

Tunnelling the Number of Deaths: How the Corona Virus Reversed the Relationship between Human Rights and Human Development

Réduire le nombre de décès : comment le Corona Virus a inversé la relation entre les droits de l'homme et le développement humain

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Abstract

The relationship between human rights and human development was formally introduced in debates by UNDP in 2000 in its Human Development Report. The report discussed the two-way relationship between the two concepts and stressed that human rights and human development positively affect each other. This paper underlines that if it is common for human rights to positively affect human development, the direction of causality can be reversed in times of crisis as in the case of covid-19. Contrary to the exiting literature that generally breaks down government interventions into pharmaceutical and non-pharmaceutical interventions, this paper goes beyond this classification to distinguish basic protective measures from human rights limiting measures. The paper demonstrates that promoting human rights favours the progression of the pandemic, negatively affecting human development while reducing human rights is a key instrument to limit the number of deaths during pandemic. This is the rationale of the worldwide use of human-rights-limiting measures to control the progression of the pandemic and secure human development. The worldwide use of human-rights-limiting measures is therefore regarded as a tunnel which helps to curb down the number of deaths in pandemic times.

Key words: Human Development; Human rights; Covid-19; basic protective measures; human-rights-limiting measures

Résumé

La relation entre les droits de l'homme et le développement humain a été formellement introduite dans les débats par le PNUD en 2000 dans son Rapport sur le développement humain. Le rapport discute de la relation bilatérale entre les deux concepts et souligne que les droits de l'homme et le développement humain s'influencent mutuellement de manière positive. Cet article souligne que s'il est courant que les droits de l'homme affectent positivement le développement humain, le sens de la causalité peut être inversé en temps de crise comme dans le cas du covid-19. Contrairement à la littérature existante qui décompose généralement les interventions gouvernementales en interventions pharmaceutiques et non pharmaceutiques, cet article va au-delà de cette classification pour distinguer les mesures de protection de base des mesures limitant les droits de l'homme. Le document démontre que la promotion des droits de l'homme favorise la progression de la pandémie, affectant négativement le développement humain, tandis que la réduction des droits de l'homme est un instrument clé pour limiter le nombre de décès pendant la pandémie. C'est ce qui justifie le recours mondial à des mesures limitant les droits de l'homme pour contrôler la progression de la pandémie et garantir le développement humain. Le recours mondial à des mesures limitant les droits de l'homme est donc considéré comme un tunnel qui contribue à réduire le nombre de décès en période de pandémie.

Mots clés : Développement humain ; droits de l'homme ; Covid-19 ; mesures de protection de base ; mesures limitant les droits de l'homme

Introduction

The literature on the Covid-19 is dominated by the socioeconomic impact studies. Selected illustrations of the bourgeon literature include IMF (2020) which presents Covid-19 as an unprecedented threat to development in Sub Sahara Africa with regards to the number of victims and the economic downturn it leads to. ECA (2020) and Ozili (2020) discuss the socio-economic impact of the Covid-19 in Africa. Maliszewska et al. (2020) simulate the potential impact of Covid-19 on GDP and trade, using a standard global computable general equilibrium model. Ramelli and Wagner (2020) underline that the health crisis rapidly transformed into economic crisis through financial channels. Ozili and Arun (2020) outline that lockdown severely affected the world economy while Zhang et al. (2020) discuss the coronavirus effects on the financial markets all over the world.

Another aspect of the bourgeon literature on the covid-19 deals with policy responses. In this regard, selected illustrations include Ozili (2020) who analyses covid-19 policy response in Africa. Alfano et al. (2022) empirically model the adoption of non-pharmaceutical interventions during the first wave of Covid-19 in the 14 European countries with more than 10 million inhabitants, in order to detect whether a policy diffusion mechanism occurred. UNDP (2020a) outlines that the world was not well and equally prepared to face the pandemic. Hale et al. (2020) study variations in government responses to covid-19. Iacoella et al. (2021) analyses how inequality across counties in the United States of America has shaped the impact of the Covid-19 pandemic on the incidence of protests. Taylor and Asmundson (2021) investigate on the nature and correlates of anti-mask attitudes during the Covid-19 pandemic. There is also a burgeon literature on the impact of covid-19 on human development. Selected works can be drawn from UNDP (2020a) who assesses the impact of the pandemic on human development and discusses the health response and the economic response to the pandemic in order to protect people capabilities. Souza et al. (2020) identify social determinants related to the incidence, mortality, and case fatality rate of Covid-19 in Brazil. Azevedo et al. (2020) simulates the potential impact on school and learning outcomes. Singh et al. (2021) analyses the impact of the first wave and the consequence of lockdown on health and nutrition, education and livelihood, three dimensions of human development. Buheji et al. (2021) describe the association between the global recovery and mortality rates of covid-9 cases and human development index.

The literature on covid-19 and human development is more oriented towards the effect of the pandemic on selected human development dimensions and/or the human development index.

To our knowledge the two-way relationship between human development and any of its main determinants has not been considered in the context of pandemic upsurge. In this regard, the paper intends to answer the following question: Human development being positively related to human rights in normal times, is this relationship also observed during pandemic times like that of Covid-19? To give an answer to this question, while the exiting literature generally breaks down government interventions into pharmaceutical and non-pharmaceutical interventions, this paper goes beyond this classification to distinguish basic protective measures from human rights limiting measures.

