
The Moral Justification for Mandatory Immunization

The issue of individual rights versus social responsibilities as a citizen has long been a hotly contested issue in American philosophical and political life. The average American citizen is brought up in an environment imbued with Libertarian and Kantian notions of natural born individual rights. These natural rights often come into harsh contact with what others say are the burdens that all citizens must share as members of a just society. In modern times, this “tug-of-war” over where we draw the lines on who has the right to do what, can be exemplified in the debate over mandatory immunization for people residing in the United States. Fears over vaccinations and their speculated possible health consequences has given rise to a movement of individuals who are refusing to vaccinate either themselves or their children. These “anti-vax” individuals are contributing to a rise in public health concerns over the spread of dangerous diseases. According to the CDC the United States is undergoing an outbreak of the measles virus with numbers of reported cases causing 2019 to see the highest number of cases since 1992 (CDC). With the rise of reported incidences of virus spread, many are wondering how those who are anti-vax are able to get away with not having to be immunized to possible health threats. For their part, those who are anti-vax claim that they are well within their moral rights as individuals to refuse vaccinations. However, in reality they are not. There is no moral justification for a person’s refusal to undergo vaccination. As an unvaccinated person, you are a health threat to the sustainment of the society, absent legitimate medical exclusions there is no justification to refuse.

To begin to understand why mandatory immunization it is not an infringement on a person’s rights we must look at some popular theories of morality. From a Utilitarian perspective people should be forcibly immunized in order to maximize the utility in the society. The reasoning goes that those who are unhappy with being forcibly immunized are outweighed by the greater society which is happy because there is less disease and chance of danger to the society. While I am not a utilitarian, from this standpoint someone who is anti-vax has no legitimacy to refuse immunization. The argument against this is that Utilitarian’s have no respect for a person’s individual rights. Utilitarian’s only care for what produces the greatest overall utility and thus they could hypothetically get away with horrendous moral atrocities. While this is true, Libertarians do care about and push for the rights of the individual and an argument can be made that they also would be in favor of mandatory immunization.

Libertarians have long been ardent defenders of what they see as your individual right to behave as you wish to behave. They believe in the Kantian notion that all of us are means in and of ourselves rather than just means to an end. Because we are means unto ourselves, this creates the idea of self-ownership. Understanding this, the question must be asked, if Libertarians believe that someone has the right to do as they please over their own personage how would there ever be a libertarian justification for mandatory immunization? The answer is found in the harm principle. Libertarians believe that you are your own master, but that others are their own masters as well. Because of this, that means that no person has the right to use their own rights to violate the rights of others who are their equals. An unvaccinated person poses a potential threat to those they come into contact with for two main reasons. Those who have vaccines are not necessarily fully protected by them in all cases and there is an additional risk to what is known as “herd immunity” (Chop.edu). In herd immunity there are members of a

society who sometimes are legitimately unable to be vaccinated either by being too old/young or having a preexisting medical condition that excludes them from being able to receive one. That small percentage of society is protected from being contaminated by a supermajority of society that is vaccinated (usually above 90%). One way of thinking about it would be to say that those who are vaccinated protect the small number of those who cannot be (Sadarangani). Since an unvaccinated person simply existing and interacting with society in an unvaccinated state is a risk to the groups above it is not unreasonable to conclude that that is a violation of the harm principle. Adding further to this idea is the viewpoint of John Rawls with his Original Position theory. It is supposed in this theory that had we all participated in a blind determination of what our rights would be without any understanding as to whom we were in life, that we would come up with an unadulterated social contract. It can be argued that one of the things that a just society would agree to in the case of the original position would be to not allow those who are susceptible and weakest in the society (the old/young children that cannot yet receive a vaccine) to be allowed to come under harm by those who refuse immunization.

A third moral view on this subject can be found in the Aristotelian ideal that a society is supposed to promote the crafting of character and virtue in the citizenry that participate in it. From this view, those who are refusing vaccination are committing immoral acts. They commit these acts because it is contrary to what is found to be the “good life”. The question may be asked how a person knows what the good life is? Wouldn't the “good life” be subjective? To Aristotle that answer is a flat no, because you must consider the good of your fellow citizens through practical wisdom. According to Michael Sandel in his book *Justice: What's The Right Thing To Do?* “Aristotle defines practical wisdom as ‘a reasoned and true state of capacity to act with regard to the human good.’ ... People with practical wisdom can deliberate well about what is good, not only for themselves but for their fellow citizens, and for human beings in general” (Sandel 232). This means that our lives are to be based off of what is good, and what is good can be found through reasonable deliberation as a society to find the virtue we wish to craft. The majority of the United States believes in preventative vaccination. Our top minds and thinkers have deliberated the possible consequences of vaccination, and science overwhelmingly indicates that vaccinations are safe. From an Aristotelian point of view, we should be forcing immunizations because the society has decided that they are a key to the good life, and it is a virtue we wish to pursue.

All of these moral theories go to reinforce the idea that mandatory immunization of people living inside the United States is justified. Some may argue that it is a violation of their free will or their religious liberties, but as indicated through the Libertarian view there are already basic restrictions on just how free we actually are. As for religious liberties, the Supreme court has already set the precedent that the government has the right to put restrictions on your liberty in the name of public health in *Jacobson v Massachusetts* (Mariner et al). While it can be granted that there will be some exceptions to the rule, medical exemptions being the main one, there is no moral justification to putting others at risk because you disagree with being vaccinated.