IMPACTS OF COVID-19 ON HUMAN RIGHTS: PERCEPTIONS OF RESIDENTS OF THE CITY OF RIO DE JANEIRO

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ABSTRACT

The concept of human rights is not consensual, however, it persists in the moral, political and legal culture of the modern world. The State has always occupied an ambiguous and dialectical place, sometimes being directly or indirectly responsible for the offense, sometimes responsible for the protection of rights. In addition to the aspect of legitimacy, the Covid-19 pandemic led to a much more serious problem related to the policy adopted by the Brazilian Government and its effects. In order to know the perception of residents of the city of Rio de Janeiro on aspects related to the impacts of Covid-19 on 5 basic rights: health, education, freedom to come and go, work and income, and voting, a survey of the type web survey. To reach the respondents, the snowball method was used, having as a starting point the contact list of the study authors. As a result, most respondents identified the five rights mentioned as Human Rights and revealed that they believe that: 1) public authorities are responsible for limiting rights; 2) the restriction of any of the aforementioned rights is justifiable during the pandemic; 3) the impact of limitations on rights on lower socioeconomic classes was greater; 4) are dissatisfied with the performance of the Federal Government regarding the measures adopted; and, finally, 5) who are complying with the rules of social isolation at the same time that other residents of the city of Rio de Janeiro are not.

KEYWORDS: Covid-19; human rights; web survey; generalized raking.

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IMPACTOS DA COVID-19 NOS DIREITOS HUMANOS PERCEPÇÕES DE RESIDENTES DA CIDADE DO RIO DE JANEIRO

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RESUMO

O conceito de direitos humanos não é consensual, contudo, persiste na cultura moral, política e jurídica do mundo moderno. O Estado sempre ocupou um lugar ambíguo e dialético, sendo hora diretamente ou indiretamente responsável pela ofensa, hora responsável pela proteção de direitos. Para além do aspecto da legitimidade, a pandemia da Covid-19 remeteu a um problema bem mais contundente relacionado com a política adotada pelo Governo brasileiro e seus efeitos. Para conhecer a percepção de moradores da cidade do Rio de Janeiro sobre aspectos relacionados com os impactos da Covid-19 sobre 5 direitos básicos: saúde, educação, liberdade de ir e vir, trabalho e renda, e voto, foi realizada uma pesquisa do tipo web survey. Para alcançar os respondentes foi utilizado o método bola de neve, tendo como ponto de partida a lista de contatos dos autores do estudo. Como resultado, a maioria dos respondentes identificou os cinco direitos citados como Direitos Humanos e revelou acreditar que: 1) há responsabilidade do poder público nas limitações de direitos; 2) a restrição de algum dos direitos mencionados é justificável durante a pandemia; 3) os impactos das limitações de direitos sobre as classes socioeconômicas mais baixas foi maior; 4) estão insatisfeitos com a atuação do Governo Federal no que se refere às medidas adotadas; e, por fim, 5) que estão cumprindo as regras de isolamento social ao mesmo tempo em que outros moradores da cidade do Rio de Janeiro não estão.

PALAVRAS-CHAVE: Covid-19; direitos humanos; web survey; raking generalizado.

1. INTRODUCTION

The concept of human rights is not something simple and consensual, however, it persists in the moral, political and legal culture of the modern world. In a more basic and intuitive way, they can be understood as a set of rights individual, collective or diffuse - that aim to ensure the dignity of each person, so that everyone, and each one, can develop themselves as equally cooperating members of social life. Although human rights are inherent to all human beings, they are especially important for people in situation of greater vulnerability. It means they are more important precisely to those who need them the most.

In the contemporary world, fundamental rights are provided, to a greater or lesser extent, by the Constitution of all countries. In addition, there are national and international systems for the protection of human rights, to which anyone who has one of these rights violated can resort to. However, and paradoxically, serious scenarios of human rights violations still persist. On the one hand, these violations are of a structural nature, since they stem from systems implemented around the world that generate undeserved deprivation and inequalities. On the other hand, violations can also arise from contingent scenarios, such as acute economic crises, wars, natural disasters and epidemics or pandemics. However, what is most perverse, when it comes to disrespect for human rights, occurs when structural violations reinforce and aggravate conjunctural violations.