The main objective of this paper is to show that the positive relationship between human rights and human development is reversed in times of pandemic crisis, leading to a negative relationship between to two concepts. This justifies the utilisation of human-rights-limiting measures by governments to shift down the number of deaths. To achieve this objective, the paper is organised as follows. Section one is a brief literature review of the effects of covid-19 pandemic. Section two discusses the relationship between human rights and human development in normal times and come out with the conclusion that human rights positively affect human development. Section three is an overview of the main measures used to limit the coronavirus spread up. These measures can be broken down into two main categories: basic protective measures and human-rights-limiting measures. Section four shows how, in a context of pandemic upsurge, the relationship between human rights and human development is reverted. For this reason, section five justifies the utilisation of human-rights-limiting measures as a strong tunnel through which governments shift down the number of deaths.

1. Brief Literature Review of the Effects of Covid-19

The literature on the Covid-19 can be broken down into three main categories: studies on the socioeconomic impact of the pandemic; policy response-oriented studies and human development impact analysis of the pandemic. With regards to socioeconomic impact, covid-19 pandemic can reverse development gains (IMF, 2020). To limit the impact of the pandemic, IMF puts priority in increasing health capacity and spending in order to save lives and contain the epidemic. To achieve this objective, it is important that development partners support developing countries through several channels, including debt alleviation and protection of the most vulnerable through fiscal and monetary policies, among others. ECA (2020) estimates that covid-19 pandemic can slowdown growth to about 2% in Africa in the best-case scenario. To mitigate this impact, ECA proposes several policy responses aiming at protecting lives and economies in three main blocs: measure to protect people; measure to protect prosperity and

measures to develop partnerships. Ozili (2020) discusses the socio-economic impact of the Covid-19 in Africa. According to his findings, the effect of the pandemic in Africa is more severe compared to other regions. These effects are mainly observed through social interaction and economic activities limitations. Maliszewska et al. (2020) simulate the potential impact of covid-19 on GDP and trade using a standard global computable general equilibrium model. The main shocks estimated include labour and capital underutilisation, increase in international trade costs, decline in travel services and redirection of demand away from activities requiring proximity between people. Findings of the baseline scenario suggest a decline in GDP of 2 percent for the global economy, 2.5 percent for developing economies and 1.8 percent for industrial economies. The most affected sectors include domestic services and traded tourist services. Ramelli and Wagner (2020) study market reactions to covid-19 pandemic. They outline that internationally oriented firms, specifically those trading with China were the first firms to be affected. Their market value dropped. As the pandemic spread to Europe and America, corporate debt, and cash holdings were also affected. Ozili and Arun (2020) investigate how covid-19 translated to economic crisis and why its spread brought the global economy to its knees. Their answer lays on social distancing and exponential rate at which the pandemic was spreading. In Zhang et al. (2020), the covid led to rapid increase in level of risk, leading to very high loss for investors in a very short time. Using a statistical approach, they find that global financial market risks increased in response to the pandemic and that the severity of the outbreak in the country determined individual stock market reaction.

In the policy response field, Alfano et al. (2022) empirically model the adoption of non-pharmaceutical interventions during the first wave of covid-19 in the 14 European countries with more than 10 million inhabitants, in order to detect whether a policy diffusion mechanism occurred. Results outline that “the countries’ behaviour was dictated principally by the unfolding of the pandemic, and thus by the timing of covid-19 outbreak, rather than by different policy choices” (Alfano et al. (2022: 35). They find lower correlation between restriction in public transport and restriction in international travel and between restriction in public transport and closure of workplaces. Closure of workplaces and cancelation of public events are the most highly correlated variables. In the case of the US, Iacoella et al (2021) outline that more severe measures contribute to drive the incidence of protests only in countries recording higher level of inequality before the pandemic, meaning high probability of grievances before the crisis and that changes in economic conditions largely explain the impact of government responses. In the case of the US and Canada Taylor and Asmundsun (2021) examine the relationship between

anti-mask attitudes and mask non-adherence. They also investigate how these attitudes are associated to one another. Their findings suggest that 80 percent of people wore mask as to protect against the virus. Those not wearing masks scored higher on measures of negative attitude towards masks. Anti-masks attitudes form an interconnected network, the central node being the belief that masks are not effective to protect against the virus and the aversion to be forced to wear masks. Hale and others (2023) are developing a database on government responses to covid-19. This database comprises 25 indicators of government responses categorised into ordinal scales which lead to indices to facilitate comparisons among countries. With regards to covid-19 and human development, UNDP (2020a) considers human capabilities protection and enhancing as the central guiding principle of policy response to the pandemic. Other important principles include equality and multidimensionality. Souza et al (2020) examines the relationship between covid-19 and the population's living conditions in Brazil. They find that 56% of municipalities with confirmed cases of covid-19 are very low human development municipality. In Maharashtra State India, Singh et al. (2021) analyse the impact of the first wave and the consequence of lockdown on health and nutrition, education and livelihood, three dimensions of human development. They outline that the most vulnerable are low-income and resource-deprived populations who are further pushed in the vicious circle of poverty. Buheji et al. (2021) assess country-level determinants of covid-19 recovery and mortality rates and explain the between-country variations. Findings suggest a significant positive association between the human development index and both the recovery and mortality rates, meaning that countries with lower human development index are very likely expected to have a high share of pandemic related mortality. This is mainly because in low human development countries, a high proportion of population live in slums where it is difficult to apply pandemic limiting measures, leading to a higher number of deaths. Kovacevic and Jahic (2020), underline that very high human development countries, with an average of 55 hospital beds over 30 physicians and 81 nurses were well prepared to face the pandemic compared to less developed countries with 7 hospital beds, 2.5 physicians and 6 nurses per 10 000 inhabitants.

As presented, the bourgeon literature dos not consider the two-way relationship between human development and any of its main determinants in the context of pandemic upsurge. By discussing this two-way relationship, the present work contributes to fill the gap and enrich the existing literature. Also, because the exiting literature generally breakdown government interventions into pharmaceutical and non-pharmaceutical interventions, this paper has an

advantage that it goes beyond this classification to distinguish basic protective measures from human rights limiting measures.

