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COMPULSORY VACCINATIONS THREATEN RELIGIOUS FREEDOM

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Most people associate vaccinations with the eradication of disease. Vaccinations have been a part of American life for decades. However, many people object to mandatory vaccinations for religious reasons. Oftentimes, these individuals are told that they have no choice and must receive the vaccinations or have their children vaccinated.

You may be surprised to learn that some vaccinations are derived from aborted fetal tissue. Vaccines for chicken pox, Hepatitis-A, and Rubella, which are produced solely from aborted fetal tissue, do not have alternative, ethical versions. Even most physicians who oppose abortion do not realize that these three vaccines are made from aborted fetal tissue. The wife of one of our Liberty Counsel attorneys confronted her family doctor who wanted to inject her son with the chicken pox vaccine. When she told her doctor, who is Catholic, that the chicken pox vaccine contains aborted fetal tissue, he was surprised. The doctor was even more surprised when he skimmed through his medical book and found that she was right. He then proclaimed that he was faced with a dilemma which he must now confront.

In St. Louis County, Missouri, a county law required food handlers to obtain the Hepatitis-A vaccine as a prerequisite for employment. Several prominent Catholic newspapers published articles on the morality of using the vaccine and pointed out that the vaccine was derived from aborted fetal tissue. After the information became public, more and more physicians and parents have become deeply troubled by the ethical issues involved in the Hepatitis-A vaccine.

During the Rubella epidemic of 1964, some doctors advised pregnant women who were exposed to the disease to abort their children. The resulting virus strain became known in the science world as RA/27/3. R stands for Rubella, A stands for Abortus, 27 stands for the 27th fetus tested, and 3 stands for the 3rd tissue explant. In other words, there were 26 abortions prior to finding the right "species" with the active virus. The Rubella vaccine was then cultivated from the 27th aborted baby on the lung tissue of yet another aborted infant, WI-38. WI-38 (Wistar Institute 38) was taken from the lung tissue of an aborted baby at 3 months gestation in the 1960s. A second human cell line known as MRC-5 was derived from a male at 14 weeks gestation in the 1970s.

These two aborted cell lines have been used to provide an ongoing source for many widely used vaccines, including Hepatitis-A and chicken pox.

The chicken pox vaccine is known as Varivax. This vaccine was also developed with the use of aborted fetuses. It uses the human cell lines known as WI-38 and MRC-5. The chicken pox vaccine also contains MSG (monosodium glutamate). According to the Food and Drug Administration, MSG is not advised for use in infants, children, pregnant women or women of child-bearing age, and people with affective (mental/emotional) disorders. Dr. Arthur Lavin of the Department of Pediatrics at St. Luke's Medical Center in Cleveland, Ohio, strongly opposes the chicken pox vaccine.

Studies show that up to 3% of chicken pox vaccine recipients actually contract chicken pox from the vaccine, and some chicken pox cases may be contracted from recently vaccinated children. Some studies suggest that chicken pox in a vaccinated child may be milder than in an unvaccinated child. However, some experts also believe that this may be due to the vaccine suppressing the illness, which can actually signal a more serious underlying chronic condition. "Atypical measles" is a disease that occurs only in people previously vaccinated for measles, and it is far more serious than regular measles. It is yet unknown if "atypical chicken pox" cases will appear as a result of the use of Varivax.

The FDA has stated that there are fewer than 10% of serious adverse reactions and deaths following vaccinations. The federal government actually pays families of vaccine-killed or disabled children nearly \$100 million dollars each year and has done so since 1986, through the National Vaccine Injury Compensation Program.

There are other vaccines that are derived from aborted fetuses for which there are alternatives. For example, there are two alternatives for Hepatitis-B, Engerix and Comvax, both of which are produced using yeast rather than human or animal cell lines. Similarly, an alternative for Polio is a vaccine known by the name IPOL, which is not derived from aborted tissue, nor is the vaccine Pediacel, an alternative to Pentacel, both of which are Polio Combination vaccines. The alternative for Mumps is Mumpsvax, for rabies is RabAvert and for measles is Attenuvax. The vaccines under these names are produced either from monkey kidney cells or chicken embryos. There are also vaccine alternatives available in the United Kingdom, which are not available in the United States because they are not FDA approved. For example, the alternative for Rubella is known as Takahashi Strain and the Hepatitis-A vaccine is known as Aimmugen. They are derived from rabbit and monkey kidney tissue respectively.

