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Protecting the Personhood of Children: The Case for Mandatory Vaccination

Vaccines have been vital in safeguarding public health for over two centuries, playing a critical role in preventing numerous infectious diseases that once claimed countless lives (“U.S. Vaccine Safety”). However, despite the overwhelming scientific evidence supporting their safety and efficacy, some parents refuse to vaccinate their children due to personal or religious beliefs or ignorance. The vaccination debate in the United States is a contentious issue that has been ongoing for several decades. The controversy centers around the safety and efficacy of vaccines and whether parents should be compelled by law to vaccinate their children. On one side, medical professionals and public health officials argue that vaccines are safe, effective, and necessary to prevent the spread of infectious diseases, protect public health, and save lives. “A recent analysis of vaccines to protect against 13 diseases estimated that for a single birth cohort nearly 20 million cases of diseases were prevented, including over 40,000 deaths” (Orenstein and Ahmed). Medical professionals and public health officials point to numerous scientific studies showing that vaccines do not cause autism or other long-term health problems and have been critical in eradicating or significantly reducing many deadly diseases, such as polio, measles, and smallpox (Gerber and Offit).

Conversely, some parents, advocacy groups, and religious organizations argue that vaccines are unsafe and have been linked to various health problems, including autism and other developmental disorders. They also contend that parents should have the right to make decisions

about their children's health without interference from the government. This group also cites religious or personal beliefs against vaccination as a reason to refuse vaccination for their children (McKee and Bohannon 106-107).

The rhetorical context surrounding the vaccination debate in the U.S. is complex and multifaceted. The media has played a significant role in shaping public opinion on this issue by amplifying both sides of the argument. As a result, the vaccination debate has become a highly polarized and politicized issue, with both sides frequently engaging in ad hominem attacks, cherry-picking of data, and fear-mongering tactics (Chen). The ongoing COVID-19 pandemic has added a new layer of complexity to the debate, with vaccine hesitancy and resistance presenting a significant challenge to public health officials' efforts to control the spread of the virus.

The debate about childhood immunizations has a considerable impact on society. Unvaccinated children suffer as they are at an increased risk of contracting serious and sometimes life-threatening diseases, which can result in long-term health consequences (Amin and Saman). Additionally, those who are too young or medically unable to receive vaccinations rely on herd immunity to protect them. Their lives can be put at risk if too many people in the community are not vaccinated. Parents also suffer from the debate about childhood immunizations, as they face difficult decisions about whether or not to vaccinate their children and the implications they perceive from that decision. Medical professionals and public health officials also suffer from the debate as they may face increasing vaccine hesitancy or refusal cases that can risk their patients' health and well-being. The debate can also lead to a breakdown of trust between medical professionals and the public, which can have broader consequences for public health efforts (“Confronting Health Misinformation”). Finally, the wider community also

suffers from the debate about childhood immunizations, as outbreaks of preventable diseases can lead to increased healthcare costs, lost productivity, and social disruption (Rodrigues and Plotkin). Ultimately, it is in the best interest of everyone to ensure that children receive the necessary vaccinations to protect their health and well-being and prevent the spread of infectious diseases in society. Compelling parents by law to vaccinate their children is necessary to protect the human personhood of children and ensure their right to a healthy and disease-free life, as well as to prevent the spread of infectious diseases in the broader community.

In brief, human personhood is the concept that all humans possess an inherent and unique dignity, value, and moral status, regardless of age, race, gender, or ability. This view holds that being human is sufficient to warrant the protection of fundamental human rights, such as the right to life, liberty, and the pursuit of happiness. Anti-abortion activists use the concept of human personhood to argue against abortion (Zernike). They claim that a fetus is a human being with personhood from conception and thus has an inherent right to life that must be protected by law. By extrapolation, the human personhood of the fetus doesn't end when it is born but continues throughout childhood and into adulthood. Just like adults, children are human beings with inherent dignity, value, and moral status. Therefore, they are entitled to basic human rights such as the right to life, health, and well-being. Children have an inherent right to a healthy and disease-free life, and when their parents choose to infringe on that right, it is incumbent on the government to step in.

One of the primary reasons why the government should compel parents to vaccinate their children is that vaccines protect against diseases that can cause serious harm, disability, and death. For example, the measles vaccine is highly effective and can prevent severe complications such as pneumonia, brain damage, and death. However, when a significant number of people are

not vaccinated, the disease can spread rapidly, leading to outbreaks that can be difficult to contain. In recent years, several measles outbreaks in the U.S. have been linked to unvaccinated individuals, including the largest outbreak in over 25 years in 2019. According to the Centers for Disease Control and Prevention (CDC), that year, there were several measles outbreaks in the U.S. in 31 states, accounting for 1,274 individual cases, the highest number since 1992 (“Measles Cases and Outbreaks”). The spread of preventable diseases harms individuals, burdens healthcare systems, and can result in economic losses due to missed work and school (Rodrigues and Plotkin). “Vaccinations have reduced disease, disability, and death from a variety of infectious diseases” (Orenstein and Ahmed). Vaccines undergo rigorous testing and are continuously monitored for safety and efficacy. The CDC and the Food and Drug Administration (FDA) have strict vaccine approval and monitoring standards (“U.S. Vaccine Safety”). By vaccinating children, parents protect their children and contribute to herd immunity making it difficult for the disease to spread.

