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Topic:

The Human Rights Debate during to the COVID-19 Crisis

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1 Introduction

No crisis has recently had such enormous effects on the world process as the COVID-19 crisis. When the first cases were reported in December 2019 in China, few could have imagined the dimension of the later worldwide pandemic. It has been affecting private, social and global life severely and at the time of writing, does not seem to find an end soon (cf. Bapuji et al. 2020, 1067). With personal limitations like quarantine and lockdowns, it is on the dice that moral debates about freedom and Human Rights have arisen. Headlines like "Coronavirus pandemic is becoming a human rights crisis, UN warns" (The Guardien 2020) or "COVID-19 puts human rights of millions at risk" (United Nations Office for Disaster Risk Reduction 2020) circulate online.

It is important to consider that there has been general philosophical criticism on Human Rights for its distinctively Western base and the lack of ethnocentrism for a long time (cf. Spaark 2007). With this in mind, there is reason to scrutinize these headlines. What if the question should not be how to protect Human Rights but rather if Human Rights (still) have a valid philosophical foundation within current academic philosophical controversies? After all, a virus no bigger than two nanometers, has managed to "threaten" our fundamental Human Rights. This outcome conforms to an idea presented by Matthias Horx, who states that a crisis' biggest long-term effect is always the dissolution of old phenomena (cf. Horx 2020, 34). It exposes our systems and one can learn which parts of the systems sustain and which fail to do so (cf. Horx 2020, 57).

This paper attempts to give insight on the current debate on values and principles and evaluate the philosophical foundation of Human Rights. It raises the claim to bring into question the validity of (Western) philosophical principles and demonstrates the moral principle of "Pluralism" as a possible alternative to rather "extreme" standpoints. Furthermore, it gives an overview on the Corona crisis, its worldwide extent and the general impact of historical events on moral values. After setting the theoretical frame, the questions of if and how the COVID-19 crisis might have or will change the perspective on Human Rights will be debated based on the consideration of an official publication of the United Nations as a response to the Corona crisis and the significance of the argumentation in this article when considering the prior evaluated current philosophical controversies and their validity. At the end, there will be an outlook on what one can learn from that on the basis of another relatively detailed example and furthermore, on what the considerations of this paper might give to think about.

2 Values

Defined by the Cambridge Dictionary values are "the beliefs people have, especially about what is right and wrong and what is most important in life, that control their behaviour" (Cambridge University 2014).

Different societies have shaped different values. Hence, they can be seen as a construct, built to serve the needs of a society (cf. Clark 1968, 39-40). A society refers to "a large group of people who live together in an organized way, making decisions about how to do things and sharing the work that needs to be done. All the people in a country, or in several similar countries, can be referred to as a society" (Cambridge University 2014). Societal needs can vary from biological, psychological to social and cultural needs (cf. Clark 1968, 53) and extend to various levels such as religious, spiritual, moral, civil or political. Nowadays, we face the challenge of combining various and fast changing values with a globalized world without the denial or demolition of minor traditions and cultures (cf. Gorbachev 2019, 268-269). In order to grasp the full dimension of the current academic positions on value debates, the next chapter gives an insight on sundry principles.

2.1 Western Philosophical Value Principles

Looking at philosophical principles their formidable challenge is adapting appropriately in virtue of evolving Western philosophical deliberations. In order to get an insight on perceptions, opinions and value bases, the makeup of our globe needs to be looked at. Representatives of certain common Western standpoints are analyzed and summarized below. The chapter does not assert the claim of reaching full dimensions and value corners, but aims to give a general idea of what is being debated.

Our modern world is characterized by a rapid acceleration of historical progress. The globes citizens are cultivating a global society with growing interdependence on political, cultural and economic forces. At the same time, gaining possibilities of establishing and destroying takes on a dramatic scale (cf. Ratzinger 2005, 28). Especially since the end of the Second World War, awareness for a shared value base is not disregarded, but highly disputed (cf. Ratzinger 2005, 84). Ratzinger argues, that human freedom only exists if a value base exists. Anything else would be brutish. The question is how a free world can build this value base (cf. Ratzinger 2005, 43-44). And therefore, how its moral responsibility, which vice versa arises from the very existence of values, can be satisfied.

Many philosophers, academics and politicians are referring to the current situation as a crisis of values in the 21st century. As the world is rapidly changing and developing, it has become common to justify behavior with self-serving values. Especially the shift of focus from the value

of a human being to the value of belongings as a defining characteristic has provided a new perspective on humanity or, to carry this fact to extremes, even blighted humanity. Present component of our modern western world is the want to benefit even if it costs deprivation for others. Through globalization all parts of the world have vested interests, starting with viability. Our human existence has reached a point, where our biggest challenge is ensuring survival, not only of individuals but of the *Homo sapiens* itself. Entering the future with such differed values may lead to no future at all. (cf. Gorbachev 2019, 268-274).