2. The Relationship between Human Rights and Human Development

2.1 Theoretical Expectations

The 2000 Human Development Report points out that “human development is essential for realizing human rights and human rights are essential for full human development” (UNDP 2000: 2). This assertion explicitly underlines a two-way relationship between human rights and human development. In practice, when studying the relationship between two concepts or variables, five cases can be underlined. First, the two concepts may not affect each other. Second, the first concept can positively affect the second one. Third, the first concept can negatively affect the second one. Fourth, the second concept can positively affect the first one and fifth, the second can negatively affect the first one. This paper is limited to the one-way movement from human rights to human development. For this reason, I only concentrate on the first three cases.

Firstly, it is possible to imagine no-correlation between human rights and human development. In this regard, the level of human rights does not determine that of human development, or in other words, the level of human development is not explained by that of human rights. Human development is equivalent to providing more capabilities to individuals. There are numerous capabilities. Let us consider the capability of escaping hunger. Sen (1999) underlines that someone who is fasting can have the same functioning achievement in terms of eating than another one who is deprived of food. However, the two do not have the same capability set. The first is well endowed with the capability of escaping hunger. The second is not. A question arises: what can cause the deprivation of the capability of escaping hunger? To answer this question, it is important to consider the causes of hunger. With no doubt, famines are among the main causes of hunger. In turn, famines can be caused by natural, economic and socio-political factors. Natural factors include droughts, floods, invasion of insects, livestock diseases, etc. Such famines cannot be attributed to any right violation. Economic factors include poor market integration. Poor market integration can be caused by poor communication and transport infrastructures and/or poor market information. The situation cannot be attributed to rights violation too. A historical illustration of the above is famines in the Horn of Africa highlighted by Devereux (2000) citing Seaman and Holt (1980) and van Braun et al. (1989). Famines can also occur as a result of speculators' activities as highlighted by Ravallion (1987) in the case of Bangladesh famine of 1974. If one considers Sen's entitlement approach, famine

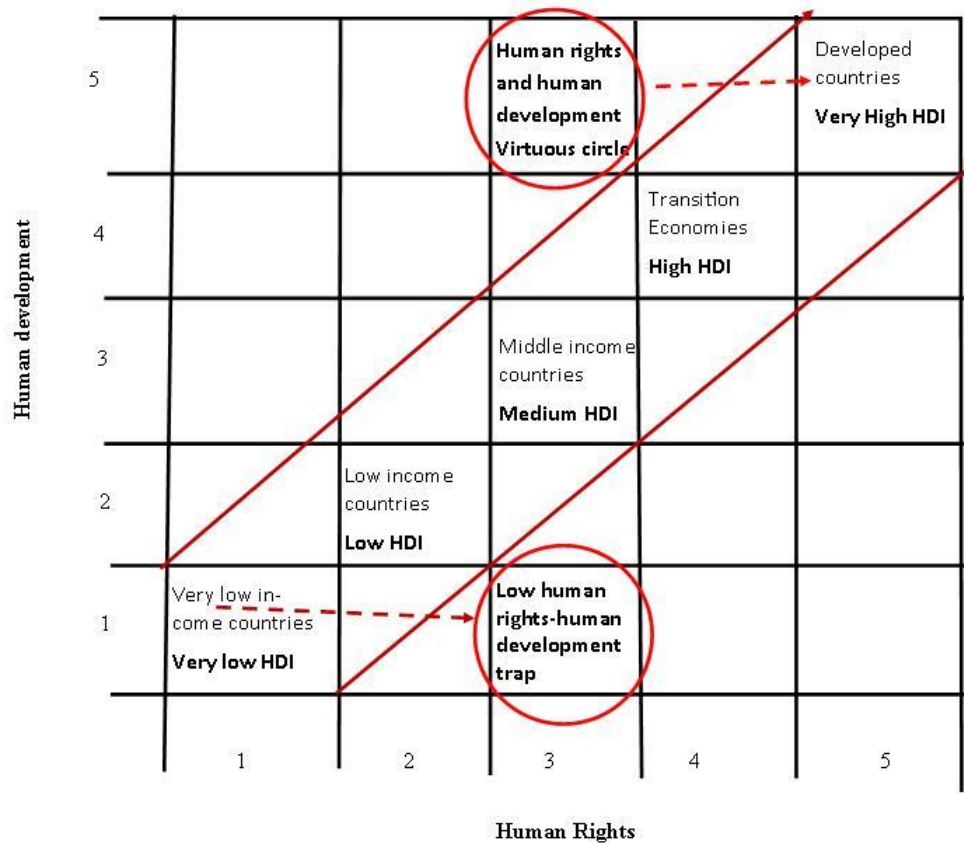
can be caused by the poor ability of people to command food, the failure in effective demand (Sen 1981). The entitlement approach underlines that famines can break out when one of the four legal ways of acquiring food breaks down: growing food, buying food, working for food and being given food. These four legal ways can be associated with rights violation or not, depending on the situation. Let us only consider the legal way of growing food. It is true that if people do not have the rights to land, they will not grow food crops. However, having the rights to land does not ensure food availability if for example a drought appears. Such illustrations underline that famines can break out without any one right being violated as highlighted by Sen (1999: 66), meaning that human development can be obstructed without any obstruction in human rights.