In relation to human rights, the State has always played an ambiguous and dialectical role. This is because sometimes the State is directly or indirectly responsible for the violation of human rights, and at other times, it is responsible for the protection of the human rights or, at least, for ways of repairing the violated rights. In any case, governments play a key and strategic role regarding the human rights issue. What is expected is that politicians and government managers adopt effective measures in order to adequately protect these rights. This is especially expected in those contingent scenarios where there is an almost desperate clamor for guaranteeing these basic and vital rights. The ability of governments to adopt the necessary measures in order to provide equal protection of human rights can work even as a measure of the legitimacy of these governments. According to Ronald Dworkin (2002, p. IX -X):

No government is legitimate that does not show equal concern for the fate of all those citizens over whom it claims dominion and from whom it claims allegiance. Equal concern is the sovereign virtue of political community – without it government is only tyranny (...).

In addition to the aspect of legitimacy, in terms of the reflection above proposed by Dworkin, the health crisis experienced in Brazil during the Covid-19 pandemic refers to a much more serious problem. This problem concerns the type of policy adopted by the Brazilian government and goes back to Michel Foucault's studies on the exercise of sovereignty. In a lecture given in 1976 at the Collège de France, Foucault (2003, p. 247) states:

Beneath that great absolute power, beneath the dramatic and somber absolute power that was the power of sovereignty, and which consisted in the power to take life, we now have the emergence, with this technology of biopower, of this technology of power over "the" population as such, over men insofar as they are living beings. It is continuous, scientific, and it is the power to make live. Sovereignty took life and let live. And now we have the emergence of a power that I would call the power of regularization, and it, in contrast, consists in making live and letting die.

This biopolitical power to make live and let die is not a disciplinary power exercised over an individual, but rather through regulations on the social body, on the biological processes of men as a species. In Brazil, specifically during the Covid-19 pandemic, would the type of regulation adopted by the Federal Government have expressed this kind of sovereign policy of making live and letting die? In that case, to make who live and to let who die? Before thinking about this question, it is necessary to bear in mind that life and death are not only biological processes, but also social ones. In order to live, access to certain fundamental rights is necessary, without which the precariousness of life can lead to death (Cunha, 2021). Nonetheless, this is an issue that should not be limited to the debate among experts. It is essential to hear what the population, for whom the biopolitical regulation is intended, thinks about this form of manifestation of sovereign power that directly affects the exercise of their fundamental rights. This may generate empirical evidence that may, in turn, contribute to a more consistent analysis of the pandemic moment and the government's performance.

In this context, this paper aims to understand the perception of residents of the city of Rio de Janeiro about the process of restricting certain human rights during the Covid-19 pandemic and, fundamentally, their perceptions about the role of the Federal Government in relation to restrictions, compensation and guarantees of these rights. Such a research problem considers that the population has some level of understanding about what human rights are, regardless the debate among experts in the field. The research problem also assumes that the population was somehow affected by the pandemic in terms of exercising these rights. It also presupposes that this same population has some expectation regarding the government's action to ensure these rights or, at least, to compensate them in the case of a justified restriction. This context makes it necessary for the research to deal with questions such as: are certain basic rights recognized as human rights? Would there have been restrictions on these rights? If so, would such restrictions be justified? Would the negative consequences of eventual human rights restrictions and the possible lack of adequate compensation have affected people from different socioeconomic groups equally? Would the Federal Government, responsible for adopting coordinated and central measures, have acted effectively and equitably in the fight against the pandemic and in the protection of human rights? All these questions that arise from the research problem were investigated in a web survey, whose objective was to find out the respondents' perception on the way in which certain human rights were affected during the pandemic and the role played by the Federal Government in this process. The methods used and the respective research materials will be presented in a separate section below. The survey results will be shown in section 3. Next, the main findings will be highlighted in section 4. The questionnaire that was used can be found in the Appendix.

