

Special Counsel Says Supreme Court Cowered to 'Bigoted' Governor in Vaccine Mandate Case

The U.S. Supreme Court's refusal Monday to block a COVID-19 vaccine requirement for health care workers in New York, which doesn't offer a religious exemption, has many up in arms, including some of the justices themselves.

Although it has blocked similar mandates elsewhere, the high court declined to do in New York, giving in to intolerant Gov. Kathy Hochul, who says "they (health care workers) are not doing what God wants." The health care workers—doctors, nurses and others who filed the appeal—are now forced to choose between their jobs and their religious beliefs.

Justice Neil Gorsuch, Clarence Thomas and Samuel Alito dissented: "Now, thousands of New York healthcare workers face the loss of their jobs and eligibility for unemployment benefits." The same three justices gave dissent in a similar challenge by health care workers in Maine.

New York is one of only three states, along with Maine and Rhode Island, which do not offer religious exemptions to those who object to the vaccine mandate.

In his dissent, Gorsuch drew a link between the health care workers and the work War II-era Jehovah's Witnesses school children who refused on religious grounds to stand and salute the American flag for the Pledge of Allegiance.

"Today, our nation faces not a world war but a pandemic," Gorsuch wrote. "Like wars, though, pandemics often produce demanding new social rules aimed at protecting collective

interests—and with those rules can come fear and anger at individuals unable to conform for religious reasons.”

Christopher Ferrara, special counsel for Thomas More Society, says in a statement that the Supreme Court is cowering to a “bigoted” governor by its Monday ruling:

It is astonishing that the Court tolerates this blatant invasion of religious freedom by a bigoted governor and her health bureaucrats on the pretext of a never-ending ‘emergency’ that morphs as rapidly as the virus itself. And this for the sake of mandatory vaccination with vaccines everyone now knows have failed to prevent transmission of the virus. The word irrational only begins to describe the institutional insanity the Court should have restrained.

One can only hope that, as the examples of this tyranny multiply and pile up on the Court’s doorstep, the majority will finally do what it did last year in striking down New York’s absurd church closures in the name of “public health”—the right thing. Meanwhile, one can only agree with Justice Gorsuch’s assessment of the Court’s refusal to act in the face of New York’s naked oppression of a religious minority: “Today, we do not just fail the applicants. We fail ourselves.” {eo}

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