

An Introduction to the  
**Vaccine Mandate Issue**

**I. The issue is about vaccine mandates, not vaccines, per se.**

- A. Although the latest evidence calls to question the use of many of the vaccines we have long believed to be good, it is also reasonable to assume that some of vaccines have been an asset when used at the right time and in the right place.
  - 1. The debate about vaccines themselves is only pertinent in a discussion about vaccine mandates to the extent that one demonstrate why some reasonable people refuse vaccines for their children.
- B. The question at hand is to what extent and under what circumstances should the state mandate vaccines, an invasive health care procedure.

**II. The driving forces of vaccine mandates often violate the principles we hold dear.**

- A. Mandating a vaccine is a “search & seizure” and as such *should* be subject to the same **constitutional safeguards** as other such infringement on fundamental liberty, but in practice today new vaccine mandates typically circumvent those safeguards.
  - 1. Legal and constitutional safeguards should be respected and stringent “tests”, like a **“compelling state interest test”**, should be met before fundamental liberties are violated.
  - 2. Even some officials at the CDC understand this fundamental principle:
    - (a) “Test: government action must be narrowly tailored or must be the least restrictive alternative to achieve an important or compelling government goal” (Samantha K. Graff, J.D. Staff Attorney for the CDC) (See [www2.cdc.gov/phlp/docs/VenturaFinal.ppt](http://www2.cdc.gov/phlp/docs/VenturaFinal.ppt))
- B. **Capitalism vs. Mercantilism:** American capitalism trusts the people's ability to make their own choices (free market forces), but mercantilism misuses the police power of the state for the economic gain of private parties.
  - 1. Products that might not otherwise hold the confidence of the consumer, and are therefore not market worthy, are guaranteed a market because the government forces their use.
    - (a) This is a form of mercantilism.
  - 2. It constitutes a lack of trust in free market principles to select for good products and weed out bad ones. Free market capitalism is as much a part of the American system as free speech or the right to assemble.
- C. **Respect for personal liberties inordinately give way to an alleged “common good”.** The public health theories behind mandated vaccines are socialistic, and not based on what is appropriate for individual patients.
  - 1. We have confused the practice of medicine with epidemiology.
    - (a) An epidemiologist is trained to think like a socialist, with a strong bent toward societal needs taking precedent over the needs of individual patients.
    - (b) A physician should have as his primary concern the welfare of the individual patient before him. Our current policy forces the physician into the socialistic process.
  - 2. While there may be some situations in which it is appropriate for personal liberties to yield to “the common good” of society, the bar has consistently been lowered, allowing less and less state interest to prevail. The idea of a “compelling state interest test” has been all but lost.
- D. There is a **lack of accountability** for poor products and irresponsible decisions.
  - 1. Many vaccines are administered by local health departments who have “sovereign immunity”.
  - 2. The National Vaccine Injury Compensation Program and other laws provide cover to vaccine manufacturers.
  - 3. Physicians “just follow the state's instructions” and are as such held harmless when they are negligent to take into account a patient's special circumstances.

- E. Our mandated vaccine policy is **contemptible to the sanctity of the family** and parental rights.
  - 1. Under our current policy, children are considered the state's responsibility rather than the parents God has given that stewardship to.
    - (a) Vaccine mandates for diseases that are not generally contagious, like tetanus, can not be claimed to be for “the common good of society” because the implications of the disease are only personal.
- F. **Religious liberty suffers.**
  - 1. There are various religious implications to the use of some vaccines – particularly those derived from aborted fetal tissue.
  - 2. Missouri's religious exemption alleviates this concern to a certain point, but most recipients of vaccines are unaware of the questionable origin of the vaccines.

### III. Evidence supporting these contentions.

- A. We are **no longer vaccinating only** for diseases which constitute a **great and immediate threat to society**, like smallpox.
  - 1. Vaccine mandates are being used for social engineering and economic niceties.
    - (a) Hep B is transmitted in the same way as AIDS. If one “behaves” there is little chance he will contract the disease (i.e. it is not communicable through casual contact), but we mandate a vaccine for Hep B.
    - (b) The new vaccine for cervical cancer is next on slate to be mandated, but there is virtually no risk of the disease for those who are not promiscuous.
      - (1) Similarly, a new AIDS vaccine is being tested on children at this time. It is only a matter of time before there will be an effort to mandate it, too.
  - 2. There is little personal risk to contracting chickenpox, but the economic impact is a little greater. Lost time from work and school is cited as a major reason for the need to mandate vaccines for this disease, so the principles we hold dear give way to economic niceties.
- B. There is mounting evidence that too many vaccines are, overall, a detriment to an individual's health, yet it is almost heresy to question our vaccine policy.
  - 1. The mercury debate is evidence of this. All we could get was a prohibition under 3 years of age.
  - 2. There is mounting evidence that Aluminum Hydroxide in vaccines contributes to Alzheimer disease.
- C. Overall, our children are less healthy than in previous generations. There are many more problems with immune related disorders, such as asthma, allergies, diabetes and other diseases, as well as the autism spectrum disorders like ADD, ADHD, and autism.
  - 1. A significant portion of the medical community believes that childhood diseases help to develop the immune system and should not be totally avoided.
  - 2. There is growing understanding that naturally obtained immunity is best not only for a particular disease, but also for the overall health of the immune system and that vaccines “confuse” the immune system, with consequences to overall health.

### IV. A principled solution.

- A. Reinstate the “compelling state interest test” to vaccine mandates.
  - 1. Only mandate a vaccine when there is a clear and present danger of significant magnitude of a highly contagious disease.
  - 2. Require that all vaccine mandates under consideration go through the complete legislative process - not merely through administrative rules. (The People deserve full representation before their liberties are restricted to this extent.)

Prepared by Missouri First, Inc.