2. MATERIALS AND METHODS

The results presented were obtained through a web survey carried out with residents of the city of Rio de Janeiro, in Brazil. The research was developed by professors and students from the National School of Statistical Sciences (ENCE) and the State University of Rio de Janeiro (UERJ). Financial support came from the National Council for Scientific and Technological Development (CNPq) and the Brazilian Institute of Geography and Statistics (IBGE), which provided research grants for the participating students. Data collection was carried out from March 1 to April 14, 2021.

In this section, relevant methodological aspects are presented, such as target population, questionnaire, sampling and respondent profile.

2.1 TARGET POPULATION

The research adopted as its target population residents of the city of Rio de Janeiro aged between 16 and 99 years.

2.2 QUESTIONNAIRE

The questionnaire used consists of 21 questions, organized into five blocks: 1) General characteristics, with six questions about the respondent; 2) Recognition of human rights, with one question; 3) Limitations of rights, with eight questions; 4) Government assessment, with four questions; and 5) Social Isolation, with two questions. The questionnaire and the critiques of validity and consistency were implemented through the Survey Solutions, a free and open-source software developed in the Data group of the World Bank (Appendix).

2.3 SAMPLING

Survey respondents were reached through the technique known as snowball sampling (Berg, 2006). A link to the electronic questionnaire was sent to the prospective participants, along with an invitation to join survey in two ways: by answering the questions and by forwarding the link to other potential subjects. The starting point was the network of the 10 team members. In total, there were 980 respondents. Of this number, 747 were actually part of the target population of the survey. They answered at least six questions in the questionnaire: five of general characteristics and at least one about the research topic.

There were eight people who declared themselves illiterate, or who declared to have complete or incomplete primary education, or incomplete secondary education⁹. They were excluded from the sample. Seven people who declared themselves indigenous or yellow were also excluded. In both cases, the exclusions were motivated by the low adherence to the research, as shown by the quantitative data. The reduced number of indigenous and yellow respondents was expected, since the number of these people in the Brazilian population is also small: the two categories, together, represent less than 1%, according to the 2010 Census. Likewise, it was expected that there would be few people with a low level of education. This is explained by the approach used for data collection: the web survey. This method privileges the participation of people with higher levels of education, since they are the ones who most often have access to the internet (Bethlehem, 2010). Thus, the analysed sample is composed of 732 respondents.

In order to minimize selection bias (Mercer et el., 2017), which typically appears in the type of approach chosen for the research, the technique known as *generalized raking* was applied (Deville, Särndal and Sautory, 1993). The auxiliary information used to calculate the weights was extracted from the Continuous National Household Sample Survey - Continuous PNAD for the year 2019, carried out by the Brazilian Institute of Geography and Statistics (IBGE).

2.4 PROFILE OF RESPONDENTS

With the application of the weights obtained by the technique mentioned above, the respondents are distributed according to Rio de Janeiro residents aged between 16 and 99 years (Figure 1).

Figure 1

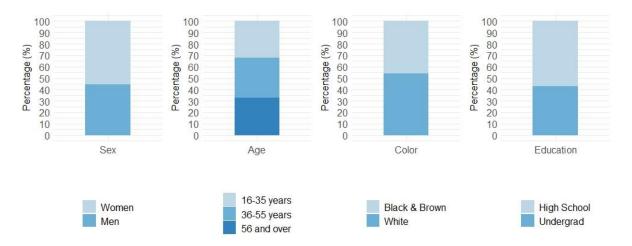
Respondents by sex, age range, color or race and education

⁹ Translator Note (TN): In the text, what is called "primary education" refers to the Portuguese term, used in Brazil, *Ensino fundamental*. In turn, the term "secondary education" is called, in the Portuguese term, *Ensino médio*, which could also be compared to the English term "high school".

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Source: Survey Human Rights and Covid-19, ENCE/IBGE and UERJ.

