

Coronavirus: Health fascism has consumed human rights

By Adam Creighton, The Australian, 20 October 2020

What a farce human rights have become. For years progressive politicians, academics and activists have called for stronger protection for human rights, new codes, new laws — and well-staffed commissions costing millions to oversee them. Democracies just couldn't be trusted.

Indeed, this year has witnessed the most extraordinary attack on freedoms by democratic governments in modern history, making a mockery of such human rights acts and conventions. Yet there's been barely a peep from those in the human rights industry, who've perhaps been enjoying working from home on their large taxpayer guaranteed salaries.

The \$10m-a-year Victorian Human Rights Commission, at ground zero for what will be seen as the most destructive over-reaction in Australian history, says on its website its focus during the pandemic includes “reducing racism” and “improving workplace gender equality”. COVID-19 “has exposed some weaknesses in the way the Charter of Human Rights and Responsibilities protects Victorians from violations of their rights”, the commission does concede on its website.

Talk about understatement: try, it doesn't protect them at all.

You don't need to be Immanuel Kant to know that the freedom of expression, assembly, association, the right to work, conduct business, have a private life — all supposedly protected — trump welcome to country ceremonies, quotas for women on boards and whatever is happening in Nauru.

In 2014 the Australian Human Rights Commission was up in arms about counter-terrorism legislation that provided for “control orders” to be placed on suspected terrorists, which could have constrained their freedom of movement. But putting millions of people, suspected of doing nothing wrong, under house arrest for months, and contributing to panic and the biggest economic downturn in a century? Crickets.

The US Centres for Disease Control issued updated coronavirus survival rates in mid September: almost 100 per cent for anyone under 50, 99.5 per cent for 50 to 69 and 94.6 per cent for over 70s. As professor David Livermore, a microbiologist at the University of East Anglia noted recently, six of every seven people aged over 90 affected with the coronavirus survive. This is far from the plague.

The global death toll from COVID-19 remains substantially lower than the flu pandemics of the late 1950s and 1960s.

The Victorian Public Health and Wellbeing Act of 2008, under which much of the lockdown restrictions in Victoria have been enacted, says “the spread of an infectious disease should be prevented or minimised with the minimum restriction on the rights of any person”. By November 2, Melbourne will have been in lockdown for 22 weeks since March 30. That doesn’t sound minimal to me.

Any order, the act goes on, must “be proportionate with the risk that the person poses to public health”. Given Victoria has a handful of cases every day, the risk most Victorians pose is zero.

Governments probably know their actions aren’t justified. In Europe, which endured some of the world’s toughest lockdowns earlier this year, they have simply ignored the European Convention on Human Rights.

The UK, France, Spain and Italy could have applied for convention exemptions, which are justified where a “public emergency threatens the life of the nation”. None did, suggesting they didn’t think the threshold had been reached, writes British barrister Francis Hoar in a recent essay. “It must be questionable whether a virus which ... appears to have a mortality rate of between 0.12 per cent and 1 per cent could be considered a threat to the life of the nation,” he adds.

The impact of lockdowns lingers long after they have been lifted. Freedom House, a US-based think tank, recently found the pandemic had eroded civil rights in at least 80 countries, including the US, France, Belgium and Argentina. To be sure, many of these severe lockdown measures have been popular. But many stupid things have been popular: autarky, World War I and White Australia, to name a diverse few. It doesn’t make them right.

That’s why nations have had constitutions and bills of rights to limit democracies from bouts of collective insanity. I used to oppose bills of rights, disliking lawyers’ picnics and thinking the common sense of MPs would ultimately prevail.

The Great Lockdown of 2020 illustrates how easily we can be spooked into a kind of health fascism, where basic individual rights are sacrificed to the greater health collective, without the slightest attempt at a justification, amid fearmongering propaganda and censorship. Anyone who wants to mind their own business and get on with life, making their own risk assessments, is vilified as selfish. Supporters of a police state and health fascism are seen as caring.

Many of the supposed public advocates for the poor, the young and marginal — unions, churches, the Australian Council of Social Service — have been quiet in defending their constituents’ core rights to work, to worship.

We are now obsessed with safety, above all else.

There hasn't even been a health crisis in Australia, just the possibility of one; nurses have been twiddling their thumbs. Overall mortality here, and in Sweden and other western countries, is within the normal range, if higher in the US and UK. The mind boggles what our governments would resort to were we faced with a serious threat, disease or otherwise.

In Europe total mortality rates have been normal since June, despite mounting hysteria about "case" numbers and calls for second and third lockdowns.

"The fear generated by the emergence of a previously unknown infection may be greatly out of proportion to its real public health impact. Fear often generates inadequate decisions or inappropriate behaviours," the World Health Organisation said with great prescience in 2018.

Coronaviruses are natural, as is death in old age.

Thousands of people die of natural causes every day. COVID-19 is just another natural cause that we'll need to learn to put up with if we ever hope to get our rights back, let alone travel outside Australia.