Hi, welcome back to the course, Issues in Bioethics. This is Module Four, Unit Three. And this lecture will focus on the topic, The Challenges Posed by Epidemic Threats, which is a very different area of concern for medicine, as well as for Bioethics. Because, the primary reason is that, where we deal with, or unlike Bioethics, the context of Bioethics, which we have been discussing so far, was more or less dealing with the individual, the individual well-being or individual welfare.

And, the relationship of the physician with the patients, or patients with the physicians, and other healthcare professionals and hospitals, and all that. But here, when it comes to public health, the concern is not the individual directly. Individual of course matters, but the direct concern is populations. We are dealing with the society. We are dealing with, in one sense we can say, the entire humanity. Because, we are dealing with infectious diseases, which can spread and which can lead to a kind of epidemic. So, in this lecture, we are going to discuss that. (Refer Slide Time: 01:28)
And, we are living in a world, particularly in the 21st century, different parts of the world are well connected. People travel a lot, for various purposes, professional as well as personal reasons. And, it is quite possible that, diseases can spread. A disease, which has an outbreak in Africa, can with no time reach India or Europe. Because, people travel in aeroplanes and various other means. And, people go to public places, where they get exposed to diseases. And, there is this strong chances of vulnerability and infection.

So, the speed of modern travel and trade have increased the possibility of infectious diseases spreading. And, the threat of infectious diseases killing human beings all over the world. And, there is another way, major reason for that, which is to some extent, political and also economic. There is a lack of efficient public health infrastructure in many countries. For example, in many of the African countries, in many of the Latin American countries, and also in many Asian countries, this is a situation. With an exception of the advanced industrialized west, they have comparatively better facilities for healthcare.

The situation is not very good in other countries. So, there is a lack of efficient public health infrastructure. And, there is disparities, huge disparities in health and health infrastructure, that exist between countries. So, we can, if you examine the history of the recent epidemic outbreaks, which have happened in many countries. We can see that, many of them have happened in developing countries or much underdeveloped countries, primarily because of this reason. That, there is no efficient method to control the disease, the control the spread of the disease.

So, in one sense, we can say that, this is a problem, which we can solve, if we have that real will. If the entire humanity has a real will, we can solve this problem. If nations, different countries come together, and see any epidemic threat happening at any particular corner of this globe, as an entire threat to humanity. This can be to some extent countered and contented. So, that is a sad state of affair, which is not actually happening, because of various political and financial reasons.
Lack of awareness about public health and public health ethics is another issue, very important problem here. Because, many people are not aware of the fact that, you know, how infections can spread. So, even when there is an epidemic, people go to offices, travel by trains, attend public gatherings. And many of these gatherings and functions, they can easily avoid. See for example, a marriage function, where thousands of guests might assemble, particularly if it is happening in India.

There are thousands of people from different place of the country will be assembling. And if, there are a few of them are infected, there is a high possibility that, they might spread the disease for others, as well. So, such situations need to be avoided. If there is proper awareness about the infectious diseases and the possibility of infections, many of these things can be controlled.

And again, exposure to public places during epidemic. This is what, I just mentioned. When there is a public gathering, during the epidemic outbreak, these are possible threats for public health. Shifting focus from, So, here, what happens is that, we, as I mentioned in the beginning of this lecture, we are going to deal with the domain, which is called public health. Where the focus is shifting from individual health to public health. And naturally, the ethical concerns are also concerns of public health.

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So, it is called public health ethics, which is a relatively new subfield in bioethics. Which focuses on the protection of the individuals, but not on the protection of, which focuses not on the protection of individuals, but populations. So, the concern of public health ethics is to protect the entire populations, group of people, communities, countries, societies, from having this epidemic outbreak. So, for this, what is more important is, to have collective intervention.