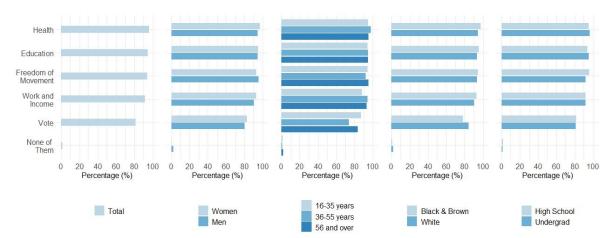
3. SURVEY RESULTS

In this section, empirical results are presented on the perception of respondents in selected domains related to Covid-19 and human rights. Some of the aspects addressed were the recognition of human rights as such by the interviewees, their perception of limitations to human rights during the pandemic, their perception of the Government's action both to contain the spread of the virus and to mitigate the impacts of the pandemic. Respondents' self-assessment and their assessment of other city residents with regard to social isolation were also addressed.

3.1 RECOGNIZING HUMAN RIGHTS

On the one hand, the issue of human rights is a domain of specialist knowledge, with moral, political and legal influences. On the other hand, it is part of the experience and narrative of the entire population. There is no need to be an expert in order to recognize yourself as entitled of human rights or to complain about the violation of certain rights. Thus, the first part of the survey presented a set of rights in order to verify whether respondents recognize such rights as human rights. There are several rights that could have been presented, but we chose to point out those that would potentially be at greater risk of being affected due to the pandemic. They were: health, education, freedom of movement, work and income, and voting. The question was asked in a simple way so that the respondent could answer it according to their own convictions. It was formulated as follows: *Which right(s) below do you consider to be human rights?* (Check all that apply). There was, among the response options, the "none of them" option.

Figure 2



Recognition of human rights, by respondent's characteristics

Source: Survey Human Rights and Covid-19, ENCE/IBGE and UERJ.

Although a very small minority of respondents answered "none of them", the result reveals that for the overwhelming majority of the population, human rights are not just "the rights of bandits"¹⁰. This biased and prejudiced view of human rights ends up preventing certain basic rights from being understood as human rights. Considering the survey respondents' point of view, this perspective taken by prejudices seems to have been overcome. Education, health and freedom of movement were frankly considered human rights. In the case of voting, it is important to bear in mind that voting is something mandatory in Brazil, a situation that makes this right to be confused with a duty. Still, more than 80% of the respondents understood that voting is a human right.

The fact that the overwhelming majority of respondents see these rights as human rights provides more consistency and adherence to the other survey questions. And this is because, based on these first responses, it is possible to state that the respondents understand that these rights are human rights. Therefore, any possible violation, restriction or compensation of such rights must be considered within a policy of greater or lesser guarantee of human rights in the

¹⁰ TN: "Rights of bandits" is the free translation of the Portuguese expression *direitos de bandidos*.

context of the Covid-19 pandemic.

3.2 THE PANDEMIC AND THE LIMITATION OF RIGHTS

Figures 3 and 4 show the answers obtained from two questions: During the Covid-19 pandemic, was the exercise of some rights limited? and Among the rights listed below, which do you consider to have been limited during the Covid-19 pandemic?, respectively. In the first question, there were five response options: "I strongly agree", "I agree", "I neither agree nor disagree", "I disagree" and "I strongly disagree". In the second question, there were also five response options: "Right to freedom of movement", "Right to education", "Right to health", "Right to work and income", "Right to vote" and "None of the above". Only respondents who agreed that some rights were limited during the pandemic, despite the intensity of agreement, specified such rights, answering the following question.

The perception that human rights were limited is the predominant one among the respondents. This perception occurs in all the analysed groups, especially among women, young people up to 35 years old, white people and people with complete higher education. In these groups, the percentage of respondents who agree that there was a limitation of rights is higher than in other classes within the same group (Figure 3).

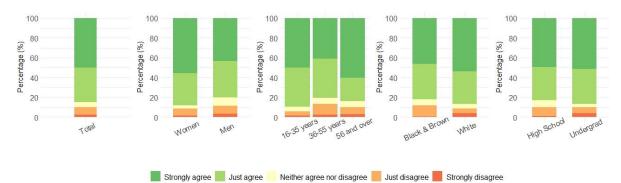


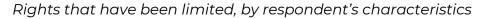
Figure 3

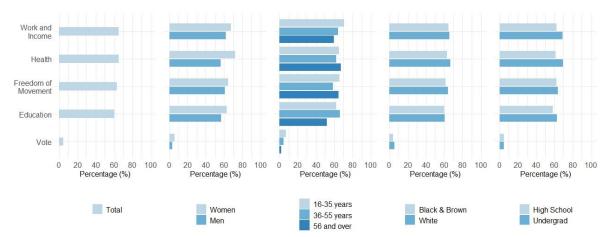
Perception on the limitation of rights, by respondent's characteristics

Source: Survey Human Rights and Covid-19, ENCE/IBGE and UERJ.