In addition to the problem of some vaccines derived from aborted tissue, there is a larger problem with mandatory vaccines. Many people have a sincerely held religious belief regarding vaccines in general. These individuals believe that God created the human body as a temple and that the body should not be destroyed by injecting a virus into it. Take, for example, Joseph and Heyde Rotella and Maja Leibovitz of New York City. Both families have a sincerely held religious belief against vaccinations. When the Rotellas had a seventh-grade daughter and Ms. Leibovitz had a second-grade daughter, the school system required that these children receive a mandatory Hepatitis-B vaccination. Hepatitis-B can only be transmitted in one of three ways. Either you are born to a mother with Hepatitis-B, or you contract it by drug use through the sharing of needles,

or you contract it through sexual contact. Injecting their children with Hepatitis-B is like the state forcing the parents to give their children clean needles or condoms.

In both cases, the children were expelled from school, and in one case, Child Protective Services was called to the scene because the child was not in school. After several weeks of expulsion and threats of removing the children, Liberty Counsel filed a federal lawsuit. A court order allowed the children back in school and prohibited the school from overriding the parents' religious beliefs.

Liberty Counsel also filed a federal lawsuit against the state of Arkansas. There, the state requires mandatory vaccinations. Our clients have sincerely held religious beliefs opposing these mandatory vaccinations, including the chicken pox vaccination. One of our clients has actually received a letter from the Vatican stating that the Church opposes abortion and it would be a sin for the parent to allow her child to be injected with aborted fetal tissue. Despite the strong evidence of a religious belief which opposes the chicken pox vaccination, the state of Arkansas insisted that the parent vaccinate her child. Our federal lawsuit challenged the state's law on religious freedom grounds. As a result, the Arkansas legislature promptly acted to provide exemptions for philosophical and religious objectors, as well as objectors who claim medical necessity.

Hepatitis-B is not the only sexually transmitted disease for which states are currently trying to force parents to vaccinate their children. In 2006, the Centers for Disease Control began recommending Gardasil, a vaccine created by Merck & Company, for vaccination against the Human Papillomavirus (HPV). Human Papillomavirus is a virus transmitted primarily through sexual contact. Rarely is there even a case where an infant contracts HPV from its mother. However, states like Michigan, Texas, California, and Kentucky have already attempted to mandate HPV vaccinations for girls entering sixth grade. Many parents have religious-based objections to mandatory vaccinations for viruses like Hepatitis-B and HPV, which should be prevented through abstinence.

Vaccinations are becoming a wave of the future. Large pharmaceutical companies are lobbying state legislators to require mandatory vaccinations of all school-aged children. Some people have sincerely held religious beliefs against vaccines in general, while others have objections to certain vaccines because of their aborted fetal contents. Either way, the state cannot steamroll a person's religious beliefs. In many cases, the government cannot even legitimately argue a compelling reason for the vaccines. Chicken pox is not life-threatening, Hepatitis-B is primarily contracted through drug use and sexual contact, and HPV is almost exclusively transmitted by sexual contact.

Next time you are confronted with mandatory vaccines, take a moment to reexamine your religious beliefs and become educated about the contents, the purpose, and the risk of vaccinations.