When looking into the upbringing of Ratzinger and Gorbachev, it is clear that the two men come from completely opposite backgrounds – while Ratzinger was brought up strictly Christian, Gorbachev was taught communist values. Both men became social democrats later on. Despite their differences, both criticize todays dealing with values while being aware of the problems that come with following a strict set of values for the entire world. Universal Human Rights though, are nothing else but a universal set of values and have "been critiqued from [the right and] the left of the political spectrum as well. They have been derided as biased towards Christianity, as intrinsically bound up with colonialism and as 'westo-centric'" (Assiter 2020).

"Politicians, human rights activists, scholars, and others disagree about whether human rights are universally valid or only valid relative to a given culture" (Spaak 2007, 73). The two presented ideas of value in the next chapter are located on the opposite continuum of value philosophies which compromise a wide range of standpoints (cf. McCombs School of Business 2008). Now, one could wonder why this debate is of meaning to this paper. There is a simple reason for it, namely the understanding of our own perception of universal values, when further evaluating their process in the Corona crisis.

2.1.1 Universalism and Human Rights

The assumption of valid universal values is a notion of social justice which starts from the premise that a basis of essential values can be true for every human being and social system. Wording these fundamental principles in general ways assures justice amongst social systems and groups (cf. Pogge 2002, 30). It raises the claim to regularize our current political international procedures such as basilar constitutions and trivial conditions (cf. Spaak 2007, 73).

Hence, the concept of universalism constitutes the fundament of the Universal Human Rights Declaration, which was chaired by Eleanor Roosevelt and proclaimed by the United Nations (UN) General Assembly in Paris after the end of World War II on 10 December 1948. The Universal Human Rights were conceptualized with the aim of becoming common standard for people of all nations and to "reaffirm faith in fundamental human rights". They are based on

the belief that all humans are born equal and free in rights and dignity and cover 30 articles, which have been translated into over 500 languages. The rights reach from freedom and equality to private property, legal assistance, culture and education, democratic participation and ban of torture (cf. United Nations, 1948).

The Human Rights Declaration does not specify whether or not certain rights are to be considered more important and therefore presupposes generality, inseparableness and interrelation. In the last tens of years, International Human Rights Law has accrued. Nevertheless, Human Rights are perpetually discounted and misused, due to the fact, that it is enormously hard to assert the legislation or even sentence abusers. Being a Declaration and not an actual law itself, does only rarely provide the option of judging anyone based on it, especially on an international basis – despite the widespread approval of authority. Therefore, a violation of the Declaration by a country is responded to by observing, monitoring and addressing the problem but cannot be carried out as far as compelling a state to alter tenets or reimburse victims of Human Rights abuse (cf. Ted-ed 2015).

2.1.2 Relativism

Relativism represents the contrapositive angle and is defined by the assumption that there is no universal set of values. Instead values are shaped through individual cultures including their circumstances and each society acts according to their religion, beliefs, traditions and conventions. Critics debate about the danger of indifference when not having a basis for values. The principle itself is again subdivided into three different dimensions: *descriptive moral relativism*, *meta-ethical moral relativism* and *normative moral relativism*, which are specified below (cf. McCombs School of Business 2008).

Descriptive moral relativism, also called *cultural relativism*, argues that values are shaped through individual cultures. Few values might seem universal, but on closer examination still differ at least slightly in different cultures (cf. McCombs School of Business 2008). A good example for demonstrating this would be the following:

> "Tolerance, mutual understanding, and trust are inseparably connected with one more fundamental, universal human value – solidarity. There needs to be solidarity of all people with one another, with the closest and most distant citizens on earth, with poor and the impoverished, with the suffering and the deprived." (Gorbachev 2019, 272)

In this example solidarity can be seen as the value that might seem universal. After further examination, the differing from culture to culture soon becomes evident as there are studies providing proof of culture-dependent perspective and practice. The development of social security and justice is crucial to the dimension of solidarity. In case of high social security, the members of a society show the tendency to cede social tasks to the state and show an increase

in helpfulness whereas in nations with need for mutual support the personal selfishness and antipathy to solidarity is generally more distinct (cf. Wagner 2016).

Meta-ethical moral relativism is the idea that no judgment can be made over more or less valid values of cultures over others. Each society makes decisions on the basis of their own conventions, traditions and creeds.

Normative Moral Relativism states that all cultures should embrace each other's different set of values. There are no universally true values (cf. McCombs School of Business 2008).