Secondly, human rights can obstruct human development, meaning that high human rights can lead to low human development. To illustrate this view, the misallocation of productive resources because of human rights promotion can be human development unfriendly. Inefficient use of resources to support democracy can offset democracy-related advantages. Uncontrolled human rights initiatives may lead to labour market lasting disputes which generate economic slowdown, leading to high economic opportunity costs which in turn can hurt all economic sectors, leading to poor human development outcomes. Uncontrolled pursuit of human rights fight can lead to separatist movements which break down the social capital, a prerequisite of any prosperous human activity.

Thirdly, human rights can promote human development. In this regard, human rights create demand in different sectors of the economy. Selected illustrations can be considered. Freedom of movement encourages tourism. It pushes the hostelry and the transport sectors up and creates opportunities for new jobs. Freedom of movement encourages bowling together, which is equivalent to eating much, drinking much, playing much, travelling much and so on (Putman, 1996) and this is equivalent to more capabilities. Freedom of movement facilitates economic boom with its impact on GDP growth and human development. As underlined by Yokota (2000), freedom of thought and press favours the publishing industry and sharing ideas which facilitates innovation. Property rights development facilitates investment, a key factor determining economic growth which in turn favours improvements in income, health and education dimensions of human development. The right to education enhances the capability of accessing a decent job and a multitude of other capabilities and enlarge individuals' functioning space. The rights to association can enhance knowledge sharing and economic costs reduction. They can support safety nets for poor populations who seek solutions to cope

with low income and low human capital and face hardships... Theoretically, it is expected that in high human rights countries, human development will be high while in low human rights countries, human development will be low, meaning that there is a positive relationship between human rights and human development.

Figure N°1: theoretical expectations of the relationship between human rights and human development



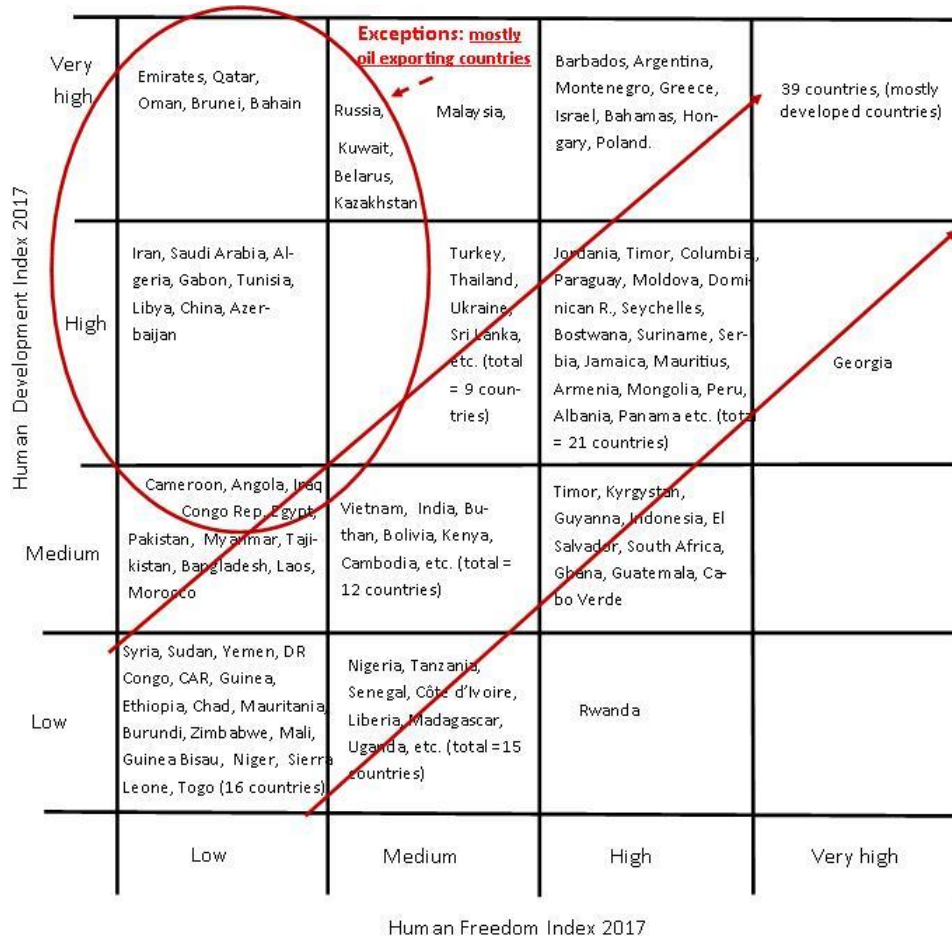
Source: composed by the author

2.2 Empirical Evidence

The empirics of the relationship between human rights and human development can be assessed based on historical data of the Human Development Index (HDI) and a given human rights index. The HDI is annually produced by the Office of the Human Development Report (UNDP). It is a composite index made up of three sub-indices: health, income, and education. The scale of the HDI is 0 (lowest human development) to 1 (highest human development). Several human rights indices can be found in the literature. To capture the relationship between human rights and human development, I plot the HDI against the Human Freedom Index (HFI) of the CATO Institute. The HFI measures personal freedoms (legal protection and security), several specific personal freedoms (such as free movement, religion association, expression

and information, identity and relationships), and economic freedoms. The index is measured in a scale of 0 (lowest freedom) to 10 (highest freedom). For this assessment I rank the HFI by quartiles so as to get the same categories as for the HDI rankings: low HFI, medium HFI, high HFI and very high HFI.