So, there should be policy initiatives and directives from the government. Government plays a very important role here, in whenever there is an epidemic threat. Because, the health-care workers need to be well equipped with all kinds of technologies and other things. And also, proper vaccines should be there. Medicines, drugs should be there. And also, they should know, how to tackle, how to go about the situation. And, there should be, the people who are involved in it, should be well trained. So, these are some of the imperatives, some of the very important things to be taken into account, when there is a public health outbreak.

And it again, when it comes to ethical issues, the kind of ethical dilemmas, the kind of ethical problems, which public health encounters are quite different, characteristically different from the one, which otherwise, the medical world encounters. We have seen, some of the issues, the typical issues, which the world of medicine encounters, as far as ethics is concerned. But here, we have a very different focus. Because, we are dealing with the spread of disease or the threat of a disease, which can actually kill thousands of people at a time. And, there are several epidemic, if you examine the history of epidemic threats or epidemic outbreaks, we could see that, some of the, on certain occasions, thousands of people have died. And certain occasions, even more than that. So, deals with ethical dilemmas and concerns, raised by infectious diseases scenario, where people have actually very different roles. Because, I will give you this example, in a normal therapeutic, in a normal clinical context, when a patient goes to the physician, we insist on certain values like, there should be proper disclosure, truth telling, confidentiality, privacy.

Then again, the physician should respect the autonomy of the patient. The patient is the ultimate decision maker. There is no right, the physician has no right, to impose his decision on the
patients. All kinds of things are emphasized, when you talk about normal clinical ethics. But, under these circumstances, under the in a scenario, where there is an epidemic outbreak, we find that, many of these ethical values or ethical norms, become irrelevant. Because, there probably, if you insist too much on individual autonomy, liberty, decision making power and all, it is not going to work at all.

It becomes too ineffective. So, what is more important is to come up with an very effective measure to tackle the problem. Where you may sometimes, even occasionally have to suspend, some of the so-called sacred ethical norms like confidentiality, or even privacy, or liberty, autonomy. Almost all these values may be occasionally suspended on certain occasions. So, public health outbreaks, on certain scenarios like this, where there is an outbreak. There is an infectious disease outbreak, many of these values become irrelevant.

So, different roles and responsibilities of professionals and authorities. So, a doctor under such circumstances will have a very different set of obligations and responsibilities. Rather than emphasizing more on autonomy and confidentiality, he or she would be concerned with, certain other things. So, there are occasions, where people have to be detained under such circumstances. Where of course, the question of liberty is at stake, the autonomy of the patient is at stake, the patient is denying to be vaccinated.

Under normal circumstances, the patient has the right to deny, to refuse to take medicine or get vaccinated. But, when it comes to situations like this, where a patient might be forcefully vaccinated or medicated by the physicians and the authorities, where the concerns for public health will outweigh the concerns of individual freedom and autonomy. So, this is, what I said, the roles and responsibilities of professionals and authorities are entirely different in this context.

Under such context, where there is an epidemic outbreak, there is a total suspension of all normal activities. So, naturally when there is a total suspension of all normal activities, some of the normally accepted, normally and universally accepted ethical values also gets suspended. Which is unfortunate, but we cannot do anything about it, because, we have to outweigh, we have to rather give importance to certain other concerns under certain circumstances like this.
The decision-making process under such situations is a very extremely difficult process. Because, every moment physicians and authorities and other healthcare workers will have to take very crucial decisions, under situations of extreme stress. And, there is lot of uncertainty and there are a lot of resources scarcity. And, physicians and other healthcare workers themselves are under the threat of contracting the disease. So, the situation is extremely complex. It is not a normal clinical situation, where you can take a normal decision, which otherwise happen in the context of physician-patient relationship.

And again, it has to apply insights and concepts from various disciplines like ethics, political theory, philosophy, etc. I mention political theory particularly, because these concerns like individual liberty, and freedom, are direct concerns of political theory. The most of the democratic principles rely upon these notions of liberty and freedom. They consider them as very important. But, under extreme circumstances, where there is a Pandemic outbreak, you may have to suspend such freedom, autonomy, etc. So, what will you do? You have to negotiate with situations. So, you have to take insights from various disciplines, not just ethics. But, also ethics, philosophy, political theory, and various other disciplines, and try to approach the situation, with an interdisciplinary perspective.