In short, herd immunity refers to the indirect protection of a population from infectious diseases that occurs when a significant proportion of individuals have become immune to the disease, either through vaccination or previous exposure (Rodrigues and Plotkin). Vaccinations play a critical role in establishing herd immunity. Vaccines stimulate the immune system to produce an immune response to a specific pathogen, such as a virus or bacteria. This immune response creates immunity to the disease, which means that the body can fight off the pathogen if it is encountered in the future. In their study, “Impact of Vaccines; Health, Economic and Social Perspectives,” Drs. Charlene M. C. Rodrigues and Stanley A. Plotkin, both Pediatric experts, state:

Where a sufficiently high proportion of the population are vaccinated, transmission of the infecting agent is halted thereby protecting the unvaccinated, who may be those too young, too vulnerable, or too immunosuppressed to receive vaccines...Herd (population) immunity requires high levels of vaccine uptake, to limit the number of unvaccinated people and the opportunity for pathogen transmission between them.

Herd immunity is essential for protecting individuals who cannot receive vaccinations, such as infants, the elderly, and those with weakened immune systems. The threshold percentage of the population needed to be immune to a disease to achieve herd immunity varies depending on the contagiousness of the disease. An estimated 95% of the population must be vaccinated for highly infectious diseases, such as measles, to establish herd immunity (MacMillan). When vaccination rates fall below this threshold, disease outbreaks can occur, putting unvaccinated individuals and those who cannot be vaccinated at risk.

Moreover, citizens of the United States must adhere to the principles of social responsibility. Social responsibility is the idea that individuals are responsible for contributing to society's well-being. Social responsibility in the context of vaccinating children refers to the collective duty and obligation of individuals, communities, and governments to protect the health and well-being of children through vaccination. Vaccinating children is a social responsibility because it helps prevent the spread of vaccine-preventable diseases in the community, especially among those who cannot receive vaccination due to medical conditions. When parents refuse to vaccinate their children, it can have severe consequences for vulnerable members of the community. The Immunization Action Coalition (IAC), an organization that partners with the CDC to distribute vaccine information, cites the following in their resource for parents, "What If You Don't Vaccinate Your Child?":

Children who are not vaccinated can transmit vaccine-preventable diseases at schools and in the community.

- Unvaccinated children can infect babies who are too young to be fully immunized.
- Unvaccinated children can infect people of any age who can't be immunized for medical reasons. This includes children and adults with leukemia and other cancers, immune system problems, and people of all ages receiving treatments or medications that weaken their immune systems.

Social responsibility in vaccinating children also involves ensuring that vaccination programs are accessible to all children, regardless of their socioeconomic status or geographical location.

Governments, healthcare providers, and communities have a duty to ensure that vaccines are affordable and available to all children, regardless of their ability to pay or location.

Additionally, the government has a responsibility to protect public health. Vaccination is a crucial aspect of public health, and the government has a duty to ensure that individuals are protected from preventable diseases. According to legal expert and senior lecturer in Health Policy and Management and the Center for Law and the Public's Health, Joanne Rosen, "States have the legal and constitutional authority to require that the people who live in that state be vaccinated, or to introduce a vaccine mandate." Many states in the U.S. already have vaccine mandates for children attending school ("Childhood Immunizations"). These mandates require children to be vaccinated against certain diseases before enrolling in school. These mandates have effectively increased vaccination rates and reduced the spread of vaccine-preventable diseases (Orenstein and Ahmed). The United States Supreme Court has consistently upheld the constitutionality of compulsory vaccination laws. In the landmark case of *Jacobson v.*

Massachusetts (1905), the Court ruled that the state has the power to require vaccination in the interest of public health and safety. The case involved Henning Jacobson, who refused to be vaccinated for smallpox during a smallpox epidemic in Cambridge, Massachusetts, and was fined for his refusal. In its ruling, the Court clarified:

The liberty secured by the Constitution of the United States does not import an absolute right in each person to be at all times, and in all circumstances, wholly freed from restraint...It is within the police power of a State to enact a compulsory vaccination law, and it is for the legislature, and not for the courts, to determine in the first instance whether vaccination is or is not the best mode for the prevention of smallpox and the protection of the public health. (“Jacobson v. Massachusetts”)

In another case, *Zucht v. King* (1922), the Court upheld a school vaccination requirement, ruling that the state can enact reasonable regulations to protect public health. In another case, *Prince v. Massachusetts* (1944), the Court upheld a law requiring parents to vaccinate their children against certain diseases. The Court stated, “The right to practice religion freely does not include liberty to expose the community or the child to communicable disease or the latter to ill health or death” (“*Prince v. Massachusetts*”). These groundbreaking cases established that states have the power to enforce reasonable vaccination requirements to protect public health and prevent the spread of disease.