Both described concepts, *Universalism* and *Relativism,* are distinctly opposite standpoints. Argumentations on both sides are confronted in the following chapter.

2.2 The Validity of Value Principles

A lot of philosophers have differing opinions on moral relativism especially in regards to the subcategory *Normative Moral Relativism*. For instance, bribery might be accepted in some societies, yet in most countries this can be lawfully prevented. Furthermore, it is argued, that by relying on the principle of *Moral Relativism* one simplifies the worldwide contentions (cf. McCombs School of Business 2008).

Opponents of the principle of universalism assert that this philosophy cannot be true which is founded with the argument of the non-existence of methods for solving moral conflicts. Yet, agreements like the Declaration of Universal Human Rights are based on this perception. Questioning their worth starts when questioning their emergence, which mainly have their origin in exclusively Western countries and therefore Western attitudes (cf. Spaak 2007, 73-78). Furthermore, especially when considering the point described in chapter 2.1.1. of not being able to rightfully enforce the Human Rights, critics state the naivety of the universal idea on a globe where every nation carries out a lot of power (cf. Ted-ed 2015). Even if there was a possibility to universally punish Human Rights violations, it would be an interference of culture and therefore a form of cultural imperialism (cf. Spaark 2007).

This knowledge is of high significance when examining a change of perspective on values caused by the COVID-19 crisis. Assuming the statement that there are no universal values is true, it is clear that this cognition needs to be transferred to the debate of the validity of the Human Rights Declaration. Therefore, alterations can highly differ from culture to culture. Although a majority of perceptions are derived from a Western perspective, the paper demands a sophisticated contemplation minding possible cultural differences.

2.3 Moral Pluralism – a Possibility for a Middle Ground

The presumption that there is an existence of several moral views which should all be accepted equally is a philosophical principle named "Moral Pluralism". It is characterized by an open mind towards different viewpoints on conflicts and located in the middle of the value spectrum, meaning it can be seen as a compromise of Universalism and Relativism. Moral pluralists raise the claim of taking into account several standpoints before making a decision or defining something as morally correct or incorrect while being aware of the fact that many moral issues are majorly intricate. Therefore, no particular philosophical maxim can bid all rejoinders to a question.

A simple example to closer define and depict the principle can be given by assuming that a building is burning with children inside. One now has the option to go inside and save them, yet with the risk of losing one's own life and leaving own children behind as orphans. When applying moral pluralism to this situation, one would come to the conclusion that no decision is morally more correct than the other (cf. McCombs School of Business 2018).

At first glance, it seems to be the perfect solution since this principle represents a middle ground between more extreme perspectives on the validity on values. Yet, applying it to (global) politics still poses the challenge of when to prevent certain actions and when to draw the line for considering it inacceptable in any culture, nation, religion or country system.

3 Corona Crisis and Its Worldwide Extent

Outbreaking in China at the end of 2019, the COVID-19 virus has spread with incredible speed over the entire globe. It therefore challenges understanding, ratiocination and assimilation. As the whole world came to a standstill, the flood of information has been enormous with new data being released every day. Paradoxically, as much as the rapid spread of information is an underlining of our globalization – a proof of worldwide communication, networking and interaction, it has also simultaneously forced society to a minimum of business and social practices. Human, social, political and economic alliance and reliance were naturally a given and from basically one day to another were forced to be separated or reorganized.

By way of exception, COVID-19 called for handling an unpredictability that had not been foreseen. Impacts on humans worldwide have not been prognosticated (cf. Bapuji et al. 2020, 1069). Further peculiarities and implications are characterized in the following chapter.

3.1 The COVID-19 Crisis - A Crisis not Like Any Other

Max von Pettenkofer, a Bavarian chemist and the first hygienist during times when the Cholera epidemic first hit Western countries, once stated that the right of free movement will always be indispensable, even if the price for it is an infection with an epidemic disease. A stoppage of free circulation to an extent where it is completely assured not to infect anyone with any disease would be worse than the disease itself. People would fight the beastliest wars just to break their constraints again (cf. Pettenkofer 1873, 6).

Considering this statement from approximately 150 years ago while observing our recent world proceedings such as countries like France and India imposing total lockdowns, it again becomes apparent which extreme weight this pandemic has. At the end of 2019, it seemed unimaginable to have measures to this extent. Certainly, some countries reacted differently and did not see the necessity for an instant intervention – for example the United States or the United Kingdom. Nevertheless, swift lockdowns were a sanction that a majority of countries had to face and especially in developing countries will have a long-term effect on countries, individuals and national economy (cf. Bapuji et al. 2020, 1071).