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And again, what is very important in the Pandemic outbreak is the planning, which authorities have to undertake. When they come to know that, there is a possibility of an epidemic or there is already an epidemic has been already there. So, you have to go and tackle it. So, proper planning has to be done. And, these are called non-pharmaceutical interventions, which occasionally involves, certain violation of certain rights of individuals, like as I mentioned liberty and autonomy.

So, what happens is, it amounts to social distancing, quarantine, detention, ban on normal activities like gathering, public functions, etc. See for example, a typical example can be cited like this. That the government orders a ban on all public functions like including marriages or anything, which involves the gathering of the public, where many people come together and there is a possibility that, people might contract infectious diseases. And again, a person who comes from a country, where a particular infectious disease has been reported. This person has landed in our country.

So, the government, what normally government do is that, governments will detain that person. So, by detaining that person, you are actually interfering with his freedom. But, you cannot do anything about it. Under such circumstances, this person has to be detained. He has to be examined by a medical team and ensure that, he is not contracted the disease. In case, if he has contracted the disease, he has to be treated for that. So, he will be quarantine by from others. He will be isolated from the rest of the society.

So, there is a strong possibility of social distancing, detention, and all other ban on normal activities in the society which might be treated, which can be seen as, interference with individual democratic rights of citizen. But, this becomes inevitable under certain circumstances like this. So, if there is a clear interference on individual freedom, and this is what, it says by Kathy Kinlaw and Robert Levine. They say that, providing legal protections for healthcare providers, who may have to do things, which under normal situations, they are not supposed to do, and, may administer interventions, which are not yet scientifically validated.

So, these two things. Number one, they have to do things, which under normal situations, they are not supposed to do. See, they are not supposed to violate certain rights of the patients. They
are supposed to respect the autonomy of the patient, and also respect the right of the patient, to refuse treatment. So, all these things are normal circumstances, fine. But, under these situations, physicians may have to violate them.

And again, they may have to administer interventions, which are not yet scientifically validated. This is happened, in the recent Ebola outbreak. Certain medicines, which were not validated, scientifically validated completely, at there are physicians, who have administered them. Because, there is, the situation demands such interventions. You may not have 100% proof for the efficacy or efficiency or the validity of this medicine. But, you may have to do that, under such circumstances.

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So naturally, the public health demands, or public health ethics demands, a set of new principles. There are certain general principles like, for example, common good. Because, the primary concern is, not as I mentioned, the good of each individual patient, but the common good of the society, which of course, is a concern of a medicine as a science as a whole. But, here it is primarily more important. Then, solidarity, equity, reciprocity, necessity, protection from harm, proportionality, individual liberty and dignity, privacy, and effectiveness.

So, these are some of the ethical principles, which have to be given importance. And, if you examine these principles, you might see that, some of these principles, on certain occasions
might conflict with each other. See for example, there is a concern for common good, and there is a concern for individual liberty and dignity, on certain occasions. And again, privacy on certain occasions, these there might be a conflict between these two. And appropriate decisions, have to be taken by the professionals, as well as the authorities.

So, we cannot come up with a set of recommendations or suggestions or solutions, a priori. Each situation is going to be unique. So, it is a real task for professionals and authorities to take decisions, based on the requirements and the necessities of the situation. Evaluating the situation and understanding the necessities, that are involved, they have to take decisions. And again, when it comes to the whole process of decision-making, in order to arrive at the right kind of decision, there is no, the right kind of decision.

Because, every situation is as I said difficult, different and therefore difficult. So, most of the professionals spoke under extreme stressful situations. So, they have to take very quick decisions, where they can follow certain principles like reasonableness, transparency, inclusiveness, responsiveness, and accountability. The whole point is that, what is really important here is that, when you take a decision, you should be able to justify it. You should be able to tell others, why have you taken this particular decision.