Parents opposed to vaccines, and vaccination mandates do so for various reasons. In a 2016 study, “Exploring the Reasons Behind Parental Refusal of Vaccines,” Texas Tech University Health Sciences Center School of Pharmacy authors Chephra McKee, PharmD, and Kristin Bohannon, BS, aim to investigate the underlying reasons for parental refusal of vaccines. The study is based on a review of existing literature on vaccine refusal and qualitative interviews

with parents who had refused vaccines for their children. Their analysis finds that the decision drivers for these parents primarily fall into four categories: “religious reasons, personal beliefs or philosophical reasons, safety concerns, and a desire for more information from healthcare providers” (McKee and Bohannon 104). The most common of these four categories is opposition based on religious reasons. Resistance based on religious reasons ranges from beliefs that injections of vaccines pollute the body to those who object to the components of some vaccines, for example, the “animal-derived gelatin...as well as the human fetus tissue used in the rubella component...” (McKee and Bohannon 107). Parents refusing vaccines often sought information from alternative sources rather than mainstream medical advice.

Seeking medical information from alternative sources can be problematic for several reasons. While some alternative sources may provide accurate information, others may promote misinformation, pseudoscience, or unproven treatments. This can lead to confusion, misunderstandings, and potentially harmful decisions regarding their child’s health. For example, “The false myth that autism and the measles vaccine are linked traces back to a 1998 study by the British doctor Andrew Wakefield — a study that has since been retracted, but was widely spread by well-known figures like [Jenny] McCarthy” (Einbinder). Since 2007, McCarthy has been vocal about her conviction that vaccinations can lead to autism, believing that her son, Evan, developed autism after receiving the measles, mumps, and rubella vaccine. McCarthy continues to publish books that falsely link autism to vaccines and promotes alternative and unproven treatments for autism, which is harmful because alternative sources of medical information may not be held to the same rigorous standards as traditional medical sources, such as peer-reviewed scientific journals or healthcare professionals. Without proper training,

education, or experience, alternative sources may lack the expertise or qualifications to provide accurate medical information.

Furthermore, relying solely on alternative sources may lead to a biased or incomplete understanding of medical issues. Alternative sources may promote a particular worldview or agenda, influencing the presented information. In addition, alternative sources may not provide a comprehensive perspective on a medical issue or may leave out important information critical to making informed decisions about one's health. In some cases, relying on alternative sources of medical information can be dangerous or even life-threatening because it may promote unproven or ineffective treatments for serious medical conditions, leading individuals to forgo evidence-based treatments that could save their lives. For example, in February 2020, a four-year-old boy died of the flu because his mother trusted an anti-vaccination Facebook group over her doctor, who prescribed her son Tamiflu (Zadrozny). Children have an inherent right to be protected from their parent's misguided, even disastrous, beliefs, and the government must protect this right.

Of course, it is vital to base vaccination laws on sound scientific evidence and to periodically review and update vaccination requirements based on the latest scientific evidence and public health considerations. Vaccination laws should be grounded in evidence-based science and research to ensure that they effectively prevent the spread of disease and protect public health. Vaccination laws should be reviewed and updated as new information and analysis become available to ensure they remain relevant and effective. Likewise, exemptions for children with allergies or other medical conditions that preclude them from receiving certain vaccines are important to protect the health and safety of those children. These exemptions must be based on medical necessity and intended to ensure that children who cannot receive certain vaccines for medical reasons are not at risk of serious illness or complications. These exemptions should be

granted based on the recommendation of a healthcare professional who has assessed the child's medical condition and determined that vaccination is not medically appropriate. However, it is important to note that opt-outs should only be granted in cases where there is a legitimate medical reason and not based on personal or philosophical beliefs. Vaccination laws should be designed to protect public health and only allow opt-outs for medical reasons supported by evidence-based science and research.

In conclusion, compulsory vaccination laws are essential to protect children's human personhood and promote public health. Vaccination laws are grounded in evidence-based science and research and are designed to prevent disease spread and protect public health. By requiring vaccination, we can protect the health and well-being of vulnerable members of our community, including children, the elderly, and those with compromised immune systems. The U.S. federal and state governments must take action to enact compulsory vaccination laws based on scientific evidence and public health considerations. These laws should be periodically reviewed and updated based on the latest scientific evidence and public health considerations to ensure their continued effectiveness in protecting public health. Everyone has a role to play in promoting public health and protecting the human personhood of children. By supporting compulsory vaccination laws, individuals can help ensure everyone has access to the protection they need against preventable diseases. Working together to build a healthier, safer, and more resilient community for all is essential.

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