The futurologist Matthias Horx describes the COVID-19 crisis as a "deeps crisis", which means that a crisis has an impact on many systems of different matter. The more levels of our lives are touched by a crisis, the more it becomes of relevance for society. In comparison, other "recent" major crisis's like 9/11 did of course have impact on global politics and fear of terrorism but only rarely permeated into the everyday life of people. The same applies to the financial crisis of 2009, which led to quite a few bankruptcies and affected the financial system but was mostly a crisis on an ideological and abstract level. Other crisis's such as the Euro crisis or the refugee crisis are also not considered a "deep crisis", as they are all mainly a matter of politics spread through media (cf. Horx 2020, 20).

One important aspect of deeps crisis' lays in the prediction of such an incident. The British National Security Risk Assessment (NSRA) has created a risk-analysis in 2019 looking at relative probability and relative effects.
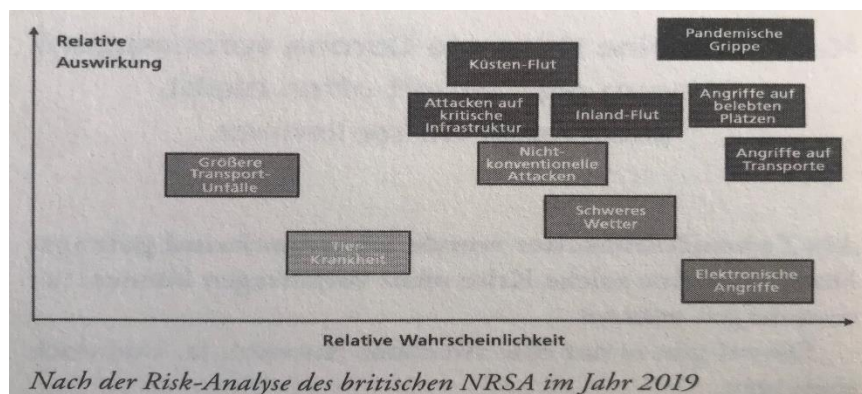

Figure 1: Horx' Modification: Risk-Analysis of the British NRSA 2019

Only attacks on transportation and electronic attacks were deemed to be as likely as a pandemic flu and both these occurrences are rated to have either medium or low consequences. In contrast, a pandemic flu to this time was located at high risk of impact and also high risk of probability. There is no other threat, that could possibly have as many implications as a pandemic flu. Looking at likelihood, only attacks on transport are rated higher.

Obviously, the world has been aware of the possibility and outcome of a pandemic. Nevertheless, it seemed hard to take measures towards something still unforeseeable in terms of time and extent (cf. Horx 2020, 26). We now face the challenge of managing such an "unpredicted prediction". Thus, the phenomenon of a pandemic - a multidimensional depression - and the affected levels are described in more detail in the next chapter.

3.2 The Interference in Our Social Systems

Invisibility is one of the most significant characterizations of the virus. This as well as the unpredictability of new mutations spreading from human to human causes major challenges when trying to condemn the virus. Drawing a parallel between the phenomenon of the invisible spreading and mutation of the virus and the ongoing mutation of social problems, the virus underlines the world's fast-moving nature and steadily new occurring social issues. Furthermore, social distancing has forced many to change every-day behavior such as touching, which was considered normal or even polite for example in the form of a hug or a simple handshake (cf. Bapuji et al. 2020, 1068).

Other areas affected by the pandemic are social life, institutions, technologies, economy, politics, globality and nature. Clearly the outcome of the crisis is polydimensional and is leaving its mark on almost every aspect of life (cf. Horx 2020, 20). Nevertheless, the outcome of the crisis is not to be generalized, since different countries and certain groups are affected differently. Especially non-Western countries or people with certain circumstances like mentioned in the quote below might suffer more and on different levels from such a crisis.

> "…less educated and frontline workers have been affected more than others, at least in terms of the immediate effect on their livelihoods. Also, workers in the informal sector, particularly in developing economies, seem to be most vulnerable as they tend to be from historically marginalized groups that lack resources and access to institutional infrastructure necessary to tide over the crisis" (Bapuji et al. 2020, 1070).

It must also be taken into consideration, that each country has responded differently to the crisis and therefore, there is a clear distinction regarding the limitations put on movement and freedom from country to country. For example, the United States and the United Kingdom waited for a comparatively long time before taking "bigger" measures, whereas for instance South Korea reacted with foresight by quickly identifying cases and ordering subsequent

isolation. Again, other countries like India ordered a complete lockdown almost immediately, leaving little time for citizens to prepare (cf. Bapuji et al. 2020, 1071).