So, there it should be based on certain criteria, which everyone can, which you can convince everyone, which is valid. Or you can say that, it should be based on certain criteria, whose validity can be convinced. You can convince others that, this is the criteria, on the basis of which, you have taken this decision. And again, inclusiveness like, factors like race, gender or age, none of these factors should be really gaining an importance under certain circumstances. But at the same time, you might have to take certain decisions. Say for example, when one of the doctors himself or herself is contracted by the infectious disease. What will you do?

Whether you should give priority to treating this particular person, who has already been part of the team, which was trying to control the disease? Or, you should give importance to others, or you should treat him on other patients? So, such questions actually pose a real difficult situation for professionals. So, we have to see that, what will you do under such circumstances? Then
again, responsiveness and accountability. Whatever decisions you take, you cannot just say that, it was the situation was, so stressful, So, I took this decision, whatever I felt is right. You should be able to account for that. You should be able to take responsibility for that. So, that is very important.

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And again, as I mentioned, when you deal with these principles, which I have just cited. All these principles are not always equally relevant. So, the some of them are more important under certain circumstances. And, some of them are not important at all under certain situations. Under all circumstances, there are no hierarchy of principles involved. So, that you can say that, this is the most important principle, you have to take into account and give importance to. Every principle is important. And, you basically have to negotiate, by taking into account, the situation, the context, in which you may have to apply the principles. (refer slide time: 21:02)

May have to balance multiple objectives and values, so that is why, because the situation is definitely going to be very complex. So, there will be multiple values, multiple objectives. What are you planning to aim at? What is your goal. So, your goal also varies under certain situation. Of course, there is a grand goal of public good. I am not talking about such a grand goal. I am talking about each situation, you will have to, you know, pursue a particular goal.
What is it. Whether your objective is to tackle a particular problem in a particular place, or whether it is the entire community, or only one family. All such problems are involved and they will have to negotiate with situations like this. So, they may have to balance multiple objectives and values. And, there is no objectively right answer to many of the moral challenges raised, in such scenarios and situations. There is no, a priori moral solutions to problems. So, you have to negotiate with the situation.

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Now, when you try to understand, some of the important questions, some of the important moral problems, or some of the issues, which come up on from situations, which professionals encounter under such scenarios. We will deal with some of them. See the primary one is a duty to care. Professionals and health-care workers and even authorities under such situations, have the duty to care. They have to give the appropriate care to the people, who suffer. So, that is there.

Can health care professionals abstain from working during an epidemic outbreak? As they fear, they will get infected. There is a possibility that, these professionals themselves may get infected and may even die. So, fearing such a possibility, can they say that, they are not, they are abstaining from their duty? Okay, so this actually is a very serious problem. Because, on the one hand, they have the right to do that. Because, it is their right, it is their life and they value their life. Each person will be value his or her life.
So, they value their life and they see that, there is a direct threat to their life, if they go to the site. So, they abstain from that. But on the other hand, they are their services are required for solving the problem. And, if they run away from their responsibilities under such circumstances, no society can function. So, what will they do? So, their again, you may have to arrive at a balancing solution.

So, do patients have a right to get treatment from healthcare professionals? That is another, if you see from the perspective of the patients. And again, what is the role of the government. Can the government enact legislation mandating healthcare workers to participate in the efforts to control the outbreak, making it legal? So, that, you know, if they do, if they abstain, if the healthcare professionals abstain from attending duty citing personal reasons, they can be punished under law.

Again, does this violate the right of the health-care workers? Again, the question of rights, individual rights. I have the right to do, whatever I want, whether to abstain from my duty or not. Like, I am going to resign from my services. And I will abstain from attending this, my patients. Can the government insist me to do that? Again, what are the rights of the professionals?

