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**The Legal and Moral Morass of Mandatory Vaccination**By [Judah Rose](#)

The COVID vaccines are experimental drugs. Even if the FDA were still functioning as intended and serving a productive role in protecting the public from dangerous products, these drugs are not approved. It is true that the FDA, after putting aside its normal procedures intended to better ensure safety, has [approved](#) a version of the vaccines known as COMIRNATY. But as all public health authorities admit, COMIRNATY is not available anywhere. The drug companies cannot accept any liability for the damages their products are causing, because they know full well they would be bankrupted. A fully approved drug would not have the complete liability protection that a drug under Emergency Use Authorization has. That there is an approved version means that under the law, the EUA must be pulled. This is just another law not being followed due to this "emergency." Without the protection of the EUA, there would be no liability protection for the manufacturers. The upshot is that there are no available fully approved COVID vaccines.

That attempting to force me to take experimental drugs against my will is a violation of local, state, and federal law, everything from the state and local Human Rights Codes, to the federal ADA, and a blatant violation of my constitutional civil rights, should give you pause in attempting to deny me my assertion of this religious objection. Retaliating, or discriminating against me in any way, making it impossible or just difficult for me to do my job, is blatantly illegal, not to mention morally wrong.

Furthermore, the bedrock of modern medicine is informed consent as an ethical principle, and I believe in ethics. I am now informed about the COVID vaccines. I do not consent.

The right to refuse medical treatment was established in the internationally recognized medical code of ethics established in the Nuremberg Code of 1947. As a response to crimes against humanity of precisely this kind perpetrated by the Nazis, the Code established that every person must "be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, overreaching, or other ulterior forms of constraint or coercion; and should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him to make an understanding and enlightened decision."

Even if these drugs truly functioned as a therapeutic for COVID, it is a legal and moral fact that our society has never compelled treatment. Well, unless you consider and support the infamous *Buck v. Bell* case where the Supreme Court sanctioned forced sterilization. Or if you view the Tuskegee experiment and the like as good things. But with those notable ignoble exceptions, we have had the right to turn down "care." This is evident in the healthcare directives people painstakingly create to make sure their intentions for treatment are honored even in extreme conditions -- in our right to refuse treatment in an emergency room. And in the millions of prescriptions that go unfilled each year. Why are these COVID vaccines any different?



I don't understand why I am being compelled to discuss my personal, private medical situation with my employer. It is in fact a violation of the Americans with Disabilities Act, the ADA, for one thing, but here we are. The ADA prohibits employers from making invasive inquiries about an employee's medical status, including questions about diseases and treatments for those diseases. The only exception is if the information is both job-related and necessary. There is no evidence that vaccination status has any positive impact on preventing the spread of respiratory disease in the workplace. COVID is not any more of a threat than is the flu. It is not necessary.

The best and only reasonable mitigant is requiring workers to stay home if they are symptomatic or feel ill. Treating an employee differently based on the employer's belief that the employee's medical condition (like being unvaccinated) is an impairment is discrimination based on a perceived medical disability. The employer must have proof that it cannot keep the employee, even with reasonable accommodations, before any adverse action can be taken. If an employer asserts that to be the case, they must prove with scientific evidence (not press releases from the CDC) that the employee poses material harm that no reasonable accommodation could mitigate. No court has yet found the scientific evidence in favor of discrimination to be compelling.

One day, we will have courts and government officials that will protect our constitutional rights again. That will pursue justice and compensation for the evils being done during this extraordinary period. In the America I've known to this point, one did not need to explain one's deep religious convictions to one's employer for their review and sign-off. At some point, when the fever passes, people and organizations will be held to account. In prior cases concerning HIV and AIDS, when employers discriminated against employees based on their perceived dangerousness, the employers ended up paying millions in legal fees, damages, and fines.

Finally, and to put it all together, I object on the moral grounds that my personal bodily autonomy is sacrosanct and cannot be violated by my employer. To accept the idea that my employer can determine what I am to put into my body is to accept the idea that my employer can tell me what to do with my body, which in practical terms means that my employer owns my body while I am employed. I refuse to accept that premise. I refuse to accept the yoke of slavery. In America, it is astonishing that I would have to assert that in this day and age, generations removed from the Civil War.

These are my sincerely held beliefs. I do not submit to taking these drugs.

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***Judah Rose is a pen name.***

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