When the analysis is based on the sex of the respondents, women are, in general, who most perceived, compared to men, that the listed rights were limited during the pandemic. Men stood out only in relation to the right to freedom of movement: for this right, the percentage of male respondents who considered that there was a limitation was greater than the percentage of female respondents. This may be due to a possible voluntary isolation on the part of women. As a self-limitation, social isolation may not have been interpreted by women as limiting their right to freedom of movement.

Figure 4





Source: Survey Human Rights and Covid-19, ENCE/IBGE and UERJ.

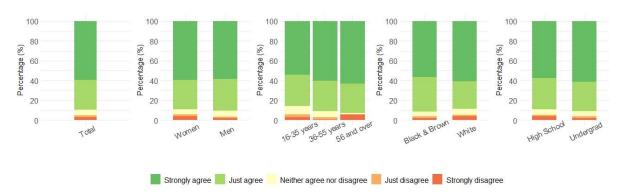
3.3 THE GOVERNMENT AND THE LIMITATION OF RIGHTS

At this point, the survey was used to find out the respondents' point of view on the limitation of human rights and on the action or inaction of the Government. It is worth mentioning that, in this context, the term "Public power" was adopted precisely because it does not specify or presuppose an instance of public administration. It's a general term. Therefore, the interviewees may have answered the question bearing in mind the three instances of the Executive Branch or even other branches of the government, such as the Legislative and Judicial. Here we are dealing with the citizens who are facing the State. Would that State have acted in such a way that it could be held responsible for limiting some human rights in the period of the Covid-19 pandemic?

The rights in question are those already mentioned (freedom of movement; education; health; work and income; voting). The statement presented so the respondents could comply with or reject was the following one: "*Public power* **action** was responsible for limiting at least one of these rights". The answers obtained are shown below:

Figure 5

Perception on the Government responsibility, due to its **action**, by respondent's



characteristics

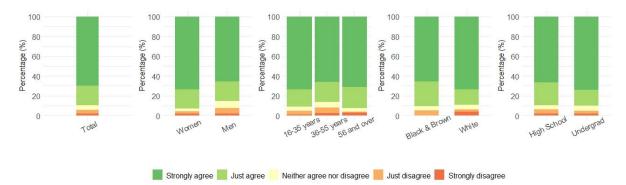
Source: Survey Human Rights and Covid-19, ENCE/IBGE and UERJ.

Together, the percentages of respondents who agree and strongly agree with the previous statement represent almost 90% of respondents, and this is extremely significant. This percentage does not vary at all or varies little when the answers are disaggregated by sex, color and education. Only among young people up to 35 years of age this percentage drops to close to 85%. Despite the 10% of respondents who disagree that the public power acted to limit human rights during the Pandemic, the overwhelming majority identifies that the public power, through its actions, imposed certain limits on such rights.

What is at stake in this question, and the respondents seem to have clearly understood, is a kind of general responsibility of the State in the face of the health crisis. Up to this point, respondents had not yet been asked about a possible justification for limiting those rights. Their answers about whether or not the public power's action implied restrictions were based, therefore, on their own perception. It is worth noting that among the 10% who disagreed that some action taken by the Government was the cause of restriction of rights, there may be a belief that clear restrictions, such as limiting the right to freedom of movement, resulted from the fact of the pandemic itself, and not from a political decision adopted by the State. There are many possible analyses about the point of view of this small portion in disagreement. Despite this, what is clear in the survey is that the vast majority of respondents consider that the action of the State - public power - was the cause of restriction of human rights. This question accounts for what the public power did and what caused the restriction of some human right. However, there is another way of thinking the same scenario: could the omission of the public power in the context of the Covid-19 pandemic have caused any restriction of rights? The purpose of this question is to verify the State's responsibility not for what it did, but for what it failed to do, or for what it did in an insufficient way. In order to investigate this problem, the statement submitted to the respondents, for them to agree with or to reject, was the following: *The lack of action_by the government was responsible for limiting at least one of these rights.* The answers are shown below.

