Ethics of mandatory COVID-19 vaccination: a scoping review

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Citation

Abstract
Vaccination against life-threatening infectious illnesses is an important medical contribution that saves millions of lives worldwide each year. However, vaccine development and its use often attracted significant ethical controversies. The ethical deliberations around vaccine research and use often utilize public health ethics principles where the benefit of the community at large or the common good is considered as the goal of ethical deliberations over benefits at the individual level. A scoping review of the literature regarding mandatory COVID-19 vaccination showed that many scholars recommended such a strategy based on the harm principle, and there is not much literature regarding other ethical principles that can be utilized to promote mandatory COVID-19 vaccination.

Keywords: vaccine; public health ethics; common good; mandatory vaccination
Introduction

The COVID-19 pandemic resulted in significant morbidity and mortality worldwide, especially among vulnerable sections of society [1]. Considering the severely contagious nature of the infection and the absence of any effective treatment, the only pragmatic option to control the pandemic was to develop effective vaccines against the virus [2]. Fortunately, vaccine development against COVID-19 has been faster and many safe and effective vaccines started being available in the market in 2020 [2]. However, multiple reports worldwide reported various barriers to COVID-19 vaccine uptake [3].

Vaccine hesitancy is an important public health concern worldwide that significantly affects the effectiveness of any vaccine at the population level [4]. During the COVID-19 pandemic, significant vaccine hesitancy was reported from across the world, especially among vulnerable groups [5, 6]. To achieve herd immunity against COVID-19 infection, mandatory COVID-19 vaccination for all citizens was rolled out in many countries as a public health priority to mitigate vaccine hesitation or refusal [7]. Few other countries declared mandatory COVID-19 vaccination for high-risk groups for infection or complications, such as healthcare workers, older people, etc [8]. The justifications provided for mandatory vaccination were that such a policy protects those individuals who cannot be vaccinated and provides better protection to those at high risk of severe disease [7].

The imposition of mandatory COVID-19 vaccination gave rise to serious bioethical debates across the world as it curtails individual freedom for achieving public health objectives. Many scholars argued in favor of the idea of mandatory vaccination, as a state has the authority to restrict an individual’s liberty to prevent harm to others (harm principle) [8]. Moreover, mandatory COVID-19 vaccination also can prevent unnecessary utilization of healthcare resources due to higher morbidities among unvaccinated individuals, as a result saving scarce healthcare resources [8]. Some other scholars highlighted legal options allowing mandatory COVID-19 vaccination in major human rights documents such as the European Convention on Human Rights, the American Convention on Human Rights, and International Covenant on Civil and Political Rights, as all those documents contain articles that accept restrictions on some civil rights to protect public health, if necessary [8, 9]. However, some other scholars also raised objections to the provision of mandatory COVID-19 vaccination, especially coercion involved in the hard compulsory vaccination using law enforcement, selective mandatory vaccination, vaccine passport, unfair mandatory vaccination due to inequitable distribution of vaccines worldwide, etc [10].

A comprehensive understanding of arguments in favor and against the mandatory COVID-19 vaccination strategy is needed to plan policies to promote adherence to COVID-19 vaccination programs. To the best of my knowledge, there are no review studies to systematically understand various ethical principles used to justify or refute the practice of mandatory COVID-19 vaccination in published literature yet.

Methods

A scoping literature review was conducted in January 2023 in major search engine platforms such as Pubmed and Scopus to collect academic publications, reports, and writings from grey literature, by scholars of bioethics. “COVID-19 vaccine”, “mandatory vaccination”, and “ethics” were used as the keywords in combination (“AND”), and no duration restriction was employed. Publications related to the ethics of mandatory COVID-19 vaccination from across the world were included in the final analysis. The major ethical themes in favor or against the mandatory COVID-19 vaccination strategy were identified by qualitative analysis of the collected literature.

Results

The Pubmed search resulted in 62 manuscripts, out of which 25 manuscripts that explored the ethics of mandatory COVID-19 vaccination specifically were included in the final analysis of the study. The majority of the manuscripts were opinion papers (80%). The remaining 20% of the manuscripts were original research articles. 7 (28%) manuscripts specifically addressed ethical issues of mandatory COVID-19 vaccination of healthcare workers, 2 (8%) manuscripts addressed ethical issues of mandatory COVID-19 vaccination in children, and 16 (64%) addressed ethical issues of mandatory COVID-19 vaccination in general. Among five original articles that explored attitudes towards mandatory COVID-19 vaccination, one was a Twitter poll in Austria among the general public, two manuscripts were online surveys among Italian healthcare workers, and three manuscripts were survey studies among the general public in US, Austria, and Germany.

The major theme that emerged in most of the manuscripts that supported mandatory COVID-19 vaccination as an ethical act was avoiding harm to others. According to many scholars, governments have a duty to safeguard the health of their population; therefore mandatory COVID-19 vaccination can be justified ethically provided vaccines are safe and effective. Similarly, businesses, hospitals, and school management have a duty to safeguard the health of the individuals coming to their setting, and mandatory vaccination of staff or customers coming to their setting can be justified as an ethical act as it makes promotes the health of the people [11, 12].