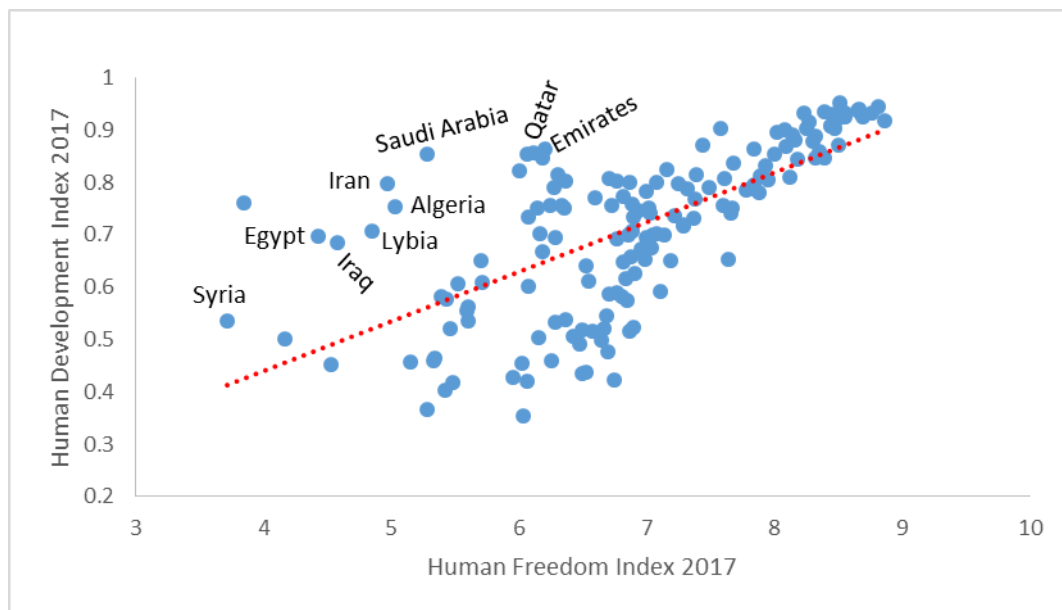
Figure N°2: The empirics of the relationship between human rights and human development



Source: composed by the author based from the 2018 Human Development Index (UNDP) and the Human Freedom Index 2020 (CATO) databases.

Figure 2 reveals that in very high human rights index countries, human development index is very high. However, in low human rights index countries, human development index varies from low (non-exporting oil countries) to high and very high (mostly for oil exporting countries). Oil-exporting countries therefore stand to be exceptions of the relationship between human rights and human development. This is mainly due to the fact that in oil-exporting countries, the income dimension is very high and offsets the negative impact of the low human rights dimension of human development. The above categorization of human rights and human development underlines that human rights is positively associated with human development, but for oil-exporting countries.

Figure N°3: The Correlation between human rights and human development



Source: composed by the author based on the 2018 Human Development Index (UNDP) and the Human Freedom Index 2020 (CATO) databases.

3. The World Fighting the Coronavirus: an Overview of Methods

Since the upsurge of the coronavirus, nations worldwide have organised their fight against the pandemic. Contrary to the available literature which distinguishes pharmaceutical and non-pharmaceutical interventions, this paper distinguishes basic protective measures from human rights limiting measures though the demarcation line between the two remains controversial.

3.1 Basic Protective Measures

Basic protective measures include the most disclosed measures of the World Health Organisation (WHO) and generally accepted by individuals. They include: social distancing; face mask wearing (in a certain way); avoiding touching eyes, nose and mouth; coughing in elbow and sneezing with a disposable tissue and throw it in a trash; frequently disinfect objects regularly used such as telephone, computer, doorknobs ... and washing hands frequently with soap and tap water or disinfect them regularly with sanitizer.

Social distancing is equivalent to maintaining enough distance between oneself and another person. This prevents an individual being infected to infect someone else. The distance highlighted varies. For example, WHO encourages at least one meter distancing while the Israeli Government retained a two-meter distancing. Among measures that support social distancing, one of the most important is the closure of school and universities, working from home and encouraging video conferencing and meeting. This class of measures can be taken without eroding human rights though school closures can be viewed as human rights reducing

because it limits the rights to education. Social distancing generally leads to rights violation in the case of bans on gatherings and travels observed during lockdowns.

Avoiding touching eyes, nose and mouth, coughing in the elbow and sneezing with a disposable tissue and throw it in a trash, frequently disinfecting objects regularly used such as telephone, computer, doorknobs are not human rights limiting. These promoted behaviours can be easily applied by anyone without any right being violated. For example, washing hands frequently with soap and tap water just reminds us to be clean, a good behaviour humanity was progressively abandoning in a very recent past.

Wearing a face mask is an equivocal measure as regards the reactions provoked by this measure. In fact, some consider wearing face mask as a human- rights-limiting measure while some others argue it is not. For this reason, I discuss this class of measure among human rights limiting ones though, personally, I consider it as a basic protective measure.

Summing up, basic preventions measures are less inclined to affect human rights even when they are compulsory. Applying such measures helps stopping the progression of the coronavirus and reducing the number of deaths. However, due to the virulence of the pandemic, the world took additional measures, the application of which often led to human rights limitations.

3.2 Human Rights Limiting Measures

Basic protective measures could not alone contribute to effectively limit the pandemic propagation. Governments were forced to adopt a wide range of measures. Many of them are human rights limiting. In what follows, I discuss the wearing of mask and the lockdown measures with their associated human rights limitations. Because I concentrate the analysis in the earlier phase of the virus break out, I do not consider the vaccination controversy.

Wearing a Mask

Health experts underlined that the most infection channels of the coronavirus are observed through contacts with eyes, mouth, nose and ears. Wearing a face mask therefore protects individual from contacting the virus. Mask wearing and lockdown are the most controversial measures adopted during the covid-19 pandemic upsurge. With regard to mask wearing, while some claim that it is not human-rights-limiting, many human rights defenders argue the contrary, underlining that mask wearing is human-rights-limiting. According to the latter, mask wearing is equivalent to violating the freedom of choosing between wearing a mask and not wearing any mask, mostly when the mask is compulsory. This explains why anti-mask rallies were observed worldwide amid the pandemic to protest against the mandatory use of masks.

