

1920

PROHIBITING COMPULSORY VACCINATION

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I ask the voters to read a contradiction of that statement in section 1 of the Chiropractic initiative: "Each member of the State Board of Chiropractors must have practiced in the State of California for a period of three years next preceding the date on which this act takes effect"; and in section 13 this further contradiction, "Nothing in this act shall be construed to interfere with chiropractors licensed under other acts." In the words of their own initiative measure they contradict and condemn themselves.

The last California Legislature and previous legislatures rejected this same inconsistent demand. The sound and sufficient reason assigned by legislators was that if chiropractors were granted a special board then all the other cults would demand and be equally entitled to special boards.

This policy would result in multiple boards,

divided authority and chaotic conditions. Under such a policy California would now have twenty-seven varieties of boards to examine the twenty-seven varieties of drugless cults of this state. Such an absurd condition would be intolerable for the state would lose proper control.

The history of legislation on this vital subject proves that the welfare of the public is best protected by one responsible representative board.

California has a responsible board now. The Governor is empowered to change its membership whenever he deems it desirable. The courts can review and reverse the board's decisions. From such a well-regulated board all applicants are assured of ample justice and the people of adequate protection. Vote "No" on No. 5.

DUDLEY A. SMITH, M.D.,
President League for Conservation
of Public Health.

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| 6 | PROHIBITING COMPULSORY VACCINATION. Initiative measure adding Section 15 to Article IX of Constitution. Declares that no form of vaccination, inoculation or other medication shall hereafter be made a condition for admission to or attendance in any public school, college, university or other educational institution in this state, or for the employment of any person in any public office; and that the provisions of this section shall not be controlled or limited by any other provision of the Constitution. | YES | |
| | | NO | |

Sufficient qualified electors of the State of California present to the secretary of state this petition and request that a proposed measure, as hereinafter set forth, be submitted to the people of the State of California for their approval or rejection, at the next ensuing general election.

PROPOSED AMENDMENT.

The full text of the proposed amendment is:

The people of the State of California do enact as follows:

Article nine of the constitution of the State of California is hereby amended by adding to it a new section which shall be numbered section fifteen, and shall read as follows:

Article IX.

Section 15. No form of vaccination, inoculation or other medication shall hereafter be made a condition for admission to or attendance in any public school, college, university or other educational institution in this state, or for the employment of any person in any public office. The provisions of this section shall not be controlled or limited by any other provision of this constitution.

ARGUMENT IN FAVOR OF PROHIBITING COMPULSORY VACCINATION.

The records of the state board of health disclose that more than eighty per cent of the parents of public school children in California have stated in writing that they are opposed to the practice of vaccination and will not consent to the vaccination of their children. Nevertheless, under the present law these unvaccinated children can be excluded from the public schools under certain conditions and during the past two years thousands of children and teachers have been excluded for varying periods in the course of a campaign which is being waged by interested persons to "popularize vaccination." It is to prohibit such illegal exclusions that Proposition No. 6 has been placed on the ballot by The Public School Protective League.

While the present law provides that unvaccinated children must be admitted to "any school, college, university, academy or other

educational institution" the courts have decided that the University of California is not subject to laws enacted by the legislature and the university has, under that authority, forced the vaccination and inoculation of all students as a condition for attendance. The new law will require the university to admit unvaccinated students as the legislature intended it should.

The question of the efficacy of vaccination is not involved. The proposed law does not attempt to prohibit vaccination or any other form of medical treatment or to interfere with lawful quarantine. Its purpose is to prescribe by fundamental law that vaccination and inoculation shall not be made compulsory. If vaccination has all the merits which are claimed for it no compulsion should be necessary on its behalf. If, on the contrary, vaccination does not protect against smallpox and is, according to many reputable medical authorities, not only valueless but the cause of cancer, tuberculosis, syphilis and death, any compulsion in its behalf is criminal. In either event the fact remains that the efficacy of vaccination is a debatable question on which medical opinion is not agreed and every citizen should have the right to decide whether he wants vaccination for himself and his children.

In a number of states it is now unlawful to require vaccination and the Supreme Court of North Dakota held recently that unvaccinated children could not be excluded from the public schools, pointing out that "were vaccination to become general it would be certain to cause the sickness or death of a thousand children where one child now sickens and dies from smallpox." "Of course," the decision continues, "a different story is told by the class that reap a golden harvest from vaccination and the diseases caused by it. Yet, because of their self-interest their doctrine must be received with the greatest care and scrutiny. Every person of common sense and observation must know that it is not the welfare of the children that causes the vaccinators to preach their doctrines and to incur the expense of lobbying for vaccination statutes."

For the protection of the children of California, vote "Yes" on Proposition No. 6.

