

Index

- Access to vaccination, 7, 24–29, 33, 35, 83, 122, 127, 138, 152, 167, 168, 174, 186
- Acts-omissions distinction, 62, 204
- Admission pass. *See* Protected access pass
- Adverse effects of vaccination. *See* Vaccine safety
- Anthroposophist worldview, 7, 30, 37–38, 51, 76, 78, 90, 97,
- Attwell, Katie, xi, 3, 31, 121, 124–125, 127, 134, 173, 177, 202, 207, 209
- Autonomy, 15, 45–48, 51, 52–54, 203. *See also* Parental autonomy
- Bernstein, Justin, 201
- Best interests of the child, 33, 43, 47–49, 52–53, 85–100, 120
- Best interests of the child
distinguished from basic interests, 53, 88–89
distinguished from best for the child, 88–89
- Bible Belt in the Netherlands, 2, 36
- Blood transfusion refusal, 87, 95–100, 135, 206
- Bodily integrity, 46–50, 52, 62, 95, 149, 150, 160, 166, 168, 197, 203, 205
limited relevance in the case of children, 48–50
- Bradley, Ethan, 76–77, 205
- Byskov, Morten Fibieger, 124
- Caplan, Arthur, 201
- Chickenpox. *See* Varicella
- Child benefits, 28, 98, 122–123, 132, 143, 157, 192–193, 202
- Child daycare center, 28–31, 61, 68, 103, 123, 125, 129–134, 143, 145, 157, 167–169, 187–188, 192, 208
- Coercion, 57–72, 97–101, 118, 119, 127, 131, 136, 139, 142, 143, 148, 150, 151, 153, 157, 206
counterproductive effects, 45, 83, 119, 121, 125, 139, 172, 189, 190
degrees of, 28, 123, 127–135
in policies, 4, 28–32, 56, 119, 120, 127–135, 136, 188, 191, 196, 198
positive effects on vaccine coverage, 121, 206
- Colgrove, James, 36, 121, 206
- Communitarianism, 59, 199
- Compensation. *See* Vaccine injury compensation
- Court cases
Acmanne and Others v. Belgium, 203, 211
Boffa and others v. San Marino, 71, 213
Brown v. Stone, 207
Campbell and Cosans v. The United Kingdom, 207
Dalli v. Board Of Education, 207
Jacobson v. Massachusetts, 71, 150, 203, 205

- Court cases (cont.)
Prince v. Massachusetts, 93
Soering v. the United Kingdom, 207
Solomakhin v. Ukraine, 71, 205
United States v. Seeger, 108, 207
Vavřička v. The Czech Republic, 51, 54, 72, 93, 137
X and Y v. the Netherlands, 203
Y.F. v. Turkey, 203
- COVID-19, x–xi, 3–5, 9, 19–21, 31, 41, 44, 64, 66, 147–159, 164, 175, 203, 205, 207, 209
- Criminal offense, 28, 31, 48, 98, 123, 133, 143, 150, 155, 162, 163, 167, 195, 202
- Dawson, Angus, 64, 93, 94, 122, 171, 202, 205
- Democratic decision-making, xii, 15, 81–83, 155, 172–173, 189, 194, 205
- Diphtheria, 1, 7, 14, 41, 42, 143
- Disneyland outbreak, x, 2, 3, 57, 103
- Egalitarianism, 22, 104, 199
- Enforced vaccination, 28–32, 39, 58, 97–101, 123, 129, 134, 188, 196, 206
- Equity, 15–17, 24–27, 33, 75, 78, 83, 137, 185, 201, 208
- Eradication, 1, 10, 14, 23, 70, 201
distinguished from elimination, 10
- European Convention of Human Rights (ECHR), 47, 50–56, 72, 91, 92, 182, 183, 207, 210
- European Court of Human Rights (ECtHR), 47, 51, 52, 54, 56, 71, 72, 93, 109, 137
- Exemption policies, 101–116
medical exemptions, 74, 167
nonmedical exemptions, 31, 101, 103, 106, 115, 117, 122, 142
religious exemptions, 102–112, 115, 117
- Expressive function of law, 141, 143.
See also Symbolic function
- Fair balance
as criterion for proportionality, 121–126
as connected with principle of the least intrusive means, 124–125
- Fairness. *See also* Equity
basic concept of, 76–78
of exemption policies, 105, 106–115
as ground for coercion, 72–75, and vaccination freeriding, 78–81
- Feinberg, Joel, 89
- Flanigan, Jessica, 62
- Forced vaccination. *See* Enforced vaccination
- Freedom. *See also* Liberty
of thought, conscience, and religion, 46, 50–56, 62, 72, 78, 85, 88, 91, 94, 97–102, 107–110, 125, 131, 168, 195, 205
of thought and expression, 180–183, 199, 209
- Freeriding
in vaccination refusal, 75–76, 198
- Ge Hong, 8
- Giubilini, Alberto, 36, 70, 73–74, 80, 141
- Goldenberg, Maja, 33, 43, 85
- Harm principle, 58–60
fairness constraints on, 74–75, 204
direct application of, 60–63
indirect application of, 63–72
proportional application of
- Harm threshold, 92–96
- Hepatitis, 9, 98, 143, 148
- Herd immunity (or herd protection)
complexities of, 12
defined, 11–12
as public good, 22–24, 26, 33, 43, 58, 63–71, 78–81