It is with no doubt that mask wearing is human rights limiting. However, the gain of wearing a face mask seems to be far higher than the violation of rights it is supposed to contribute to. In this regard, protesting against face masks wearing can be associated with an uncontrolled or blindly pursuit of human rights. Also, protesting against face masks wearing can be justified in that those standing against it do not really represent the real danger behind covid-19. Lastly the rejection of the wearing of face masks can be justified by initial Government officials and even WHO's confusing messages in the early days of the pandemic. Surely, if anti face mask protestors had to choose between dying from covid-19 and wearing a mask to avoid such death, they would with no doubt choose to wear a mask.

Lockdown and related human rights limitations

Lockdown is another controversial measure used to limit the covid-19 propagation. This measure can be partially or nationally applied and includes several others measures such as school closure, restrictions on gatherings, workplace closing, public events cancelling, quarantine putting, public transport closure, stay at home requirements and restrictions on internal movement.

In most cases, schools were closed worldwide. To cope with this measure, Governments opted for distance learning. Given social inequalities, the situation led to worsening inequalities in access to education, especially in developing countries. Indeed, many families do not have access to android phone in both rural and urban areas. For those having access to android phone, many do not have access to internet and / or electricity. Many children had to travel long distances to download lessons. Grandsons living with grandmothers with no ability to use new technologies and who could not afford such facilities were automatically left behind, standing in contradiction with the SDGs slogan "No one left behind". In some cases, lessons were given over the radio or television, producing the same effect to pupils deprived with phone, radio, television and electricity. Schools engaged in distance examinations also faced the same difficulties mostly to score those left-behind with no access to radio, television and internet. Such decision also affected the rights of parents who were obliged to assist their sons all days long, while they were supposed to be concentrated in income generating activities. The closure of schools led to both low access and low-quality education. It worsens inequalities in access to education, impeding the rights to education.

With regards to other human rights limitations as a result of lockdown, closing businesses increases unemployment and inequality, which translates into increased poverty. Distance working favours domestic violence. Each of these situations involves violation of human rights.

The restrictions on gatherings and ban on public events violate the right to participate freely in the cultural life of one's community, the freedom of peaceful assembly and that of worship in a community. In this regard, weddings, funerals, carnivals, traditional festivities are severely restricted if not banned. Access to Churches, Mosques, Synagogues and other religious places is strictly controlled if not forbidden. The closure of public transport is in violation of the right to move freely within one's country, the right to reunite with family, that of moving from one country to another and so on. In several cases lockdown was supervised by the country's military and law enforcement agencies, reinforcing human rights violations. Where there was partial lockdown, people were put in quarantine. Tracking infected people by new technologies became common in several countries. In some cases, governments used spy agencies to track down infected individuals together with their contacts. Israel is a good illustration of this approach. Such decisions did not please to populations who protested against what they called violation of privacy.

Lockdown and related measures are generally human rights limiting. The degree of human rights limitation deferred from one country to another in terms of rapidity, combinations of measures, duration of adopted measures, and local, regional or national coverage. Rapidly closing borders, not imposing a curfew on domestic travel and encouraging populations to stay at home leads to a different level of human rights limitation than the same combination of measures but with compulsory stay at home. In fine, almost all measures were adopted in all countries, only the main actors, the degree and geographical coverage differed. These measures taken in violation of human rights in order to limit the propagation of the virus acted to protect human development during pandemic period. Such measures underline that the relationship between human rights and human development can vary from one context to another.

4. The Relationship between Human Rights and Human Development in the Context of Pandemic Spread

Other factors held constant, the relationship between human rights and human development in a context of a pandemic upsurge can be centred on that of human rights and the pandemic development. In fact, pandemic spread is human development destructive while pandemic limitation is human development promotion. Based on the approach used in section 1, it is possible to firstly imagine no correlation between human rights and pandemic spread. In this case human rights and pandemic spread are controlled separately. This would mean for example that a pandemic can spread up without any right being violated. It can also mean that a pandemic can be controlled without any right being violated. Regarding the outbreak of

covid-19, several theories are highlighted to explain the origin of this pandemic (WHO and China, 2021). From these theories, two theses emerge. The first argues that the pandemic is of natural origin. In this regard, transmission of the coronavirus to humans is believed to have occurred from contact with animals. Bats and pangolins are the most suspected transmission channels. According to the second thesis, the covid-19 is of accidental origin. This thesis argues that the virus was introduced to humans through a laboratory incident: an accidental infection of laboratory staff. None of these two main theses is directly linked to the violation of human rights. Only the control of this pandemic can be human rights limiting as underlined above.

Secondly, human rights can obstruct a pandemic development. Human rights development is equivalent to access to better education, good health status, access to food, good environment, freedom of opinion, freedom of movements, and access to information. It also allows access to economic and social rights and so on. A better human rights achievement improves the living conditions of populations and reduces the risk of contaminations leading to a pandemic control through adoption of health friendly behaviours. As an illustration, less educated people do not have enough information about the harmful effects of some behaviours during a pandemic as more educated people do. The latter also have information about solutions to attenuate such negative effects. In this regard, access to education is a good arm to fight a pandemic.

Thirdly, human rights can promote pandemic spread. In this regard, promoting human rights would be equivalent to promoting a pandemic. In this context, human rights protection favours the rejection of behaviours that limit the development of the pandemic as it was observed mostly in developed countries where populations regularly broke lockdown operations to stand against their rights limitation, leading to rapid expansion of the coronavirus. The pursuit of human rights protection during a pandemic outbreak can lead to terrible results in term of human development. This is what happened for example in Italy and France in early 2000.