LEWIS P. CRUTCHER, M.D.

**ARGUMENT AGAINST PROHIBITING
COMPULSORY VACCINATION.**

Speaking for the entire membership of the State Board of Health, I urge the voters of California to vote "No" and help to defeat Proposition No. 6, the anti-vaccination measure.

The State Board of Health is appointed by the Governor and charged by law with the responsibility of protecting and preserving the public health. It is the duty of the Board to warn the public of any approaching or present danger that threatens the health of the people.

Recognizing this responsibility and impelled by duty I hereby warn the people of California that if the anti-vaccination measure should be adopted, this state will be in constant danger of an epidemic from smallpox and your State Board of Health will be powerless to check any such epidemic.

To understand the real purpose of the alleged "Public School Protective League," which is the chief advocate of the Anti-Vaccination Act, the voter must read the official report of that anti-health organization. In its official report the "Public School Protective League" shows that it has hampered and frustrated the public health activities of the Children's Bureau, the Red Cross, the F. M. C. A., the War Camp Community Service, the Tuberculosis Association and the federal, state, county and city boards of health.

The specious plea of this misnamed "Public School Protective League," that its only object is to prohibit compulsory vaccination of school children, can not stand in the light of its record. All voters know that there is now a law in California exempting children from vaccination, whenever the parents, guardians or persons

responsible for them are conscientiously opposed to the practice of vaccination.

Why is it that in our army and navy smallpox is almost unknown? Vaccination is responsible for this commendable condition. The State Board of Health is often asked if vaccination is dangerous. When properly cared for it is no more dangerous than any pin scratch on the skin. Within the last two years alone over 3,000,000 persons have been vaccinated in this country without a single death.

Disease prevention depends upon scientific health work aided by community cooperation. Many diseases are not the fault of the individual and are not within his power to avoid or control. Collectively we create conditions and produce the causes, and individuals suffer the results. The conscientious objector that catches a communicable disease does not confine the evil results to himself but often spreads the contagion.

The duty of the state to protect the life and health of its citizens is a fundamental principle of government. When the state has a method of protection against the dreadful scourge of smallpox that is as reliable and thoroughly tested as vaccination it would be criminal folly to abandon it or impair its efficiency.

Mexico, our near neighbor, is frequently scourged by smallpox. Shall California render its State Board of Health powerless to cope with this devastating disease?

A vote for the Anti-Vaccination Act is practically a vote for smallpox. Vote "No" and defeat this menacing measure.

GEORGE E. ESHAIGHT, M.D.,
President, California State
Board of Health.

PROHIBITING VIVISECTION. Initiative act. Declares it unlawful to dissect, vivisect or torture any living person or living animal, or aid or abet therein for purpose of experimental physiological or experimental pathological investigation in or at any university, school, society, college, hospital, institution or other place within California; declares nothing in act shall prohibit the dissection or vivisection, or aiding or abetting therein, of any living person when done with latter's consent, or prohibit surgical operations upon or rendering medical aid in case of physical injury, deformity or sickness of any person or animal; provides penalties and repeals conflicting acts.

YES

NO

Sufficient qualified electors of the State of California present to the secretary of state this petition and request that a proposed measure, as hereinafter set forth, be submitted to the people of the State of California for their approval or rejection, at the next ensuing general election. The proposed measure is as follows:

PROPOSED LAW.

(Proposed changes from provisions of present laws are printed in black-faced type.)

An act declaring it to be unlawful to dissect, vivisect, torture, or experiment upon any living human being or living animal for the purpose of experimental physiological or experimental pathological investigation; providing exceptions; defining certain words; providing penalty for the violation of its provisions; and repealing acts or parts of acts in conflict with the provisions of this act.

The people of the State of California do enact as follows:

Section 1. The words dissect, vivisect and torture as used herein are hereby defined to

mean the dissection of or experimentation upon any living human being or any living animal for the purpose of experimental physiological or experimental pathological investigation.

Section 2. The words university, school, society, college, hospital and institution as used herein, are hereby defined to mean any university, school, society, college, hospital or institution, whether the same be public or private, sectarian or non-sectarian, charitable or otherwise, and whether supported in whole or in part by public, private or other funds, or whether organized, created or existing under and by virtue of the constitution of the State of California or otherwise.

Section 3. It is hereby declared to be unlawful for any person or persons to dissect, vivisect or torture, or to aid or abet any person or persons to dissect, vivisect or torture, any living human being or any living animal for the purpose of experimental physiological or experimental pathological investigation in or at any university, school, society, college, hospital, institution or other place within the State of California. Provided, however, that nothing in this act shall be construed as prohibiting any person or persons from dissecting or vivisecting or aiding or abetting in the dissection or vivisection of any living human being when such