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Global Health Governance, Human Rights, and the Control of Infectious Diseases: A Case of the Ebola Epidemic in West Africa

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Abstract

The human right to the highest attainable standard of health has both a legal and normative basis. The legal foundations derive from a range of international agreements and declarations while the normative basis is rooted in humanitarianism. Alongside the rights-based declarations came the growing recognition of emerging and reemerging infectious diseases, as ill effects of globalization and potential risk to peace and development. The threats posed by infectious diseases like the Ebola virus disease (EVD) are now seen as universally relevant, as the speed and volume of international travel has made an outbreak or epidemic anywhere in the world a potential threat anywhere else. The question then arises as to where individual freedom is given up in the protection of the collective interest and national security of states. This chapter examines these right issues, with respect to the Ebola outbreak in West Africa, as they collide with state actions to combat infectious diseases.

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[Background](#)

Historically, diseases have been conferred the status of threats both to national security and national interest of states. The typhus during the Peloponnesian war, plague in the Byzantine Roman empire, the bubonic plague of the 14th century and the cholera outbreak of 1800s, the pandemic influenza (amongst others) were responsible not only for the death of many populations across borders but were a threat to the economic and political interests of the state. Infections (especially in the case of epidemics) share features with war and can even be more dangerous as they affect combatants and civilians alike. Hence it is accepted that health outcomes transcend the biological space comprising of the individual and his body (McInnes & Lee, 2012:11). Also, health at the macro level compasses determinants like health services, income, social status, gender, education, cultural factors, working conditions, employment, social and physical environments amongst other factors. Fundamentally, the state of health and the health of the state are mutually inclusive and interdependent and the precincts between the two levels are blurring. Hence health holds an important place in interstate politics and on the international agenda (Lamy & Phua, 2012: 9). Infectious disease and health issues are leaving the confined space of national borders and often ride on the wings of globalization to increase their frequency, speed and effect. Consequently, the distinction between the global sphere and the domestic with regards to health issues (amongst others) is losing utility.

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