- as responsibility for the state, 14, 21–23, 56, 67, 81, 85, 176, 204
- Hirose, Iwao, 151
- Human papilloma virus (HPV), 2–3, 5, 9, 24–26, 79, 137–138, 143
- Immunity
 - sterilizing, 11–12, 156
- Immunity passport. *See* Protected access pass
- Influenza, 13, 148, 164, 201
- Inoculation, 8
- Integrity. *See* Bodily integrity
- Intervention ladder, 32–33, 122–123, 163, 202
 - critique of, 123, 161–163, 202
- Jehovah’s Witnesses, 87, 95–100, 206
- Jenner, Edward, 1, 8
- Justice. *See also* Equity
 - as condition for exemption policies, 105–115
- Kindergarten. *See* Child daycare center
- Kompetenz–Kompetenz, 94
- Kraaijeveld, Steven, 13, 127, 137
- Krom, André, 207
- Largent, Mark, 31, 129, 203
- Larson, Heidi, 141, 174, 176, 180, 186
- Least intrusive means (or least restrictive alternative), 55, 118, 121–125
 - as criterion for proportionality, 121–125
 - critique of, 123, 161–163, 202
- Legal penalty or punishment. *See* Criminal offense
- Liberal democracy, xii, 15–18, 22, 24–25, 34–35, 41, 45–46, 54–55, 89, 97, 102–106, 117, 126, 171–173, 180, 184, 186, 208
 - four foundational values of, 15
- Libertarianism, 21, 25, 59, 201, 202, 203
- Liberty
 - as fundamental right, 33, 45–47
- Measles, ix–xii, 1, 2, 7, 9–13, 19–23, 36–43, 57, 60–61, 68–72, 85, 90, 97, 101, 103, 106–107, 120–121, 130, 134–135, 138–139, 143, 150, 187, 193–194, 204, 210
- Meningococcal disease, 40, 131, 138, 143
- Mill, John Stuart, 51, 57–74, 92, 118–119, 181, 191, 198–200, 204, 205
- National immunization program, 9, 22, 24, 27, 31, 33, 45, 81–82, 130–131, 135–138, 148, 192
- Navin, Mark, 3, 31, 37, 40, 76, 78, 103, 108, 112–113, 124–125, 129, 134, 136, 202, 205, 207
- No jab, no pay, 31, 132–133. *See also* Child benefits
- Norm expressing policies, 28–30, 47, 123, 128–130, 143
- Nudging, 28, 30, 70, 123, 129, 142, 179, 193
- Nursery. *See* Child daycare center
- Parens patriae, 94
- Parental autonomy, 30, 32, 46, 48, 52–55, 85–100, 91, 92, 95, 96, 98, 99, 124, 149, 167, 188, 195–199, 206
- Pasteur, Louis, 9
- Paternalism, 40–41, 58–59, 199–200
- Poliomyelitis, ix, 1, 7, 9, 10, 12, 14, 20, 21, 32, 36, 39–42, 93, 125, 133, 135, 137–138, 143
- Pragmatic considerations, 118, 119, 122, 144, 169, 192, 194
- Proportionality, xii, 54–57, 67, 72, 82–85, 100–103, 115, 150, 152, 158–164, 169–172, 199, 207
 - four-pronged test of, 54–57, 120–126
 - proposal for a proportionate vaccination policy, 142–145, 195–196

