

General Assembly 3

The question of the government's right to limit civil liberties in a pandemic



Forum	General Assembly 3
Issue:	The question of the government's right to limit civil liberties in a pandemic
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Introduction

The guarantee of civil liberties is a key function of liberal democracies and is considered a non-tradable “sacred value”. It protects citizens from a tyrannical government, giving citizens the ability to criticize their government and privacy rather than being monitored by the government. Overall, it helps to ensure all citizens are treated justly and with respect. However, in times of crisis, such as a pandemic, terrorist attacks, conflicts between countries, and natural disasters, civil liberties are often restricted as part of the policy response, but the question remains how much the government can limit civil liberties during such a pandemic and how it can be controlled. In this research report, there will be a demonstration of cases of limiting civil liberties in the past.

Definition of Key Terms

Civil liberties

A person's right to freely do, think, and say what they want, as long as this does not harm other people. Such as speech, religion, press, assembly, and the right to petition the government.

Government

A group of people with the authority to govern the members, citizens, or inhabitants of a country, state, or society; a particular ministry in office.

Pandemic

An epidemic is prevalent in multiple countries or continents that usually affects a big part of the population.



COVID-19

COVID-19 is a disease caused by the SARS-CoV-2 virus that originated from animals.

Influenza

The most severe pandemic in history was caused by the H1N1 virus and spread over the world during the years 1918-1919.

Policy response

Actions that are made by an individual, government, or group in a response to a crisis, such as a pandemic.

General Overview

During pandemics, the civil rights of the citizens are often limited by the governments. Because governments often rush to make policies during such a pandemic, it often also leads to poor policymaking. It too has become a bigger and bigger question of how much governments have the right to limit this during a pandemic like COVID-19. Since citizens all around the world honor their personal liberties and rights a lot. This however does depend on the type of country, if the country has a liberal democracy or authorial system for example.

COVID-19

COVID-19, the most recent case of governments limiting civil liberties, hit the world in 2019 and is still actively found among citizens all over the world. Governments were forced to limit civil liberties to limit the disease from spreading among the citizens. The restrictions for this pandemic began as temporary restrictions, but quickly became long-term restrictions that lasted for a long time and some are still active. Citizens also not always agreed upon the restrictions that were implemented to prevent the virus from spreading and there often were protests going on around the world. At this time, the spreading of the virus is at a low, but it is expected that there again will be a big outbreak in a couple of months.

Policy responses to COVID-19



The Policy responses to COVID-19 were different in every country, some were more strict with their policy than others and the citizens in each country also reacted differently to the policies that were made by the governments.

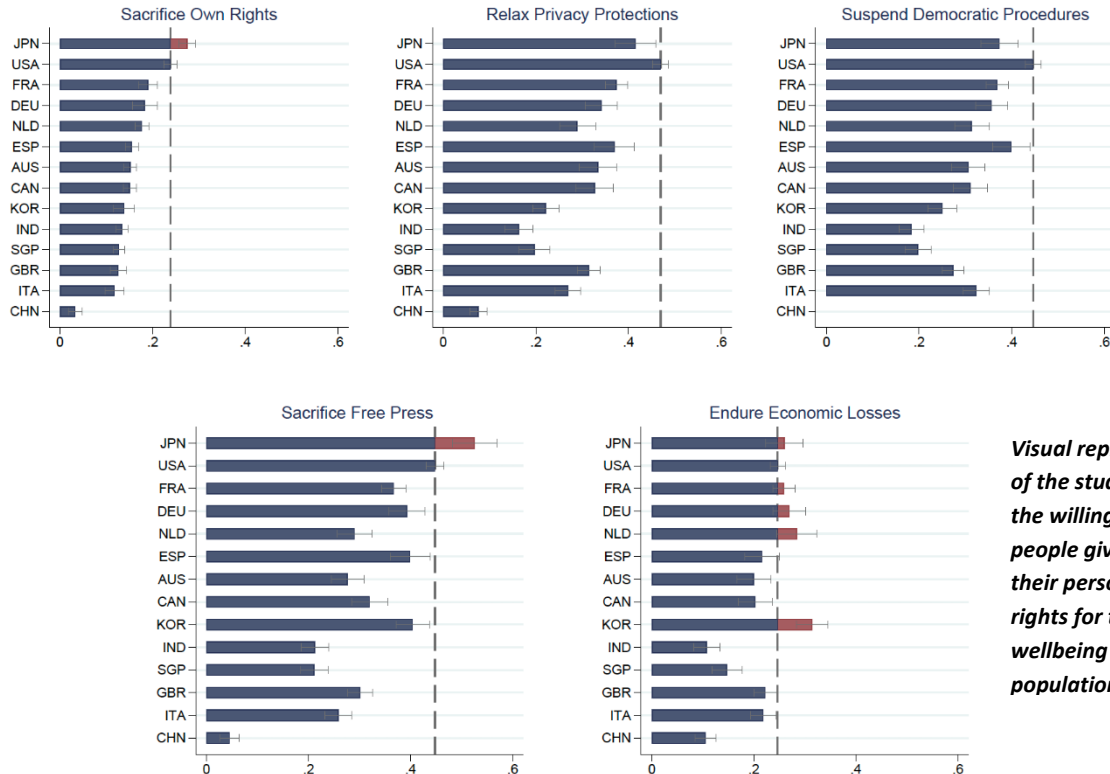
Some countries were and still are extremely strict with their policies and also very strict in preserving the measures that were and are taken. For example China, this is where the virus was first discovered and spread from a bat to a human (although this is still not one hundred percent sure), civil rights during the pandemic were extremely limited. Infected citizens were and still are in some locations isolated in special facilities, such as in Shanghai. The conditions are terrible with unhealthy food and bad sanitaire. Also, the government lied to citizens about the location they were going to go, being told they were being brought to a hospital when they were actually brought to such an isolated location. This happened in April of 2022. But what you also see from an experiment at the beginning of COVID-19 by Marcella Alsan, Luca Braghieri, Sarah Eichmeyer, Minjeong Joyce Kim, Stefanie Stantcheva and David Yang is that Chinese citizens are more open to sacrificing personal rights and liberties for the wellbeing of an entire population during a pandemic than all the other countries in this study.