In early February 2020, the first cases of covid-19 were already registered in Europe, especially in Italy. European countries are recognized for their interest in respecting human rights. Thus, wanting to respect the rights of players, supporters and those of team leaders, the Italian Government authorized on February 19, 2020 in Milan, the Champions League football match between Atalanta Bergamo (Italy) and Valencia (Spain). This match is very likely at the origin of the acceleration of the spread of the coronavirus in North Italy, in particular in Bergamo (a city very close to Milan) which became the epicentre of the pandemic in Italy. In fact, supporters of Atalanta Bergamo dwelled together to support their team in Milan. When back to Bergamo, they facilitated the virus spread up in their area. The Wall Street Journal

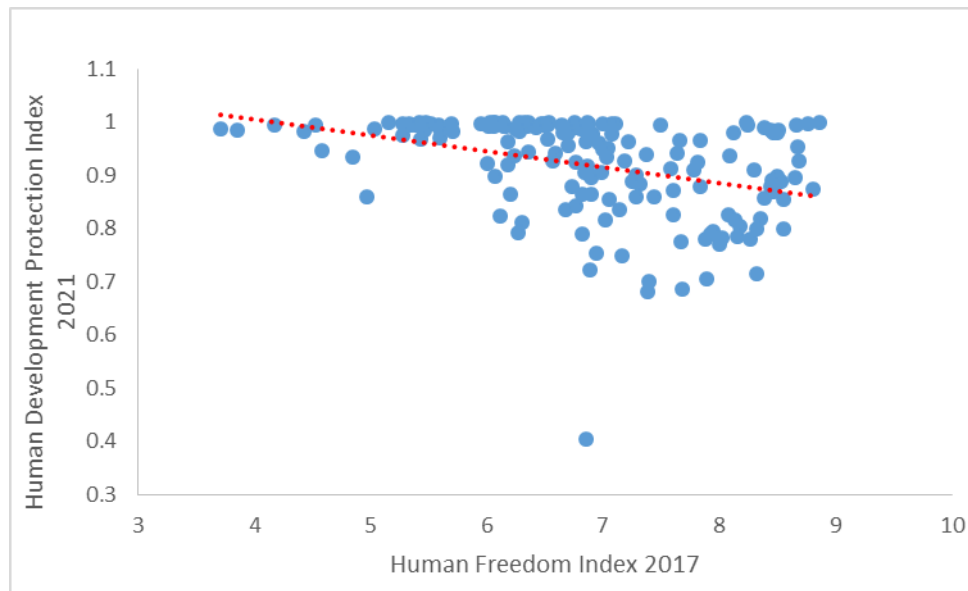
considered this match that gathered more than 40, 000 spectators as “the Soccer Match that Kicked Off Italy’s Coronavirus Disaster”. Likewise, on February 26, 2020 in Lyon, another Champions League football match opposed Lyon (France) to Juventus of Turin (Italy). The French Minister of Health defended the right of Italians to travel to support their team. He highlighted that Italian should not be prevented from going to a football match. According to the media, more than 3,000 Italian fans crossed the border to support Juventus at the Stadium of Lyon that gathered about 60,000 spectators. Following this match, an acceleration of the spread of covid-19 was observed in France. Protecting the right to travel and the right to support one's team thus contributed to the acceleration of the number of cases of covid-19. There is a plethora of such examples which highlight that the protection of certain human rights during a pandemic contributes to the acceleration of new cases, negatively affecting human development. In this regard, limiting human rights would be good to limit the expansion of the pandemic and support human development.

Owing to the above, it is expected that in high human rights promoting countries, it would be difficult to limit a pandemic propagation through human-rights-limitation methods. If human rights limitations are good measures to stop the propagation of the virus, the situation would lead to rapid development of the pandemic. In low human rights promoting countries, because it is easy for governments to adopt rights limiting measures, the spread of a pandemic would be very low. It is therefore possible to expect that where human rights are importantly limited, the spread of pandemic would be very low and where human rights are slightly limited (or more promoted/defended), the pandemic will rapidly expand. In such situation, human rights are negatively associated with human development via their positive impact on pandemic development.

For a rapid empirical assessment of this relationship, let us first build a Human Development Destruction Index (HDDI) based on the number of pandemic related deaths. The index measures the intensity of deaths as a consequence of the coronavirus pandemic. This index is based on the min-max approach and calculated using a single variable: the number of deaths per million inhabitants. The lower value is set to zero (no additional death as a consequence of the pandemic). The upper value is arbitrary set to 10,000. Note that with regard to the covid-19 pandemic, as of September 23, 2021, the highest historical value is 5970.009, corresponding to Peru¹. The HDDI is a deficiency measure. Human development protection during the pandemic is more interesting. I therefore compute a Human Development Protection Index

(HDPI) during the pandemic as the complement to 1 of the HDDI. Plotting the HFI against the HDPI underlines a negative correlation between human rights and human development.

Figure N°4: Human Freedoms and Human Development in the covid-19 era



Source: composed by the author based on the 2018 Human Development Index (UNDP) and the Owid databases (2021).

