

Is there a legal precedent for requiring vaccination?

There is, *Jacobson v. Massachusetts*, [[a Supreme Court case from 1905](#)]. The case itself was about a vaccination mandate.

In the early 1900s, smallpox outbreaks were fairly frequent and many people had been vaccinated earlier as children, but needed to be vaccinated as their immunity waned. The state of Massachusetts passed a law that gave authority to local boards of health to make a decision at any given moment in response to an outbreak that smallpox vaccination should be mandatory for all residents of their local area if — in the opinion of the medical experts who were serving on the board — it was necessary to protect the public's health.

The city of Cambridge made that determination. They then went through the effort of outreach to get everyone vaccinated. When they came to Henning Jacobson, he objected. He argued that vaccines are ineffective. He argued that they don't prevent transmission. And he argued that they were harmful.

The court described those arguments as not seeking a medical exemption, but rather reciting the alternative views that differ from medical consensus and that those arguments did not warrant an exemption from the requirement to be vaccinated.