

# Implementing a mandatory COVID-19 vaccine: ethical challenges

*This article will explore the topical issue of whether the COVID-19 vaccine should be implemented as mandatory for access to certain facilities and events in the UK, and whether it is ethically justifiable to do so against the two main ethical challenges of autonomy and justice.*

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With new variants of the COVID-19 virus emerging and spreading, many politicians and scientists, including the chief of the EU, Ursula von der Leyen, have advocated for a mandatory vaccination policy to be implemented.<sup>1</sup> Already, Austria has announced the requirement for all citizens to be vaccinated against COVID-19 from February 2021, with other countries, such as Greece, introducing monetary fines to those who are unvaccinated. The UK has introduced COVID-19 passports, whereby one must be fully vaccinated or provide proof of a negative lateral flow result in order to access certain venues and facilities.<sup>2</sup> This move has reignited a long-standing debate over whether one should be under compulsion to be vaccinated. This article will discuss whether implementing a mandatory COVID-19 vaccine, for

those without medical exemptions, is ethically justifiable against the two main objections: autonomy and justice.

One can consider that implementing a mandatory COVID-19 vaccine falls under the remit of governmental responsibility to protect public health. Giubilini and Savulescu<sup>3</sup> have likened this argument to the implementation of a seatbelt. Wearing a seatbelt protects an individual performing an everyday action (driving) from serious injuries or death if they are involved in a car accident. Equally, the COVID-19 vaccine protects an individual in their everyday life from severe illness or death if they are exposed to coronavirus.<sup>4</sup> Neither are 100% effective, nor 100% risk-free. The actual level of risk imposed by wearing a seatbelt is analogous to that of a vaccine, and while both may be perceived to be a minor inconvenience, they both hold considerable benefits in protecting oneself. In some scenarios, wearing a seatbelt can be counterproductive and lead to injuries that would not have occurred if a seatbelt was not worn, known as 'seatbelt syndrome'.<sup>5</sup> Equally, vaccines do pose a minor risk of side effects, and there is no guarantee that one will ever be exposed to COVID-19; however, one can approximate the likelihood of being exposed as roughly

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the same as a passenger being in a car accident once in their life. Equally, the government has implemented a number of other laws regulating the internal consumptions of goods in the interests of public health (e.g. fluoridation of water, regulating food standards, and sugar tax).<sup>6</sup> It is important to note that while these laws initially faced great public resistance, they are now widely accepted.<sup>7</sup>

## OBJECTION: AUTONOMY

However, this argument could be contested on the grounds that it infringes each individual's right to autonomy. It is in this scenario that the COVID-19 passport system currently being used circumvents this issue by offering the option of a lateral flow test to those who wish not to be vaccinated. Equally, the implementation of a mandatory vaccine policy could be termed such that it is required for access to events or facilities, similar to the mandatory measles, mumps and rubella (MMR) vaccine required for school-children in America. Here, parents are offered the choice of public education for vaccinated children, or accessing alternate forms of education for those who wish to not vaccinate their child.<sup>8</sup> This offers protection in the form of either physical shielding (by preventing those who are unvaccinated to access

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high-risk areas) or through vaccination. Thus, a similar system in regards to COVID-19 could be implemented, whereby autonomy is maintained by providing a choice of accessing high-risk areas with protection from the vaccine or physical protection away from these areas.

**OBJECTION: JUSTICE**

The secondary objection towards the implementation of a mandatory COVID-19 vaccine is the issue of justice, whereby those following certain religions or philosophical beliefs may refuse vaccination on the basis of their beliefs, and thus could be considered discriminated against by a mandatory vaccination policy. Here, one can raise Flanigan's<sup>9</sup> gun-shooting analogy in response to mandatory vaccinations. Flanigan argues that the act of refusing a vaccine constitutes harm to not only oneself but also to those around them. This argument draws the analogy that a shooter could fire a gun in a public space, with no intention to harm anyone, but seriously injure or kill his neighbours. In a similar sense, a nonvaccinated individual could transmit a contagious (but preventable) disease within society,

unintentionally causing harm to those around them. Critics argue that this is not a fair argument, as each person has the freedom to decide whether to carry a gun, or equally, to not be vaccinated. However, this criticism serves to strengthen the argument in favour of a mandatory policy: while it is legal to carry a licenced gun, it is not legal to randomly fire a gun in a public space or accidentally shoot someone. Similarly, while one has the autonomy to choose not to be vaccinated, they do not have the right to harm the vulnerable with a preventable disease. Hence, by restricting access of unvaccinated individuals to high-risk areas, they are prevented from transmitting diseases within certain areas. Flanigan argues that people should not be allowed to act as biological weapons just because their religion or philosophical beliefs permit them to. This utilises John Stuart Mills'<sup>10</sup> 'harm principle', whereby an individual's actions can be limited to prevent harm to others. Thus, while religious and philosophical beliefs can permit one to cause harm to oneself, this privilege does not extend to harming others.

As seen across the globe with the COVID-19 pandemic, when public health is at risk, measures must be implemented to protect the safety of each individual and each society. Implementing a mandatory vaccination policy is a preventive measure that aims to reduce the occurrence of outbreaks and protect those who choose not to be vaccinated from unnecessary exposure. While it is clear that a mandatory policy is beneficial in disease control, the reality of implementation is complex, but achievable, illustrated by

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the countries already utilising these policies. The crux of this argument is not to enforce vaccination, rather, a mandatory policy will encourage

citizens to utilise their autonomy to choose between vaccination or physical protection to reduce their risk of contracting disease.

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