- Protected access pass, 31, 154–159, 164, 194
- Public goods, 23, 26–27, 33, 43, 60, 64–82
supervening on private goods, 78–80
- Rawls, John, 15, 24, 46, 76–78, 88–89, 92
- Reiss, Dorit, 94, 103, 134
- Religious objections, ix, 1, 7, 14, 15, 35–37, 50–51, 78, 96, 102, 107–112, 115, 117, 205–207
- Right to education, 89, 125, 131, 143, 155
- Rotavirus, 12, 138, 143, 208
- Roth, Philip, 20
- School. *See* Vaccination as requirement for school entry
- Sears, Robert, 75–77
- Seatbelts, 48, 141
- Smallpox, 1, 8–10, 14, 71, 102, 103, 150, 151, 201
- Social media, 3, 6, 38–41, 44, 70, 177–184
- Solidarity, 80, 163, 187, 199–200
- Symbolic function of law, 141. *See also* Expressive function of law
- Tetanus, 1, 24, 136–137, 143
- 3G Policies, 154–165, 195
- Trust, x–xii, 3–6, 21, 33, 36–45, 83, 118, 121, 139, 170–190, 209
- Trustworthiness, 18, 110, 173, 177–180
- 2G Policies, 154–166, 170, 195
- Utilitarianism, 22, 25, 118, 205. *See also* Consequentialism
- Vaccination
basic explanation of, 8
definition of compulsory vaccination, 31, 133
definition of mandatory vaccination, 30, 130
effectiveness of, 8–13
as requirement for school entry, 28–32, 61, 98, 101, 109, 119–123, 130–133, 143, 193, 202, 206, 208
- Vaccination passport. *See* Protected access pass
- Vaccine cocktails, 9, 41, 138
- Vaccine confidence, 5, 33, 45, 83, 125, 174–180. *See also* Trust; Vaccine hesitancy
- Vaccine Confidence Project, 174
- Vaccine coverage
local differences in, 1, 12, 38, 105–107, 144, 210
minimum level of, 12, 144–145, 184, 188–189, 192–194, 210
needed for herd immunity, 144, 193, 210
- Vaccine hesitancy, ix–x, 2–7, 16–17, 35, 41, 43, 46, 86, 135, 171–173, 180–186
- Vaccine injury compensation, 208
- Vaccine safety, x, 4, 6, 14, 16, 34, 38–44, 70, 82, 86, 90, 97, 110, 127, 131, 170, 173–180, 182, 185–197, 186, 209
- Vaccines
different types of, 8–9
number of, 135–138
- van den Hoven, Mariëtte, 58, 77
- Varicella, 26, 41, 125, 127, 135, 136, 138, 144,
- Voluntary policies, 16, 28–34, 68–69, 119, 122–128, 138–139, 141–144, 148–153, 168–173, 187–196
- Wakefield, Andrew, 38–41, 109, 142
- White, Lucie, 158, 205

