

Submission to the Inquiry into COVID-19 Vaccination Status (Prevention of Discrimination) Bill 2022 and the Fair Work Amendment (Prohibiting COVID-19 Vaccine Discrimination) Bill 2023

I am a philosopher/ethicist, previously published on the question of vaccine mandates and associated discrimination in peer reviewed literature.

I submit that discrimination on the basis of Covid-19 vaccination status ought to be prohibited on the following grounds:

1. Discrimination on the basis of vaccination status implies that all humans are born in a defective, inherently harmful state that must be biotechnologically augmented to allow our unrestricted participation in society, which amounts to discrimination on the basis of healthy, innate characteristics of the human race. This devaluation of the innate human constitution perverts the very concept of human rights; discrimination against the unvaccinated implies that being born human is no longer a guarantee of full human rights. This argument is fully developed in my paper published here: <https://jme.bmj.com/content/48/4/240>.
2. Medical consent must be voluntary, not coerced, in order to be valid. Any discrimination against the unvaccinated is economic or social opportunity coercion, precluding the possibility of voluntary medical consent. The right to free, uncoerced medical consent is not negotiable, under any circumstances, because without it we have no rights at all; every other right can be subverted by medical coercion. Crucially, by accepting any medical treatment imposed by coercion we would be acquiescing to the taking away of the right to free medical consent not only from ourselves but from our children and from future generations, and we do not have the right to do this. Acquiescence to medical coercion is always unethical, even if the mandated intervention were a placebo.
3. Covid vaccines are known to occasionally cause deaths of healthy people - a fact acknowledged by the TGA. When a person is required to receive Covid-19 vaccination as a condition of employment, education or social inclusion, that person is economically or culturally coerced to participate in an activity where some percentage of employees/students/persons are expected to die as a result of the required activity. It may be objected that infectious pathogens also kill people, but these two categories of deaths are not ethically equivalent. Infection with a pathogen is not mandated, whereas deaths resulting from mandatory vaccination are mandated deaths, a legalised killing of some people for the prospective benefit of the majority. Critically, any discrimination against the unvaccinated (or a privileged treatment of the vaccinated) amounts to a violation of the right to life, because a percentage of the targeted population are expected to die as a result of this coercive treatment. It is obviously inconsistent with workplace safety legislation for an employer to knowingly cause death of some employees for the benefit of the majority of the workforce.

An earlier version of the above arguments were formally submitted to the Inquiry into Public Health Amendment Bill 2021 (No 2) ACT and subsequently published here: <https://jme.bmj.com/content/early/2022/04/26/medethics-2022-108229.responses#fundamental-values-are-not-defeated-by-utilitarian-calculus>

Does the committee agree with the following statements?

1. If the vaccine mandates would cause some people who did not want to be vaccinated to die from the vaccine, then the mandates would violate their right to life.

If the answer is YES, then the only possible point of contention is whether the mandates cause some people who do not want to be vaccinated to die from the vaccine. It is not in dispute whether Covid vaccines kill a percentage of people, since this is acknowledged by the TGA, so the above point of contention can be reduced to whether the mandates cause some people who do not want to be vaccinated to be vaccinated. Does the committee agree with the following statement?

2. Vaccination mandates intentionally cause some people who do not want to be vaccinated to be vaccinated.

If the answer is YES to 1 and 2 then it necessarily follows that the mandates violate the right to life. This does not imply that those who created the mandates are therefore guilty of intentional killing; this secondary question is distinct from whether the effect of the mandates is a violation of the right to life.

Regards,

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