VACCINE CHART

U.S. Vaccines Derived From Aborted Fetal Tissue¹

Disease	Vaccine Name	Manufacturer	Cell Line (Fetal)
Chicken Pox	All Varivax	Merck & Company	WI-38 and MRC-5
	Varilrix	GSK	WI-38 and MRC-5
Ebola – In Development	AdVacEbola	J&J/Crucell	PER C6
	VSV-EBOV	NewLink/BioProtSv	HEK-293
Hepatitis A	Vaqta	Merck & Company	MRC-5
	Havrix	GSK	MRC-5
	Avaxim	Sanofi	MRC-5
	Epaxal	Berna	MRC-5
Hepatitis A and B	Twinrix	GSK	MRC-5
	Vivaxim	Sanofi Pasteur	MRC-5
Measles, Mumps, and Rubella (MMR)	MMR II	Merck & Company	RA 27/3 and WI-38
	Priorix	GSK	MRC-5
Measles-Rubella	MR Vax	Merck & Company	RA 27/3, WI-38, and MRC-5
	Eolarix	GSK	RA 27/3, WI-38, and MRC-5
Mumps-Rubella	Biavax II	Merck & Company	RA 27/3 and WI-38
MMR and Chicken Pox	ProQuad (MMR V)	Merck & Company	RA 27/3, WI-38, and MRC-5
	Priorix Tetra	GSK	RA 27/3, WI-38, and MRC-5
Polio	Poliovax	Sanofi Pasteur	MRC-5
	Polio Sabin	GSK	MRC-5
Polio Combination-Diphtheria, Tetanus, Pertussis, Polio, and Hepatitis B	Pentacel (Poliovax + DTaP + HiB), Quadracel	Sanofi Pasteur	MRC-5
	Infanrix-IPV-HiB	GSK	MRC-5

¹ <http://www.cogforlife.org/fetalvaccines.htm>; <http://www.cogforlife.org/vaxbrochsampl.htm>. See also <https://cogforlife.org/wp-content/uploads/vaccineListOrigFormat.pdf>

Rabies	Imovax	Sanofi Pasteur	MRC-5
Rubella (only)	Meruvax II	Merck & Company	RA 27/3 and WI-38
Shingles	Zostavax	Merck & Company	WI-38 and MRC-5
Smallpox	Acambis 1000	Acambis	MRC-5

U.S. Vaccine Alternatives²

No alternatives for Chicken Pox, MMR, Rubella or Hepatitis-A in U.S.

Disease	Vaccine Name	Manufacturer	Cell Line
Ebola – In Development	rVSV-ZEBOV	Merck & Company	Monkey Kidney Cells
	GOVOX-E301	GeoVax	Egg
	2 ZMapp Therapeutic	LeafBio	Tobacco
Hepatitis B	Engerix	GSK	Yeast
	Recombivax	Merck & Company	Yeast
Measles	Attenuvax	Merck & Company	Chicken Embryo
Mumps	Mumpsvax	Merck & Company	Chicken Embryo
Polio	IPOL	Sanofi Pasteur	Monkey Kidney Cells
	IMOVAX Polio	Sanofi Pasteur	Monkey Kidney Cells
Polio Combination	Pediacel; Pediarix + any HiB; IPOL +DTaP + any HiB	Sanofi Pasteur and GSK	Monkey Kidney Cells
Rabies	RabAvert	GSK	Hen eggs
Shingles	Shingrix	GSK	Hamster
Smallpox	ACAM2000	Acambis	Monkey Kidney Cells
	MVA3000	Baxter	Monkey Kidney Cells

STATE VACCINATION LAWS

Most states provide exemptions from mandatory vaccinations for medical or religious reasons. Less than half of the states also offer exemptions for philosophical reasons. In these states, a person can opt out for any reason.

² *Id.*

Some states try to limit the religious exemptions to individuals who are Christian Science members or members of a church or denomination that has a history of opposition to vaccinations. However, it is unconstitutional to limit religious exemptions to particular religious beliefs or to certain religious bodies. Thus, in states that provide for religious exemptions, such exemptions must include anyone who has a religious objection irrespective of whether the religious body to which the objector belongs has a history of opposition to vaccines.

California provided for medical, religious, and philosophical objections, but in 2019, the legislature removed religious and philosophical accommodations and now limits opt outs for only medical reasons. Medical reasons are limited to cases in which the person would be suffer harm from the vaccine. Such harm might include, but is not limited to, allergic reasons or other medical contraindications.

For some time, Mississippi and West Virginia have only permitted opt outs for medical reasons. Effective June 2019, New York repealed the religious objection and now provides only medical opt outs. Washington state repealed its personal exemption for MMR effective July 28, 2019. Maine has eliminated the religious and philosophical exemptions effective September 1, 2011.

The National Vaccine Information Center is a great resource for vaccination information.³ This website also provides an interactive chart of the various state laws.⁴

³ <https://www.nvic.org>

⁴ <https://www.nvic.org/Vaccine-Laws/state-vaccine-requirements.aspx>