Basic Bioethics

Arthur Caplan, editor

Books Acquired under the Editorship of Glenn McGee and Arthur Caplan

Peter A. Ubel, *Pricing Life: Why It's Time for Health Care Rationing*

Mark G. Kuczewski and Ronald Polansky, eds., *Bioethics: Ancient Themes in Contemporary Issues*

Suzanne Holland, Karen Lebacqz, and Laurie Zoloth, eds., *The Human Embryonic Stem Cell Debate: Science, Ethics, and Public Policy*

Gita Sen, Asha George, and Pirooska Östlin, eds., *Engendering International Health: The Challenge of Equity*

Carolyn McLeod, *Self-Trust and Reproductive Autonomy*

Lenny Moss, *What Genes Can't Do*

Jonathan D. Moreno, ed., *In the Wake of Terror: Medicine and Morality in a Time of Crisis*

Glenn McGee, ed., *Pragmatic Bioethics, 2d edition*

Timothy F. Murphy, *Case Studies in Biomedical Research Ethics*

Mark A. Rothstein, ed., *Genetics and Life Insurance: Medical Underwriting and Social Policy*

Kenneth A. Richman, *Ethics and the Metaphysics of Medicine: Reflections on Health and Beneficence*

David Lazer, ed., *DNA and the Criminal Justice System: The Technology of Justice*

Harold W. Baillie and Timothy K. Casey, eds., *Is Human Nature Obsolete? Genetics, Bioengineering, and the Future of the Human Condition*

Robert H. Blank and Janna C. Merrick, eds., *End-of-Life Decision Making: A Cross-National Study*

Norman L. Cantor, *Making Medical Decisions for the Profoundly Mentally Disabled*

Margrit Shildrick and Roxanne Mykitiuk, eds., *Ethics of the Body: Post-Conventional Challenges*

Alfred I. Tauber, *Patient Autonomy and the Ethics of Responsibility*

David H. Brendel, *Healing Psychiatry: Bridging the Science/Humanism Divide*

Jonathan Baron, *Against Bioethics*

Michael L. Gross, *Bioethics and Armed Conflict: Moral Dilemmas of Medicine and War*

Karen F. Greif and Jon F. Merz, *Current Controversies in the Biological Sciences: Case Studies of Policy Challenges from New Technologies*

Deborah Blizard, *Looking Within: A Sociocultural Examination of Fetoscopy*

Ronald Cole-Turner, ed., *Design and Destiny: Jewish and Christian Perspectives on Human Germline Modification*

Holly Fernandez Lynch, *Conflicts of Conscience in Health Care: An Institutional Compromise*

Mark A. Bedau and Emily C. Parke, eds., *The Ethics of Protocells: Moral and Social Implications of Creating Life in the Laboratory*

Jonathan D. Moreno and Sam Berger, eds., *Progress in Bioethics: Science, Policy, and Politics*

Eric Racine, *Pragmatic Neuroethics: Improving Understanding and Treatment of the Mind-Brain*

Martha J. Farah, ed., *Neuroethics: An Introduction with Readings*

Jeremy R. Garrett, ed., *The Ethics of Animal Research: Exploring the Controversy*

Books Acquired under the Editorship of Arthur Caplan

Sheila Jasanoff, ed., *Reframing Rights: Bioconstitutionalism in the Genetic Age*

Christine Overall, *Why Have Children? The Ethical Debate*

Yecheil Michael Barilan, *Human Dignity, Human Rights, and Responsibility: The New Language of Global Bioethics and Bio-Law*

Tom Koch, *Thieves of Virtue: When Bioethics Stole Medicine*

Timothy F. Murphy, *Ethics, Sexual Orientation, and Choices about Children*

Daniel Callahan, *In Search of the Good: A Life in Bioethics*

Robert Blank, *Intervention in the Brain: Politics, Policy, and Ethics*

Gregory E. Kaebnick and Thomas H. Murray, eds., *Synthetic Biology and Morality: Artificial Life and the Bounds of Nature*