Suffering was not the only outcome of the measures taken. Some people, systems and economies have obviously benefitted from the effects of the pandemic. An example are certain online platforms as stated below.

> Moreover "in the short term, airlines, hotel, tourism, and hospitality industries have been hit the hardest. […] some organizations are affected more than the others, and some in these organizations are affected sooner than the others, for example, frontline workers cannot work from home, whereas those in managerial jobs are able to, making the former more vulnerable to job loss than the latter. At the same time, the crisis has benefited some organizations, for example, Zoom videoconferencing and other remote working and online platforms, as well as companies that provide the necessary tools and infrastructure for electronic communication" (Bapuji et al. 2020, 1070).

Not only did individuals and economies benefit from the situation, but the restrictions on travel and industrial work also had, at least temporarily and selectively, a positive impact on nature. Satellite images show industrial areas with decreased air pollution. Furthermore, 2020 will be, as foreseen, the first year in human history in which the CO_2 emissions will be decreasing in comparison to the year before (cf. Horx 2020, 107-109).

After giving an overview on affected areas, possible outcomes and measures taken due to the virus especially in regards to our social life, the next chapter will now consider how a historical event with this much influence can contribute to a change in values.

3.3 The Impact of Historical Events on Changes in Values

All academic proof of current morals and values has no significant impact on an essential improvement or change (cf. Ratzinger 2005, 28-29). Real change can only be spawned by historical turning points (cf. Gorbachev 2019, 268).

In order to understand the effect of major historical turning points on values, one first needs to take a look at the creation of *future*. Many aspects play a role including the complexity of structures, trends, technology and primarily also historical-economic cycles. It is the response as a civilization or culture to an historical event or crisis, that really shapes a future (cf. Horx 2020, 11). Looking at the influenza epidemic of 1957/1960, which broke out shortly after the Second World War, it was of comparatively little significance to the war-torn society and minimizing infections was not a priority. More tragically considered was the fact, that a just recovering economy was again threatened by a decreasing workforce (cf. Fangerau & Laibisch 2020, 128). The approximately 29 000 deaths caused by the outbreak only in the years of 1957 and 1958 (cf. Fangerau & Labisch 2020, 12), were not as startling to a society, which had just experienced the loss of overall 85 000 000 deaths (cf. The National World War II Museum, n.d.). Obviously, the COVID-19 crisis now has, with great distance of time to other destructive and brutal crisis's and compared to the influenza epidemic, a much higher significance and

thus more efforts are being made to prevent death and save lives. (cf. Fangerau & Laibisch 2020, 128). Therefore, one could argue our society has become more left-oriented politically or simply has enough distance to previous incisive world history, which would fit the idea of having historical-economic cycles as Horx stated.

Since the Corona crisis is, as defined in Chapter 3.1, a "deep crisis", it has the power to reveal just how interconnected the modern world is. Everything correlates and it is impossible to analyze one thing without considering others. This circumstance constitutes the idea of holistic futurology: Values, society, economy, politics, environment and culture do not merely coexist but interfere and yield in a dynamic connection, that is tensioned through the past and present at the same time (cf. Horx 2020, 85). A crisis marks those points, that do not collude and therefore shakes those tiers of existence, that do not suit the integrations anymore (cf. Horx 2020, 85).

This fundamental analysis of change in value due to historical impacts will serve as a point of reference when evaluating the effects of the COVID-19 crisis on the Human Rights debate. The next chapter shall first illustrate the philosophical and political discussions obtained prior to the virus outbreak.

4 The Human Rights Debate

As evaluated in Chapter 2.2, the philosophical spectrum of values and the Human Rights debate is extremely diversified and was of current interest long before the COVID-19 crisis. This chapter takes a closer look at the previous perspectives on Human Rights and differing perspectives between Human Rights proponents.

The latter can be divided into "political/practical" and "humanist/naturalistic" perspectives. The political beholders assert that Human Rights can be seen as justice people have against designated institutional constitutions and should therefore be practiced within frameworks of institutions through the identification of certain laws. On the other hand, humanistic supporters hold a pre-institutional affirmation for all individuals on the basis of humanity, not their affiliation to a particular institutional establishment or make-up (cf. Gilabert 2011, 439-440). Few debaters, Gilabert included, do not argue in favor of one perspective but rather identify a synthesis between both.