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So, some of these questions will surface under such circumstances. And again, there are certain questions, in relation with the notion of responsibility. Access to drugs, vaccines in sufficient quantity and affordable price. So, this is the primary responsibility probably, we can argue of the authorities of the government. That, whenever there is an outbreak or when the government anticipate that, there is going to be an outbreak, they should store sufficient number of vaccines and drugs. So, that there will be easy access to them for the needy.

Again, there should be proactive planning, rather than be just responsive of reacting. Stocking of drugs, vaccines, and also most important thing is, training personnel. Because, each epidemic outbreak demands different approaches, from the part of healthcare professionals. Ebola raises a number of problems, a number of you know, a set of concerns and, a set of requirements, prerequisites, from the part of the health-care workers, which are different from, some other kind of an outbreak. So, people should be trained properly. To protect the public, from those who are infected, is another responsibility of the government.

So, when the government thinks of, when the government plans to do this, protecting people, who are not infected, from those who are infected. Can the government put all those, who are infected in one place and close the door? So, this is again looks, a very uncivilized kind of an act, from the part of the government. So, the government should also be very careful, when they deal with people, who are infected. And protecting people, who are not infected, from those who are infected.

The questions are, do rich nations, again there are certain larger questions, which might be surfacing in this situation. Questions like, do rich nations have a responsibility to help poorer nations, who have no proper medical facilities and infrastructure to tackle problems, So, is it a responsibility of the entire humanity, and particularly the rich nations have more responsibility. Because, they have better resources and better facilities and better knowledge. So, is it their moral responsibility to come forward and help others?
And also, do they have a responsibility to help others, the poor nations by developing vaccines and medicines. What are the responsibilities of pharma companies? Because, we all know that, pharmaceutical firms are like any other business organizations. They all function for profit. So, when they function for profit, we cannot expect them to sell their, give out their medicines, free of cost. But under certain circumstances like this, where all normal life activities are suspended, Do the pharma companies have special responsibilities, which will outweigh all their profit concerns, and which will prompt them to come forward and help the humanity? So, can we say that, under what circumstances, what would be our arguments, if you argue like this. (Refer Slide Time: 27:57)

Then again, there are certain very important questions related to resource allocation. When there is an unusual demand for resources, which is quite normal under situations of epidemic. What should be the criteria? Who should get the medicine? See for example, when there is a severe shortage in the number of vaccines or drugs. So, how can you execute treatment? Occasionally, health-care workers themselves get infected.

So, do they deserve any special treatment, under such circumstances. Or should we say that, they need to be treated, only on par with others, like any other patient. And the question is, who takes decision under such circumstances, on such occasions. Again, individuals most at risk, see there
is a commonly accepted view that, under certain circumstances like this, where there is severe shortage of resources.

Certain individuals will get some priority, based on certain factors, certain criteria. For instance, individual most at risk, of experiencing the serious negative health consequences of hospitalization or death, if infected are to be given priority in receiving vaccinations. So, the number of vaccinations are less. So, you cannot provide vaccinations to all the people, who are potentially under threat. So, what will you do? Here, these are the people, who get priority.

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Now, there is another very interesting principle, which is called principle of preserving the functioning of society, which is devised by the National Vaccine Authority Committee, NVAC in US. What they say is that, in particularly, this was framed, when there was in Pandemic influenza threat. In such situations, the principle of preserving the functioning of society should receive greater priority in decision-making, than preventing serious complications.