Dominic A. Sisti, Arthur L. Caplan, and Hila Rimon-Greenspan, eds., *Applied Ethics in Mental Healthcare: An Interdisciplinary Reader*

Barbara K. Redman, *Research Misconduct Policy in Biomedicine: Beyond the Bad-Apple Approach*

Russell Blackford, *Humanity Enhanced: Genetic Choice and the Challenge for Liberal Democracies*

Nicholas Agar, *Truly Human Enhancement: A Philosophical Defense of Limits*

Bruno Perreau, *The Politics of Adoption: Gender and the Making of French Citizenship*

Carl Schneider, *The Censor's Hand: The Misregulation of Human-Subject Research*

Lydia S. Dugdale, ed., *Dying in the Twenty-First Century: Toward a New Ethical Framework for the Art of Dying Well*

John D. Lantos and Diane S. Lauderdale, *Preterm Babies, Fetal Patients, and Childbearing Choices*

Harris Wiseman, *The Myth of the Moral Brain*

Arthur L. Caplan and Jason Schwartz, eds., *Vaccine Ethics and Policy: An Introduction with Readings*

Tom Koch, *Ethics in Everyday Places: Mapping Moral Stress, Distress, and Injury*

Nicole Piemonte, *Afflicted: How Vulnerability Can Heal Medical Education and Practice*

Abigail Gosselin, *Mental Patient: Ethics from a Patient's Perspective*

Laurie Zoloth, *May We Make the World?*

Baker, Robert, *Making Modern Medical Ethics*

This is a section of [doi:10.7551/mitpress/15307.001.0001](https://doi.org/10.7551/mitpress/15307.001.0001)

Inducing Immunity?

Justifying Immunization Policies in Times of Vaccine Hesitancy

By: Roland Pierik, Marcel Verweij

Citation:

Inducing Immunity?: Justifying Immunization Policies in Times of Vaccine Hesitancy

By: Roland Pierik, Marcel Verweij

DOI: 10.7551/mitpress/15307.001.0001

ISBN (electronic): 9780262378376

Publisher: The MIT Press

Published: 2024

The open access edition of this book was made possible by generous funding and support from MIT Press Direct to Open



The MIT Press

© 2024 Massachusetts Institute of Technology

This work is subject to a Creative Commons CC-BY-NC-ND license.

This license applies only to the work in full and not to any components included with permission. Subject to such license, all rights are reserved. No part of this book may be used to train artificial intelligence systems without permission in writing from the MIT Press.



The MIT Press would like to thank the anonymous peer reviewers who provided comments on drafts of this book. The generous work of academic experts is essential for establishing the authority and quality of our publications. We acknowledge with gratitude the contributions of these otherwise uncredited readers.

This book was set in Stone Serif and Stone Sans by Westchester Publishing Services.

Library of Congress Cataloging-in-Publication Data

Names: Pierik, Roland H. M., author. | Verweij, M. F., author.

Title: Inducing immunity? : justifying immunization policies in times of vaccine hesitancy / Roland Pierik and Marcel Verweij.

Other titles: Basic bioethics

Description: Cambridge, Massachusetts : The MIT Press, [2024] | Series: Basic bioethics | Includes bibliographical references and index.

Identifiers: LCCN 2023013919 (print) | LCCN 2023013920 (ebook) | ISBN 9780262547796 (paperback) | ISBN 9780262378369 (epub) | ISBN 9780262378376 (PDF)

Subjects: MESH: Vaccination—ethics | Mandatory Programs—ethics | Vaccination Hesitancy | Health Policy | Communicable Disease Control

Classification: LCC RA638 (print) | LCC RA638 (ebook) | NLM WA 115 | DDC 614.4/7—dc23/eng/20230727

LC record available at <https://lcn.loc.gov/2023013919>

LC ebook record available at <https://lcn.loc.gov/2023013920>