

A public health ethic should inform policies on COVID-19 immunity passports

Authors' reply

In their response to our Personal View,¹ Françoise Baylis and Natalie Kofler argue that our position is informed by a misguided emphasis on liberal individualism. By contrast, they argue that their insistence that immunity passports must be fought "tooth and nail"² is based on a more justifiable, communitarian approach to public health.

Our concern for individual liberties is not, we think, extreme. We agree that individuals might be required to make sacrifices in order to promote the social good and, indeed, that the current situation demands many such sacrifices. Although it is unclear what, precisely, Baylis and Kofler's communitarian public health ethic commits one to, it does not (presumably) require a jettisoning of individual interests altogether. Individuals are, after all, components of communities.

Our position with regards to immunity passports is that, if people are immune to COVID-19 and no longer a risk to others, their liberties should be restored precisely because they are not a threat to the greater good. Indeed, with their liberties restored, individuals are empowered to contribute to the common good. This appears compatible with communitarian thinking, and the assumption that a defence of immunity passports must be motivated by a commitment to liberal individualism is unwarranted.

It is also worth noting that nearly all of Baylis and Kofler's arguments apply equally to vaccine-induced and infection-induced immunity, suggesting they would object to any lightening of restrictions for vaccinated individuals until herd immunity is established, or some other scenario in which the risks

from COVID-19 become minimal. Although we very much hope such a situation will be achieved swiftly, we fear this stance could commit entire populations, including millions of immune people, to prolonged restrictions with little benefit.

Disagreement about appropriate policy responses to COVID-19 is inevitable, and debate is valuable. However, imprecise speculation about "increasing risks for discrimination" and "stratifying society across a novel biological divide" is unhelpful. It is insufficient to simply state that there is a risk while offering no indication of how large, likely, or damaging that risk is. It also neglects the clear harm done (to both individuals and communities) by restricting people's freedoms unnecessarily.

We declare no competing interests.

**Rebecca C H Brown, Julian Savulescu, Dominic Kelly, Dominic Wilkinson*
rebecca.brown@philosophy.ox.ac.uk

Oxford Uehiro Centre for Practical Ethics (RCHB, JS, DW), and Oxford Vaccine Group, Department of Paediatrics (DK), University of Oxford, Oxford OX11PT, UK; Biomedical Ethics Research Group, Murdoch Children's Research Institute, Melbourne, VIC, Australia (JS); Melbourne Law School, Melbourne University, Melbourne, VIC, Australia (JS); Department of Paediatrics, Oxford University Hospitals NHS Foundation Trust, Oxford, UK (DK); and National Institute for Health Research Oxford Biomedical Research Centre, Oxford, UK (DK)

- 1 Brown RCH, Kelly D, Wilkinson D, Savulescu J. The scientific and ethical feasibility of immunity passports. *Lancet Infect Dis* 2020; published online Oct 16. [https://doi.org/10.1016/S1473-3099\(20\)30766-0](https://doi.org/10.1016/S1473-3099(20)30766-0).
- 2 Baylis F, Kofler N. Why Canadians should fight tooth and nail against proof-of-immunity cards. May 7, 2020. <https://www.cbc.ca/news/opinion/opinion-pandemic-coronavirus-immunity-passport-1.5551528> (accessed Nov 17, 2020).