Those individuals, who are essential to the provision of healthcare, public safety, and the functioning of key aspects of society, should receive priority in the distribution of vaccine, antivirus, and others scarce resources. So, though it looks like, giving priority to certain people. This can be morally justifiable, because the principle of preserving the functioning of society is
very important. So, you can justify that. Now, as I already mentioned about transparency, any decisions made by professionals and authorities should be transparent. (Refer Slide Time: 30:44)

Why certain decisions are taken, they should be able to tell us. And, what values and principles, justify those decision, can be stipulated. If you can clearly articulate the values and principles on the basis of which you have taken the decisions, then you are ensuring that transparency, and there is clarity. There should be clarity and openness, while taking decisions. Decisions made should reflect, respect for all individuals and communities. And of course, the kind of negotiation, you may have to take under certain circumstances, will have to reflect. No doubt in that. So, now I will try to wind up my lecture, by raising or trying to responding to some very important concern, the concern of suspension of rights.
As I mentioned, there are certain very important rights, which get suspended during an Pandemic outbreak. Can public gatherings and functions be banned, on such occasions? Can the authorities detain or quarantine people, who are either suspects or having high chances of being infected by the disease? Like a person, who comes from that country, where there is an outbreak. Or does society have any obligations to those ordered into quarantine. Because, you are keeping them detained. You are not allowing them to go out. So, what is your responsibility to such people. You are actually forcing them to compromise, their rights, their freedom. (Refer Slide Time: 32:14)

So, one important point, we need to keep in mind here is that, under such circumstances, there is no point in arguing for individual rights and autonomy. Though, they are very important, under such circumstances, it is not practically viable. And under such circumstances, it is not possible
for any community to insist on such values. So, there are important values like equitable
distribution, justice, and respect of person. But, these values and norms may not be valid under
all circumstances. We may have to compromise them under certain extreme situations. Because,
effectiveness is extremely important.

And, the only thing, we can insist is that, when you adopt restrictive practices, we should insist
that, such practices are adopted only on extreme cases and under extreme situations and
circumstances. The idea of protecting common good is the objective. For the sake of protecting
the common good, you are doing this. So, you have a justification for that. So, ensure that the
community, but your responsibility. But your responsibility does not actually end there. Once
people are quarantine, once people are restricted from moving out and all that.

There are certain responsibilities, community has to those people. The community will have
certain responsibilities towards such people. Ensure that, they will get community support. Like
for example, they will get job or other kind of support from the community, to carry out their
normal living activities. Again, protect them against stigmatization, from other members of the
society, and the community. And, extremely important thing is, non-disclosure of unwarranted
private information, about these people.

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So, it is not just a blatant denial of, or taking away their rights. But, taking away the rights, for the sake of common good, with proper precautions. So, here we may have to highlight certain values like liberty, freedom, respect for autonomy. Under no circumstances, we can just blatantly deny people these rights. They have the right for liberty, freedom and we should respect their autonomy. But certain situations, where they are compromised, where they be, we are forced to violate them, we must do that with a lot of caution.

Again, efficiency and effectiveness are very important. So, only for the sake of effectiveness and efficiency probably, we may have to compromise on human liberty and freedom. Then acceptability, necessity, urgency, proportionality, least restrictive means. So, all these things are very important. Like whatever decisions you take, you should be able to justify. Because, they are very necessary. There are under such circumstances that, particular decision has been extremely important. It was so necessary for us to take that decision, so, that is why we have done it. So, which will justify it and make it acceptable to others.

Again, equity, equality, access, fairness, and universality, then last, but not least solidarity, duty to care, stewardship, trust, and evidence.

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so, these are very important values to be highlighted, when we talk about public health ethics, under certain situations, where there is a Pandemic outbreak. So, we will wind up our discussion on this infectious, the ethics of, or the challenges posed by infectious diseases to medical ethics, or biomedical ethics here. We have seen that; the situation demands a very different kind of an approach, and adopting entirely different perspectives. But at the same time, we have seen that, certain values have to be taken into account, and respect it.

And only, when under very extreme circumstances, only when there is a real urgent situation, we have the right to compromise or violate, such values of individuals, such rights of the individuals like autonomy and freedom. But, we can do that on certain occasions, where public good becomes more important than anything else. So, we have discussed a very important and a very unique department of biomedical ethics, the public health ethics, where the concerns and challenges and also the emphasis of ethical values, everything is different. We will now wind up here. Thank you.