MY BODY MY CHOICE

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Introduction

There have been various controversies surrounding the compulsory requirement by different governments for public service providers to be vaccinated. This relates to the requirement by the UK government for mandatory vaccination of all National Health Service (NHS) professionals. This paper addresses the possible implications of this policy on the violation of human rights as well as the applicability of a rights-based approach in the implementation of the state framework. Locke's concept of human rights and how it relates to the debate between public health and human rights is also considered in the paper.

The Rights at Stake

The requirement by the government for mandatory vaccinations relates to various human rights concerns. The policy has various implications to the National Health Service staff who the policy requires to get a vaccination for them to resume their jobs. The right to private life is among the concerns raised under the requirement by the government. The right to private life gives people the freedom to live their lives without the interference of the government. Many arguments raised in relation to the right to private life are related to the implications of the policy on bodily integrity.

The principle of bodily integrity provided under the right to private life allows people to have autonomy as well as ownership over their own bodies. Any intrusion to the body is considered under this principle as a violation of bodily integrity. The requirement by the government for the frontline health service providers to get vaccinated undermines the validity of this right. The people are not given a chance to make personal choices relating to their bodies when they are forced to receive the vaccination. Injecting the vaccines into the bodies of their

professionals alienates them from the total control and bodily determination provided under the right to private life and bodily integrity.

The rejection of the vaccine also relates to the right to freedom of expression and religion. People are not allowed to express their opinions about vaccines. Other people have religious ideologies on which they base their hesitancy to receive the vaccine. The various arguments by the nurses are, however, weighed against the possible implications t the safety of patients when the nurses reject the vaccinations. The lack of vaccinations for the frontline NHS professionals can undermine the patient's right to protection from harm and safety when the unvaccinated professionals tend to other patients.

Locke's concept of rights

The debate on public health vs. Individual rights greatly relates to the concepts of John Locke on human rights. Locke believed that there are various rights that people are born with which they cannot be separated from. He believed that these rights are God-given and no one should have the authority to take them away including the government. All men according to John Locke have equal rights to enjoy these rights as they live under the rule of the law. In his assentation's he believed that the people have a basic right as well as the duty of protecting their lives. This includes the freedom to make choices regarding the way they lead their lives (Przetacznik, 2019).

This concept can be applicable in explaining the hesitancy of the healthcare professionals to take the vaccine as well as the violation of human rights in the mandate to take the vaccine. The people are not given the opportunity to make choices on whether to get the vaccination or what. Locke however argued that freedom should only be valid when it does not

have any negative implications to the liberty of others (Przetacznik, 2019). This means that it may not illegal to force the healthcare workers to receive the vaccine in relation to the safety of the patients. The policy requires all the healthcare professionals who come in contact with patients and other individuals receiving care. Locke's concept, in this case, can support the vaccination based on the health and safety threat posed to patients by the unvaccinated health service providers.

Rights-Based Approach

A rights-based approach can undermine the applicability of the framework by the state. Basic human rights are considered to be inalienable from and equal to all individuals allowing them to enjoy various freedoms and choices of their own (Uvin, 2017). A right-based approach puts human rights in the frontline f priorities when making any decisions that may relate to their freedoms and liberties. This framework relates the possibility of the violation of various rights when the care professionals are forced to take the vaccine. The right-based approach does not support any outcome achieved through violating the rights of others. The approach also allows right bearers to raise their voice when their rights are being violated. They have the freedom to claim those rights in any case regardless of the desired outcome. The implementation of a right-based approach in the framework of the government hence remains challenging due to the controversy surrounding human rights.

Bentham view of human rights

I would not agree with Bentham's argument that human rights are "nonsense on stilts." Bentham in his criticism of the French Declaration of Rights argued that rights are fallacies that are difficult for any government to achieve (Schofield, 2018). According to him, human rights

give people a reason to be disobedient to the government as well as a justification for civil unrest. He saw it as a major cause of resistance against government policies and motivation to disobey various laws established by the government. Bentham's assertions however seem to be against the idea of the common good and universal freedoms. Considering human rights as nonsense on stilts as Bentham argued, gives room for violation of human rights and denial of freedom and liberties. Bentham's argument in the modern day would limit people from expressing themselves when their rights are violated like in forced vaccinations. Respect for human rights is essential in driving human life and making choices related to individual life as well as relating with others.

References

Przetacznik, F. (2019). Individual Human Rights in John Locke's Two Treatises of Government. *Netherlands International Law Review*, *25*(2), 195-216.

Schofield, P. (2018). Jeremy Bentham (1748-1832). Oxford University Press.

Uvin, P. (2017). From the right to development to the rights-based approach: how 'human rights' entered development. *Development in practice*, *17*(4-5), 597-606.

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