The two major themes that emerged in most of the manuscripts that criticized mandatory COVID-19 vaccination policy were discrimination and autonomy violation. According to some scholars, the mandatory COVID-19 vaccination policy will create a two-tier society where only vaccinated citizens only can fully enjoy their human rights, and those unvaccinated due to their religious or philosophical beliefs, will be discriminated against as their fundamental human rights, such as access to work, education, public transport, and social life will be disproportionately restricted in a society where COVID-19 intake is mandatory [13–15]. According to some scholars, the autonomy violation involved in the mandatory COVID-19 vaccination policy makes it an immoral act as it is unethical to sacrifice fundamental rights such as individual autonomy for the public good, and governments can’t dictate to individuals their vaccination choices [16]. However, some also argue that autonomy can be violated for the public good only under strict conditions when it is necessary and proportionate [11].

Regarding the ethics of mandatory COVID-19 vaccination of healthcare workers (HCW), the major theme that emerged in supporting such a decision was avoiding harm to others. Many scholars argue that HCWs have a general ethical duty to protect others from harm and a responsibility not to harm their patients [17–19]. Moreover, some also argued that leaders of healthcare organizations have a duty to provide a safe environment and workplace for all those who work for them, as well as for those who receive care or treatment at one of their facilities [20]. The main theme that criticized the mandatory COVID-19 vaccination of HCWs was the “selective” forms of compulsory vaccination [21]. Some scholars argued that prioritizing HCWs over other essential workers, such as drivers, supermarket workers, etc, can be seen as unjust distribution of scarce medical resources.

The major themes regarding the ethics of mandatory COVID-19 vaccination of children in the two studies analyzed were safety and proportionality. Scholars were in favor of such a mandate provided the vaccines were found to be safe and effective in children and the seriousness of COVID-19 infection in children warrants such an action, which is proportional [22].

The results of original research articles showed that only 49%, 40.9%, 51% and of the study participants (general population) were in favor of mandatory COVID-19 vaccination in Austria, the US, and Germany, respectively [23–25].

Two studies from Italy also analyzed the attitude of HCWs regarding mandatory COVID-19 vaccination and found that 17.7% and 10.4% of HCWs did not agree with the mandatory nature of COVID-19 vaccination, respectively [26, 27].
Discussion

The literature review showed that most of the published literature supported mandatory COVID-19 vaccination strategy based on the principle of avoiding harm to others. Most articles argue that institutions, HCWs, and governments have a duty to protect individuals at risk from COVID-19 infection, and there is no immorality in violating individual autonomy to achieve that goal. However, the literature is silent about other better ethical principles, such as sociality, the principle of utility and the principle of reverence for life, in justifying such a policy. There is a need to explore alternate ethical principles that can be utilized to promote mandatory COVID-19 vaccination.

The literature review also showed that the major criticism against mandatory COVID-19 vaccination was based on the principle of autonomy. Many argue that any such policy that mandates vaccination violates individuals’ freedom and autonomy. However, such an understanding only highlights the conflicts between clinical ethics versus public health ethics. The ethical principles employed in public health ethics are very different from the principles employed in clinical ethics. There is a broader agreement among public health ethics experts that individual autonomy can be violated in special circumstances such as the COVID-19 pandemic.

The current literature review also showed a discrepancy in attitudes among bioethical scholars, HCWs, and the general public. When many of the scholars of bioethics supported the idea of mandatory vaccination, support for such a policy was relatively lower among HCWs and the general public. One of the major reasons for such negative attitudes towards mandatory COVID-19 vaccination among HCWs and the general public could be the lack of clarity regarding the safety and effectiveness of available COVID-19 vaccines at that point. During the COVID-19 pandemic, vaccines were developed hastily without long-term empirical safety data. However, most of these studies are from developed countries where individual autonomy is a fundamental concept, hence these results cannot be generalized to other developing or non-western countries. Another major reason for such a discrepancy could be the confusion prevailing in the differential understanding of bioethical principles employed in public health and clinical medicine. Vaccination is mostly done to achieve public health goals such as herd immunity. It is reasonable ethically to violate individual autonomy to meet higher public health goals, such as mitigating the COVID-19 pandemic, provided the vaccines are safe and effective. However, there is a need to understand further the gravity of the possible ethical violations that happened during the early part of the pandemic, especially in vaccine making, testing, and implementation of mandatory vaccination policy.

Conclusion

Ethical issues permeate every step in vaccine development, research, and use. The COVID-19 pandemic brought about vaccine ethics to the forefront with policies such as rapid vaccine development and mandatory vaccination. In this literature review, we found that many scholars of bioethics supported mandatory COVID-19 vaccination based on the harm principle, whereas many also criticized such a policy as it violates individual autonomy. The current study also found significant discrepancies among scholars, HCWs, and the general public regarding attitudes toward mandatory COVID-19 vaccination policy. However, many ethical principles that can guide mandatory vaccination policy were not well covered in the literature and demands further exploration. Finally, most of these studies were done in Western countries and the results cannot be generalizable to non-western countries, and there is a need to conduct studies in non-developed countries and also to involve bioethical scholars from non-western countries while drafting ethical guidelines for mandatory vaccination at global level.

References

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