Regarding the tensions and various standpoints towards Human Rights themselves, which have been broached in Chapter 2.1.1 and Chapter 2.2, a general partisanship has evoked over the years, contrasting political civil priorities and political societal priorities as well as personal rights and collective rights. On the other hand, activists claimed the significance of defining cross-country standards with the help of the Human Rights Declaration when supporting

campaigners in their canvasses. Moreover, it was referred to International Law Instruments, which are at least partly powerful, for example the European Court of Human Rights. It was arranged by the European Convention on Human Rights and provides a juristic foundation for all forty-seven participating states. It therefore allows them and their nationals to bring cases to court, which are then judged by the tribunal with mandatory arbitrations (cf. Ted-ed 2015). Evidently, this might seem, clearly depending from their own conduct, like a more or less big achievement. Still, if it can be considered an achievement, looking at the member states it is only a Western achievement. Critics may say the term "Human Rights" is not valid as in this context only "European Humans" are taken into consideration.

Nevertheless, it is clear that Human Rights Law has been permanently evolving according to beliefs, definition and perspectives on what the fundamental Human Rights are supposed to be – and therefore according to how our values change for example as democracy and freedom are being considered more and more important. A current debate has arisen in light of progressing digitalization about issues such as the deliberation of demanding a universal right for Internet access or digital private spheres and the implementations of such rights if at some time deemed universally essential (cf. Ted-ed 2015).

As mentioned in Chapter 3.3, a crisis always reveals the crucial points of a social or global system. When considering how strongly the Human Rights Laws have been debated even before the beginning of the Corona crisis, it is obvious that the depression challenges the foundation and reliability of these rights even more. The next chapter gives an overview on political and philosophical debates of the Human Rights Declaration after the outbreak of the virus.

4.1 The Official Statement of the United Nations in Response to the COVID-19 Crisis

The passage quoted below was published in an official paper called "COVID-19 and the Human Rights – We are all in this together." in April 2020 as a response to the crisis by the United Nations. The paper is subdivided into different chapters with the aim to reveal the Human Rights as a basis for the fight against the virus and to demonstrate the most important but simultaneously the most threatened rights which accordingly are: the "Right to life and duty to protect life", "The right to health and access to health care" and "The central challenge to freedom of movement" (cf. United Nations, 2020 4).

> Human rights are key in shaping the pandemic response, both for the public health emergency and the broader impact on people's lives and livelihoods. Human rights put people centre-stage. Responses that are shaped by and respect human rights result in better outcomes in beating the pandemic, ensuring healthcare for everyone and preserving human dignity. But they also focus our attention on who is suffering most, why, and what can be done about it. They prepare the ground now for emerging from this crisis with more equitable and sustainable societies, development and peace (United Nations 2020, 2).

It stated that the fight against the virus and the protection of human lives is/should be the main goal of all states and moreover the "primary focus" when "making extraordinary efforts". Furthermore, the paper outlines how investment in health systems had been neglected and has subsequently aggravated the reaction to the crisis. Thus, the disparity needs to be balanced with all international effort and inequality in health care is to be prevented as fast as possible. In addition, the compliance of "The central challenge to freedom of movement", is criticized due to the restrictions like lockdowns or stay-at-home injunctions. It is to be made clear that despite the critics, the necessity to ensure the "Right to life and duty to protect life" is not ignored but rather questioned in terms of considering more effective methods like providing unfettered access to tests, backtracking and only pointed quarantine worldwide (cf. United Nations 2020, 4).

Besides that, the paper depicts "Six key human right messages", which are divided into the following: "I. Protecting people's lives is the priority; protecting livelihoods helps us do it", "II. The virus does not discriminate; but its impacts do", "III. Involve everyone in your response", "IV. The threat is the virus, not the people", "V. No country can beat this alone" and "VI. When we recover, we must be better than we were before". Every "human right message" is briefly described, evaluated in terms of significance and an additional chapter which includes either "challenges", "examples of good practice" or even "recommendations" (cf. United Nations 2020, 7-22).

This roundup fulfills the purpose of providing an overview of the structure and major substance of the statement(s) made by the United Nations. Yet, it will not be further illustrated as this would go beyond the scope of the discussion. Nevertheless, some already mentioned significant points and other selectively significant statements, will be analyzed in context of the present philosophical considerations in the next chapter.

4.2 An Evaluation of the United Nation's Statement with Consideration of Current Philosophical Value Debates

Only by reading the summary of the official United Nations publication, one can clearly see the contradictions even within the presented rights. As described, the United Nations mention the conflict between protecting lives and keeping freedom of movement and are therefore reflective in this on that score. Nevertheless, it is on the dice that setting up two laws which cannot be hold in any situation could have impossibly been built on the principle of "Universalism", which starts from the premise that universally true values exist (cf. Pogge 2002, 30). If this concept was true, it would be possible to keep all conditions at all times. Thus, it is a practical example for the UN helping itself with the principle of "Pluralism" rather than stating one concrete action as absolutely true and therefore, only this simple conflict can already be

seen as a proof for the invalidity of Universalism and subsequently for the invalidity of the foundation of the Human Rights Declaration (also see Chapter 2.1.1).

