

# Is COVID Mandate Illegal?

by

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This question is being raised in throughout business, industry, education, and government. Eventually someone will bring it to the Supreme Court of the United States. But until then we have to contend with lower court decisions and others who think they are in control.

Although I am not a lawyer, I do know when common sense can be applied and when it should be applied. I can also make my decisions based on what little I know about law.

Let's first take a look at several documents and see if we can follow the common sense:

## Preamble – US Constitution

Any government mandate for any US citizen to be vaccinated against his/her will, does not lend itself to domestic tranquility.

## Bill of Rights – 1<sup>st</sup> Amendment

Vaccine mandates may impinge on the free exercise of religion. A person does not have to prove that it is against their religion but simply state it.

## Bill of Rights – 4<sup>th</sup> Amendment

This amendment provides “the right of the people to be secure in their person.” Mandated vaccines violate this right. Furthermore warrants for such mandates are unlawful as mandates are not considered law.

## Bill of Rights – 8<sup>th</sup> Amendment

The applicable section of this amendment is: “nor cruel and unusual punishments inflicted.” To deprive one of one’s employment, whether in private, government, or military sectors, based on not being vaccinated is both cruel and unusual punishment.

## Bills of Rights – 9<sup>th</sup> Amendment

This amendment recognizes that there are other rights that people have. Since the 1960’s, this amendment has been used to elaborate on many other rights including the right that women have with regard to their person.

## Reconstruction Amendment – 14<sup>th</sup> Amendment

The purpose of this amendment forbids any state to deny any person "life, liberty or property, without due process of law" or to "deny to any person within its jurisdiction the equal protection of the laws.

## Roe v Wade (1973)

This was a landmark decision in which the Supreme Court ruled that the Constitution of the United States protects a woman's liberty to choose to whether to have an abortion not.

Part of the testimony presented in this case was very graphic details on how abortions were performed. The key discussions revolved around surgery (cutting) and chemical (pill) approaches. This is very important as the final decision was that a woman has the following choices:

- Allowing the pregnancy to continue
- Using birth control methods to prevent pregnancy
- Injecting a pill to prevent or abort a fetus
- Having surgery to remove a fetus

### Equal Rights Amendment – 28<sup>th</sup> Amendment

In January 2022, the Equal Rights Amendment became law. Two important aspects of this amendment are “equal protection of the laws,” and “prohibits discrimination based on sex.”

Numerous other federal and state laws that protect women rights with regard to what a woman can/cannot do with her body are in effect. Common in most of these laws is the phrase “equal protection of the laws.” The basis of all these other laws and those discussed above is discrimination.

These anti-discrimination laws have, in effect, created what is called “reverse discrimination.” Reverse discrimination is not specifically addressed under federal law. The Equal Employment Opportunity Commission is the nation’s leader in interpreting sex-based discrimination. The problem is that most government agencies, businesses, industries, and educational institutions have a myopic, one-way view of sex-based discrimination. The problem favors women as opposed to both men and women.

The laws are accurate with regard to “equal protection,” but are inaccurate with application. Consider *Roe v Wade*. If a woman can choose any of the four options listed above, then a man should have equal rights as to whether he can choose between:

- Not taking or receiving a specific medication
- Receiving a COVID vaccine injection
- Taking a COVID vaccine medication

This argument has not been brought before the courts when it comes to Biden’s mandated COVID vaccination for government employees or even the requirement that non-government agencies and organization require of their employees. In either case, requiring a COVID vaccination is illegal and discriminatory.

**Write your congressional representative asking them to stop this discrimination and recognize that “equal protection under the law” is a right of both men and women.**