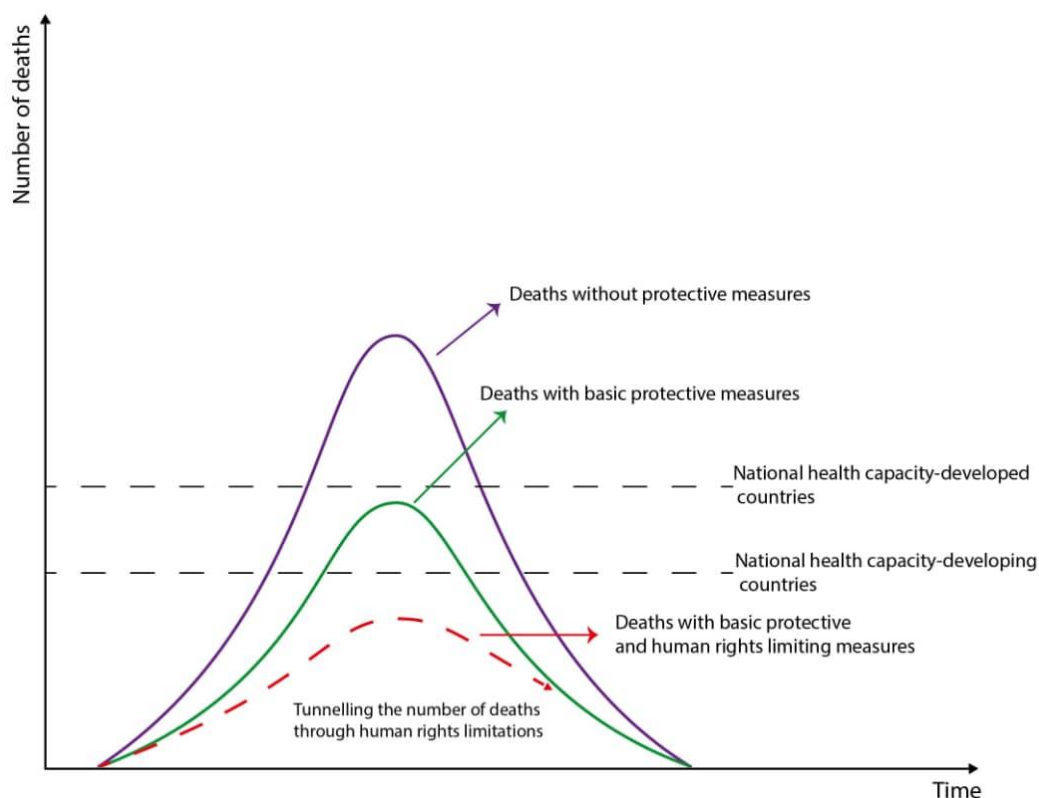
5. Tunnelling the Number of Deaths: the Rationale behind Human Rights Limiting Measures

Human rights promotion tends to promote the development of a pandemic, leading to human development destruction. In order to reduce the spread of cases and consequently that of deaths, it is a question of temporarily limiting human rights during a pandemic upsurge. Countries temporarily adopt human rights limiting measures to fight the pandemic. Once the pandemic is under control, they progressively come back to the normal situation. The effect of human rights limitation on human development protection would depend on the deepness of the 'tunnel' these measures succeed to dig.

Suppose the number of deaths occurring as a result of the pandemic upsurge follows a normal distribution. The number of covid-19 deaths in the case no protective measure is taken is higher. To fight the pandemic, countries firstly adopt basic protective measures. The resulting effect is the reduction in the number of cases which, *ceteris paribus*, leads to that of deaths. The reduction in the number of deaths is good for human development. The reduction in the number of cases also has a positive effect on the health care system. The result depends on the country categorisation.

In a typical developed country, the adoption of basic protective measures generally avoids overwhelming the health care system. It helps the country face the pandemic using limited additional health related investments if not using the available health system. In a typical developing country where the health systems is weak, the adoption of such measures only limit the aggravation of the gap between health care demand and health care supply as represented by the weak health care system.

Figure N°5: Tunnelling the number of deaths in pandemic times



Source: composed by the author

Because of the virulence of the pandemic, basic protective measures are combined with human rights limiting measures in order to rapidly curve down the number of cases. In developed countries, human-rights-limiting measures, by their additional effects on the limitation of new cases, free up an important share of health capacities, making it able to well organise the fight against the pandemic. These benefits can be used to secure populations by providing them with more information on the pandemic for better protection. More importantly, the effect of human rights limiting measures act as a tunnel through which the country passes in order to reduce the number of cases and then that of deaths. In developing countries, this tunnel is important to significantly reduce the gap between health care supply and health care demand during a pandemic. Tunnelling the number of deaths is therefore a theoretical basis of what governments

and international organisations empirically aim at by temporarily encouraging human rights destructions during a pandemic spread up.

Conclusion

The main value added of this study is to highlight that the relationship between human rights and human development is not stable. Normally, this relationship is positive. In times of health crisis like that observed during covid-19 upsurge, this relationship is reversed. Such information is crucial for policy makers who aimed at protecting the living conditions of populations. It this regards pandemic upsurge force governments to temporarily reduce human rights in exchange with life protection. In this regard, limiting certain rights in order to protect the right to life remain a plausible action. Protecting human life by limiting several other rights is equivalent to protecting a large set of human rights in the future, including those being limited today. Without human life, there is no human right to promote. This is the rationale behind the use of human rights limiting measures to fight the virus expansion. Limiting human rights during pandemic is human-development friendly because it aims at protecting human life. However, such protection should not endanger human life it is supposed to protect. The main limitation of the study is related to the lack of data which would have made it possible to carry out econometric analyses with a view to quantifying both effects. However, the study opens up research perspectives, particularly with regard to the question of symmetries. Indeed, if human rights positively affect human development in normal situations, and if this relationship is reversed in times of crisis, it will be important to know whether this relationship is symmetrical or if the effects of one direction prevail over the effects of the other direction. This would make it possible to better target responses to limit the spread of the virus.

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