1. **Autonomy & Liberty**

Liberty protects the possibility of acting — or the fact of acting — in such a way as to take control of one’s life and realize one’s goals and live out values that are important to them. Autonomy is the capacity to make choices that are consistent with one’s values and goals. Autonomy means “self-rule;” and the autonomous person has the authority to control her activity and decide for herself how to lead her life. It is related to liberty insofar as liberty protects the expression of autonomy. We are free to live our lives as we see fit. Parental autonomy refers to parents’ capacity to raise their child in a way that they see fit. Parents are free to decide to raise their child in accordance with a particular religious lifestyle, or in accordance with other lifestyle choices (such as veganism). U.S. and states’ laws protect parental autonomy in most areas of life, however, a child cannot be subjected by a parent to a poor education, to communicable disease, to ill health, or to death. Child protective services steps in when a parent abuses a child, neglects to take care of them, or makes decisions that adversely affect the health of a child such as not treating a painful or curable illness. The decision to withhold medical care can amount to parental abuse or neglect even if the parent’s reason is religious in nature. Refusing vaccinations, however, does not directly harm the individual child and therefore does not constitute as child neglect or abuse in the typical sense. Some see mandatory vaccination as an infringement upon liberty and autonomy. Laws that mandate some act – such as vaccination – get in the way of deciding for oneself how to lead one’s life. Moreover, getting vaccinated may run counter to how one has decided to lead one’s life, e.g. mandating a porcine-derived vaccine for those who vehemently oppose using pork products, whether for religious or other personal reasons. Allowing religious and philosophical exemptions to childhood vaccinations is a way of respecting liberty and parental autonomy.

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| Read this ‘ethical positioning’ card and put yourself in the shoes of someone who believes in this principle. Reflect on the following questions:   * How would you sum up this position? * What is the main criterion or guiding principle used to determine whether or not mandatory vaccination programs are justified? * Does your position support mandatory vaccination, or not? * Do you personally agree with the position/stance of this card? Why/why not? |

1. **Promoting Public Health: Utilitarianism**

Utilitarianism is based on the ideology that actions are right to the extent that they produce the best consequences for the greatest number of people. Act utilitarianism looks at individual actions and considers: which of the actions available to me will have the best outcome. The “Greatest Happiness Principle” says that actions are right to the extent that they produce happiness and wrong to the extent that they produce the opposite. In contrast, rule utilitarianism asks: which rule, if followed by all, will have the best outcome for society? Individuals are then morally required to act in accordance with the rule, even if it makes them slightly worse off. For example, following the rule, “Don’t lie!” makes us all better off; it produces the best outcome for society, even if telling the truth makes an individual worse off. It is better to tell the truth when you’ve forgotten to do your homework, even though it is tempting to make up another excuse instead. Public health interventions, such as mandatory vaccination campaigns, are often justified by utilitarianism, specifically rule utilitarianism. Public health policies and interventions are justified on the basis that it produces the best results for society at large – providing the greatest benefit to the greatest number of people. Public health decisions made on the basis of overall statistics and demographic trends are ultimately better for each one of us, even if particular interventions may not directly benefit some of us. Mandatory vaccination policies are by and large better than their absence for everyone. Vaccines have drastically reduced the morbidity and mortality of infectious diseases. In the United States, beginning in the early 1900s, annual epidemics of polio occurred with frightening regularity. In 1952, 57,628 cases of polio were reported. That year 3,145 people died, and 21,269 were left with mild to disabling paralysis. In 1955 the first polio vaccine was introduced in the United States. The last case of endemic paralytic polio in the country occurred in 1979. Smallpox caused a minimum of 300 million deaths in the twentieth century. It was a major cause of blindness. It was completely eliminated in 1979, thanks to vaccination (College of Physicians Philadelphia, 2011). Utilitarianism and the promotion of public health provide an ethical justification for vaccine mandates, even though those mandates arguably infringe upon liberty and expression of autonomy. Vaccine mandates undoubtedly make us better off than we otherwise would be in their absence.

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1. **The Harm Principle: Protecting the Most Vulnerable**

In John Stuart Mill’s essay “On Liberty” (Mill, 1869), Mill defends what has come to be called the Harm Principle. The Harm Principle says that the only justification for interfering with the liberty of an individual, against her will, is to prevent harm to others. The Harm Principle is used to justify various infectious disease control interventions - including vaccinations. When herd immunity is reached – and maintained – vaccines protect not only those who are vaccinated, but also those who cannot be vaccinated. Thus, when parents choose not to vaccinate their children, it puts the most vulnerable in the community at increased risk of contracting infectious diseases. Some of the most vulnerable population are newborns, people who are immuno-compromised from diseases such as cancer, and the elderly are highly susceptible to diseases. When more parents choose not to vaccinate their healthy children, those most vulnerable have a much greater chance of becoming ill, since it creates more incubators where infectious disease can live. When all or most people in the same geographic area are vaccinated, infectious diseases have no bodies in which to grow. So, it is supposed, it is impossible to have an outbreak of disease. As the number of unvaccinated people rises due to vaccine refusal, it creates more places for disease to live (inside more bodies). We have special obligations to protect the most vulnerable, those who cannot protect themselves from infectious diseases but who seek protection nonetheless. Healthy people protect them by getting vaccines. Mandatory vaccination laws are justified, then, by the Harm Principle. They license interfering with personal liberty and autonomy because they prevent harm to the most vulnerable.

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1. **Preventing Harm to Individuals**

In general, it is not justifiable to put individuals at increased risk of harm for the sake of public health (absent their consent). Individuals are justified in opting out of public health measures, such as vaccinations, if compliance is expected to cause harm or illness to themselves. Medical exemptions to vaccine mandates are justified by this principle. We do not require already vulnerable or sick persons to put themselves at risk of contracting an infectious disease from vaccinations. This principle is only applicable to the vaccination debate when the risk of harm is a genuine risk. For example, the immune-compromised are at a genuine risk of becoming sick following vaccination, since their body cannot produce enough antibodies to respond to the vaccine and ward off other infection. However, some people use this principle as a justification for opting out of vaccines even when there is no real risk of harm to themselves or their children. Reports from parents and pediatricians indicate that vaccine safety concerns are translated into delay or refusal to immunize in some cases. Websites like the National Vaccine Information Center continue to say that vaccines put children at serious risk of harm even as the American Academy of Pediatricians, the American Medical Association, the American Public Health Association, among other scientific and medical organizations, have strengthened support of vaccination programs and stress their safety in healthy children. Vaccines do not put healthy children (or adults) at increased risk of illness or harm. In sum, while it is unjustifiable to require that individuals expose themselves to risk for the sake of public health, this argument only works as a justification to refuse vaccinations when there is a real risk of harm. For most people, there is no such risk.

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