

PHR-410 - Religion in America

Final Project Prompt

The Supreme Court in Action

Background: Measles is a highly contagious infectious disease caused by *Measles morbillivirus*, which typically spreads through coughs and sneezes (the disease is airborne). Initial symptoms (which appear 10-12 days after exposure) include a high fever, cough, runny nose, inflamed eyes, and a full-body rash. While the risk of death remains low (about 0.2%), the majority of those who do die are less than five years old. The measles vaccine, however, is effective at preventing the disease and vaccination efforts saw Measles deemed “eradicated” in the United States in 2000. Indeed, a mere 66 cases were reported in the Americas in 2005.

However, since September 2018, over 250 cases of measles have been documented amongst people living in Williamsburg, Brooklyn. Williamsburg is home to high concentration of Orthodox and Hasidic Jews, who do not vaccinate because it violates their core religious beliefs. The rising number of cases has not only resulted in increased expenses associated with medical treatment, but has also put a number of other children (who are too young to have received the vaccination) at risk of contracting the disease.

On April 9, 2019, the Commissioner of Health issued a mandate (see Document 1) requiring that all residents of Williamsburg, Brooklyn receive the MMR vaccine, citing the ongoing measles outbreak to be a threat to public health in the City of New York.

Several anonymous members of the Orthodox Jewish community quickly filed suit, claiming that the mandate violates their First Amendment right to the free exercise of religion. The lower courts have subsequently struggled to decide this case, with the district court ruling in favor of the city, only to see the circuit court reverse their ruling in favor of the Orthodox Jewish community. Now, as a justice on the Supreme Court, the case is in your hands.

Prompt: Does the New York vaccination mandate violate the First Amendment of the U.S. Constitution? Why or why not?

Your response should take the form of a 4-6 page essay (12-point font, 1.0-inch margins, 2.0-line spacing) and draw from a variety of sources examined in this course. You may also need to do a bit of outside research to better understand the issues at hand. Class time will be set aside during the final week of the course to work on this project.