Isolation facility in Shanghai

In the United States of America, the measures taken to prevent the virus from spreading were different in all States some a bit stricter than others, but altogether less strict than the measures taken in China. In the Study about Civil Liberties, there also comes as a result that citizens of the United States of America are almost the least willing to give up their own rights and liberties during a pandemic for the well-being of the population of all countries that participated in the study.





Visual representation of the study about the willingness of people giving up their personal civil rights for the wellbeing of a population

The willingness to give up personal rights and liberties was in line with how much they worried about the virus and thus declined over time when COVID-19 was spreading less among the citizens in that specific country. The willingness to give personal rights and liberties also depended on the exposure to COVID-19 health risks and how much they would fear losing their rights and liberties.

In a lot of the government’s policy responses was also the obligation to let yourself be vaccinated if you wanted to go to events or travel to other countries. There were a lot of protests because of this, and a lot of people said they lost their rights because they could not do things without being vaccinated. It was an obligation to wear a mask in a lot of countries too, there were a lot of protests because of this as well, citizens saying they lost their freedom when they always needed to wear their masks.

Influenza

The Influenza pandemic in 1918 is the most recent pandemic in history. It is estimated that 300/500 million people were infected by the virus, at that time around one-third of the world population and fifty million people died from the virus. The same happened as during the COVID-19 pandemic where there was a shortage of medical personnel, but at this time because a lot of the nurses and doctors were serving in the First World War.



What was also found is that, just like the COVID-19 pandemic, the pandemic puts a ban on all public assemblies, thereby closing schools, churches, and shows. However, the citizens back then were also being encouraged to vote, while all other public assemblies were closed, just like this also happened in the Netherlands for example. The same with masks, these were required and the citizens and communities did not like them, which continued to become an anti-mask movement with anti-mask meetings.

Major Parties Involved

American Civil Liberties Union (ACLU)

The ACLU can be worked with by the governments to see what civil rights the citizens crave and if some civil rights can be temporarily limited during a pandemic, and if so, which ones these can be and such, where the ACLU can help the governments to monitor this

World Health Organization (WHO)

During a pandemic, it is necessary to look at the impact of the disease that is spreading for governments to make policy responses. Therefore, the World Health Organization should work in close contact with all governments to make and update the policy responses, to see what is at least necessary for that specific country.

Human Rights Council (HRC)

For a government to make a fair and working policy response during a pandemic it is necessary to discuss which human rights can be limited, for how long and how much and what the limit is, and when this limit is exceeded.

Timeline of Key Events



Date	Description of event
1917	Establishment of the ACLU
1918 - 1919	Influenza Pandemic
2019 - now	Covid-19 pandemic

UN involvement, Relevant Resolutions, Treaties and Events

- Report of the Human Rights Council, 2021 (A/76/53)
- Establishment of the ACLU, 1917

Previous Attempts to solve the Issue

First of all, It should be considered that the question of the government's right to limit civil rights during a pandemic is a rather new question, as the concern of citizens about civil rights is at an all-time high from 1960 to now and there has not been a big pandemic since the influenza pandemic from 1918 to when the COVID-19 pandemic hit the world in 2019. This makes it so that there are not many previous attempts to solve the question at all, but you could consider organizations like the American Civil Liberties Union (UCLA) organizations that try and make guidelines for governments to not fully limit civil liberties during a pandemic. The American Friends Service Committee (AFSC) is one of the examples of this. This organization launched the Under the Mask project in 2020 to track the power abuse of the government in the context of the pandemic.

Also, you could consider demonstrations from citizens of a country as a possible solution for the government to listen to and get both the government and the citizens, to agree upon the middle ground of such an issue the citizens are demonstrating for.

Rather speaking of official attempts by the United Nations to solve this question, there are none, so there are a lot of opportunities for possible solutions to debate on.

Possible Solutions



First of all, it should be noted that this is an extremely broad question on the government's right to limit civil liberties during a pandemic and it is important that more attempts should be made to make a possible solution for this question.

Delegates should also note that in history there were often policies made in a rush that led to poor policies that eroded civil rights and helped almost nothing for public benefit and health. Policymakers adopted responses they think are effective, but there is no factual evidence if this is true, thus Delegate could seek for ways to start evaluating the policy responses effectively and to create ways to manage crises with already evaluated policies that can be used immediately when a pandemic hits the country.

There has also been a type of secrecy when it comes to these policies being made. Therefore, it could also help if everything would be open to the public, so the citizens can also criticize the actions being made. This would help both the government and the citizens, because the citizens can trust the government more if they can see what is happening to their country.

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Appendix or Appendices

- I Visual representation of the study about the willingness of people giving up their personal civil rights for the wellbeing of a population
<https://voxeu.org/article/civil-liberties-during-covid-19-pandemic>

