,000 people with the vaccine. The vaccine was found to be 95% effective, no one died from the vaccine, and the incidence of serious side effects was more or less the same as the people who received a placebo – about half a percent. Meaning the serious side effects were very rare, and probably weren't actually side effects, but were something else going on in the person, that happened to come after they got the vaccine.

Contrast these safety levels with early vaccines. The earliest attempt at a vaccine was in the late 1700s, when doctors tried to stop the smallpox epidemic by intentionally infecting healthy people with a low grade of fluid from people who had contracted smallpox. The thinking – which was correct - was a mild dose would let the person build some immunity from an outbreak of the disease. This was a very risky approach. Intentionally give a healthy person smallpox? Yet Rabbi Avraham Nansich, who lost two children to smallpox, published a pamphlet in 1785 telling Jews that they should participate and get the inoculation, even though it was risky. He argued that we are all at even greater risk from an outbreak of smallpox, and therefore everyone should accept those risks and get inoculated.

In Talmudic parlance, *al achat kama v'kama*, all the more so, today, when we have a vaccine proven to be safe in tens of thousands of people, and we have a disease known to be deadly, that we should be eager to get the vaccine.

We need to get vaccinated not only to protect ourselves but to protect others as well. The Torah charges us, *lo ta'amod al dam re'acha*, do not stand idly by your neighbor's blood. This is understood as meaning if we can take actions to save another person's life, we are obligated to do so.

People who say, "I don't need to get vaccinated, I can rely on herd immunity. Let other people get vaccinated," have the exact wrong approach. There are people who for medical reasons cannot get vaccinated. We don't know yet whether the vaccine is safe and effective in children and pregnant women for example. People with a history of allergic reactions to medicine may need to avoid the vaccine. Those people must rely on herd immunity – and it's up to

all the rest of us to get vaccinated to provide the people who can't get vaccinated with a safe environment.

Halacha is pretty clear that we all have an obligation to get vaccinated assuming we don't have any medical conditions that preclude getting vaccinated. But the vaccine is in short supply. How do we decide who should be vaccinated first? According to some estimates, the most lives could be saved by first vaccinating the people who are spreading the disease the most – which might mean college students, who in too many cases are behaving irresponsibly and have parties where many people get infected, and they carry those infections to other places. But that doesn't seem fair somehow – they should be rewarded for being irresponsible? And shouldn't we protect the people who are in greater danger?

Does the Jewish tradition have anything to say on the subject?

There is a passage in the Mishnah, in Horayot, which gives a set of priorities for who to save:

A man takes precedence over a woman in matters of saving... a priest takes precedence over an Israelite, an Israelite over a bastard ... this order applies only when all other attributes are equal. But if the bastard is a Torah scholar and the High Priest is unlearned, the scholarly bastard takes precedence over the ignorant High Priest.

Modern rabbis have pretty much universally rejected this Mishnah as a basis for triage, choosing who to save. Rabbi Moshe Feinstein – one of the leading Orthodox Torah scholars of the 20th century – rejected using this Mishnah as a basis for setting preferences. He quotes the Mishnah Berurah, which states we have no Torah scholars in our time, and this cannot be used as a way to decide who gets saved first.

Some secular ethicists have argued in favor of taking whatever approach maximizes the “years of life saved.” In this scheme, saving a 20-year-old life is considered better than saving an 80-year-old life, because the 20-year-old has an assumption of more years of life ahead of him than the 80-year-old. Judaism would reject this approach: we teach the value of life is infinite, so there is no difference in the value of the life of a 20-year-old versus the life of an 80-year-old. There is really only one exception: someone who has a terminal illness, defined as someone who will almost definitely die within a year, is treated differently. They would go to the back of the line for a vaccine, because in one sense they are already in the process of dying.

Rabbi Shlomo Zalman Auerbach, who was a renowned Torah scholar in Jerusalem, ruled that age does not go into the equation of whom one saves first. What one should only look into is the level of danger and the chance to save the most people.

Even though life is infinitely valuable, so all lives are in principle are equally precious, an exception is made for health care workers in particular and other essential workers. We need to keep our doctors and nurses healthy so that they can tend to the people who do get sick. This is recognized in halacha –

we give them priority for *hakehila tzrichim lo*, the community needs him. Keeping health care workers safe clearly also saves lives in the long run, so it's consistent with the approach we would take of trying to save the most lives. Most *poskim* would also agree that certain people important to the functioning of society, such as the Prime Minister, should also get preferential treatment for a vaccine.

The priorities set by the province for who gets vaccinated first are completely consistent with halacha. They are focused on protecting the most vulnerable – that's why Maimonides was one of the first sites in the province to get the vaccine. After seniors in long term care, health care staff is next, followed by different age groups starting with those over 80 since we know the disease is deadlier the older you are.

Hanukkah comes in the darkest time of year and brings a message of light and renewal. It's so very appropriate that the first vaccines were given during this holiday, as the vaccines represent a real turning point putting us back on a road to normalcy, putting us back on a path to where we can safely gather together as a community in the synagogue, and safely spend time with friends and family.

May we soon see an end to the dark days of the pandemic,

Amen