To bring matters to a head, one could quote Pettenkofer (also see Chapter 3.1) who stated during the Cholera pandemic in the 19th century that keeping people from moving completely is impossible even when risking infections. It is against human nature and would cause greater harm than it would bring benefit (cf. Pettenkofer 1876, 6). Hence, when talking about ensuring health and protecting lives, one needs to not only consider physical health but furthermore mental health. Obviously, the United Nations are in favor of finding alternative ways for lockdowns and movement restrictions in order to protect mental health as well. Yet, by considering suggestions like backtracking instead of lockdowns one musters the debate about the digitalization process and the subsequently arising issues of digital private sphere (cf. Ted-ed 2015), which have already been under discussion before the outbreak of the COVID-19 crisis and now take on further scale. When taking up a critical position, one could argue that the suggestion *can* even interfere with Article 12 of the Human Rights Declaration itself: "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks" (United Nations, 1948). The stress is on "can" because the arising question is *when exactly* and *who* decides that this is the case. This question is further evaluated in Chaper 4.3. For now, it is to be recorded, that the suggestion of alternative ways to lockdowns are not further evaluated by the United Nations for their implementation in regards of not violating any other Human Right.

Before investigating in more detail, another fundamental aspect in regards of the Human Rights Declaration is looked at. In the named statement by the United Nations there are, as described in the previous chapter, "examples of good practice", like for example in the section "I. Protecting people's lives is the priority; protecting livelihoods helps us do it", it is listed how "[m]any countries have adopted, within their avail-able resources, fiscal, financial and economic measures to mitigate the negative impact of COVID-19 on their populations." Examples are: "Providing child care for essential service workers" or "Provision of emergency water supplies to slum areas" (cf. United Nations 2020, 7-9). This again goes along with the fact that the Human Rights are put on record in a Declaration and do not represent an actual law itself in terms of consistent execution and legislative measures when transgressed (cf. Berti 2015). Through the examples, countries are encouraged to follow them to their individual possibilities. Yet, the statement does not at any point allude to consequences for not meeting the expectations (cf. United Nations 2020, 1-22), which leads back to the issue of the United Nations of not being able to prevent languorousness but only observing and addressing these (cf. Ted-ed 2015).

Evaluating the publication on the basis of the current philosophical value debates has again clarified the issues with the Human Rights Declaration itself and especially how these can be discovered on a new level and in regards to a new incident due to the worldwide COVID-19 crisis. The next chapter will attempt to summarize the main points of the contention based on another practical example.

4.3 What We Can Learn

In Chapter 3.2 it has already been pointed out how differently nations have reacted to the outbreak of the new virus in regards of lockdowns and movement restrictions. One precise example for it, is the debate about privacy sphere in terms of developed Corona Warning Apps in various countries. It can clearly be seen how wide-ranging the acceptance of interference in privacy is in different nations due to differing perceptions or even values. One example presents the comparison of China and Norway. The Chinese Corona Warning Apps[1] demand to scan QR codes, whenever entering a public location and additionally infrared cameras decide on the allowance of entry. Moreover, a central system watches over the movement profile of all citizens. Few Chinese worry about data safety, like Professor Zhou Lin Na stated in an interview with the press agency "Tagesschau". From her perspective, it's a cultural matter. The Chinese do not raise such high claims for data security or privacy, at least not as much as foreigners. The reason for it might be that China has always been a huge society and therefore the inhabitants might have more trust in authorities or governmental institutions. Therefore, people cooperate eagerly with the Apps from the government and thus, debates about it are not in focus (cf. Dorloff, 2020). In comparison to that, Norway for example immediately disrupted the further development of their Corona Warning App "Smittestop", when the Security Lab of "Amnesty International" ascertained and confronted the country with arising problems with regards to the compliance of Human Rights and potentially dangerous arbitrary surveillance, invasion of privacy and data security. The problem here was justified due to the centralized approach and gathering location data via GPS in real-time (cf. Amnesty International, 2020). This again depicts an example how the same situation, namely the centralized data collection network, can be of different meaning to different individuals, societies and cultures and thereby is another proof for the non-existence of universal values. The Chinese Corona Warning Apps, from a Western perspective, do interfere with Article 12 of the Human Rights Declaration. Nevertheless, the philosophical question is, whether or not this should be judged, if there is a general accordance within the mentality of a country. The answer may again lay in the facts of values debates explained in Chapter 2. If there were a universally true law or values, a whole nation would not be in agreement with a violation of it.

