



**NEWS &
COMMENTARY**

Civil Liberties and Vaccine Mandates: Here's Our Take



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communities of color hit hard
by the disease.

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Do vaccine mandates violate civil liberties? Some who have refused vaccination claim as much.

We disagree.

At the ACLU, we are not shy about defending civil liberties, even when they are very unpopular. But we see no civil liberties problem with requiring Covid-19 vaccines in most circumstances.

While the permissibility of requiring vaccines for particular diseases depends on several factors, when it comes to Covid-19, all considerations point in the same direction. The disease is highly transmissible, serious and often lethal; the vaccines are safe and effective; and crucially there is no equally effective alternative available to protect public health.

In fact, far from compromising civil liberties, vaccine mandates actually *further* civil liberties. They protect the most vulnerable among us, including people with disabilities and fragile immune systems, children too young to be vaccinated and communities of color hit hard by the disease.

Vaccine requirements also safeguard those whose work involves regular exposure to the public, like teachers, doctors and nurses, bus drivers and grocery store employees. And by inoculating people from the disease's worst effects, the vaccines offer the promise of restoring to all of us our most basic liberties, eventually allowing us to return safely to life as we knew it, in schools and at houses of worship and political meetings, not to mention at restaurants, bars, and gatherings with family and friends.

Here's why civil liberties objections to Covid vaccine mandates are generally unfounded.

Vaccines are a justifiable intrusion on autonomy and bodily integrity. That may sound ominous, because we all have the fundamental right to bodily integrity and to make our own health care decisions. But these rights are not absolute. They do not include the right to inflict harm on others.

While vaccine mandates are not always permissible, they rarely run afoul of civil liberties when they involve highly infectious and devastating diseases like Covid-19. Although this disease is novel, vaccine mandates are not. Schools, health care facilities, the U.S. military and many other institutions have long required vaccination for contagious diseases like mumps and measles that pose far less risk than the coronavirus does today.

In the United States alone, more than [39 million people](#) have been infected with Covid-19 and more than 600,000 people have died. People with [intellectual](#) and [physical](#) disabilities are more likely to contract Covid-19, and they have much higher rates of hospitalization and death. Children's [hospitals](#) in [Georgia](#), Louisiana and other states are [reporting](#) high admissions of infected patients, and [many are running out of beds](#).

Even though the F.D.A. and independent medical experts have found Covid-19 vaccines to be extremely safe and highly effective, a sizable portion of the eligible population has chosen not to be vaccinated. In this context, Covid-19 vaccine mandates – much like mask mandates – are public health measures necessary to protect people from severe illness and death. They are therefore permissible in many settings where the unvaccinated pose a risk to others, including schools and universities, hospitals, restaurants and bars, workplaces and businesses open to the public.

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