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[1] Every province has its own

To sum it up, during the COVID-19 crisis, there was; and at the time of this writing, there is; no universal acting but the acting of each country was not relative either as it can be seen due to the appraisal of the United Nations or non-governmental organizations like "Amnesty International" (cf. United Nations 2020; cf. Amnesty International 2020).

5 Conclusion

Following the comprehensive analysis of current value debates, the COVID-19 crisis and the effects of historical events on value change, one can conclude from as early as the first part of the paper that the philosophical foundation of the Human Rights Declaration, namely the principle of "Universalism", can be proofed wrong by logically and systematically analyzing the concept. As a consequence, the proof for invalidity of the philosophical principle itself destructs the validity of the basis of universally valid Human Rights. When further applying this finding to situations of the Corona crisis, it is on the dice how a more relative perspective on actions is part of our reality. At this point of understanding, it becomes clear why the implementation of the Human Rights is enormously hard and discards the question of how to maintain Human Rights during the COVID-19 crisis, which after all have not been fully maintained at any point of history. It rather brings into mind, respectively fortifies, the idea of an alternative principle.

One alternative, which can even be seen as an already practiced principle by the United Nations (also see Chapter 4.2.) – however more or less subconsciously -, is the concept of "Pluralism". Yet, as evaluated, it raises the problem of lacking a foundation of judgement in terms of which actions can be relatively accepted and which cannot. Despite the emergence, this question would go beyond the scope of discussion of this paper and is to be debated separately.

The actual question if and how the COVID-19 crisis will shape a new angle, especially for a considerable part of the population, on moral values and the Human Rights Declaration can, at least at this point (amidst the ongoing crisis), not fully be answered but only carefully predicted in terms of the "advantage" of the virus outbreak. That is to say, that the crisis has allowed the Human Rights debate to develop again on a new level. It can be put on record, that the COVID-19 crisis does depict a chance for a possible change of perspective on the Human Rights, especially when considering the outcome of former historical turning points in regards of values.

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Appendix:

Figure 1: Horx' Modification: Risk-Analysis of the British NRSA 2019

Nach der Risk-Analyse des britischen NRSA im Jahr 2019
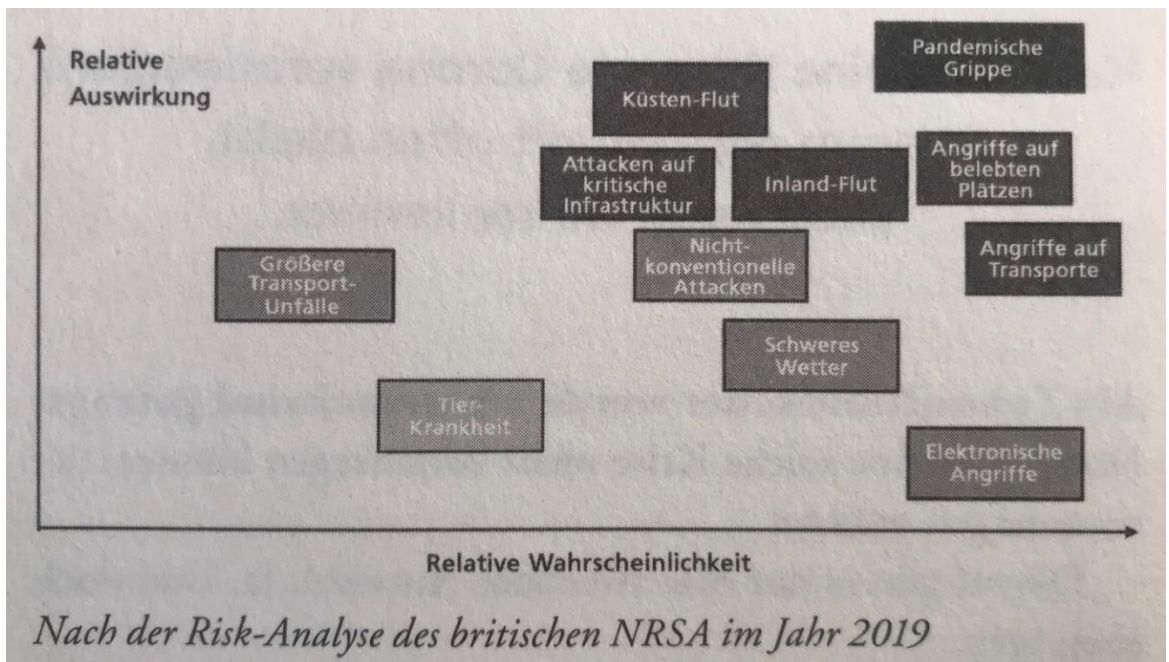
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