Figure 6

Perception on the Government responsibility, due to its **omission**, by respondent's characteristics



Source: Survey Human Rights and Covid-19, ENCE/IBGE and UERJ.

Given the results above, it is possible to see that both questions - first, regarding the State's action and, second, about the State's omission - point to a similar conclusion: 90% of respondents identify the State's responsibility for human rights restrictions. It is as if the respondents had shown dissatisfaction with the policies adopted in the health crisis with regard to some human rights, but also an equal dissatisfaction with what the public power failed to do, that is, the measures that were not adopted or that were insufficient to protect the human rights. It is as if, for this vast majority of respondents, they were going through the pandemic on their own, being unable to count on or to trust the public power to properly face the crisis.

When the responses are considered in a disaggregated way, there is a small but important variation. This change concerns the perception of men, women, white people and non-white people (black and brown). Women and non-whites were slightly more critical of government omissions than men and white people. This reveals how structural inequalities impact people in different ways. In this case, certain people who face specific situations of violence and deprivation are in a situation of greater vulnerability in the face of problems that affect everyone. The Covid-19 pandemic was a storm that hit society as a whole. However, its effects did not reach all people in the same way. There was a disparate impact (Vinik, 2017) that meant that those people whose rights are structurally violated were more affected than other members of society. In other words, even though the public power's omission was not aimed at specific groups, but at all people, certain specific groups paid a higher price for this omission. This is clear from the way in which women and non-whites were more critical of the public power's omission, even more critical than in relation to the public power's actions. That image of being abandoned to one's own fate seems to be more than a possibility, but a real situation, for those who experience violence, discrimination and deprivation for structural reasons. The pandemic and the omissions of the public power worsened this scenario.

3.4 ACCEPTABLE LIMITATIONS OF RIGHTS

In the survey, ath this point, the interviewees were faced with the question of a possible justification for measures to restrict those human rights initially indicated (freedom of movement; education; health; work and income; voting). Even fundamental rights may be subject to certain restrictions (Farias, 2000). Basically, a restriction is justifiable whenever it is made to protect another right of equal or greater weight or to protect the system of rights itself. An example is when the restriction is made on grounds of public policy. Real conflict situations in the world of life can produce dilemmas for which the solution necessarily involves some level of rights sacrifice. In that case, the public authority responsible for deciding needs to make choices. Such choices, however, cannot stem from their own preferences or idiosyncrasies, nor can they be arbitrary. The choice must be based on the limits and possibilities offered by the legal system itself. There may be situations where it is really impossible to fully preserve a right. Also, there may be situations of eventual conflict between two rights. In such situations, some human rights must be restricted. Therefore, it is necessary to be careful and establish minimum criteria to be considered by the authority that will make the

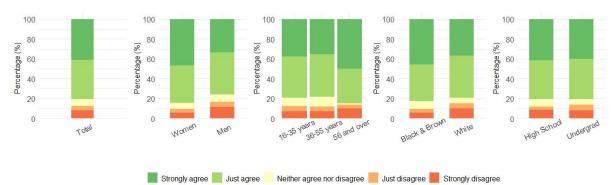
decision. First of all, there must be an adequate understanding of the weight or value that both the legal system and the moral heritage of that society grant to the right under threat of restriction. For example, freedom of assembly is a human right, as is freedom of conscience. While in a certain specific situation it may be justifiable to restrict the right to freedom of assembly, it seems far more difficult to justify the restriction of freedom of conscience. In addition, the justification for the restriction of a human right requires that the authority responsible for the decision show why, in that case, the restriction is acceptable, in view of the guarantee of other rights of greater weight. Furthermore, the decision must be given in such a way as to show that the restriction was the only possible alternative. That is, the decision needs to be grounded in such a way that it demonstrates that it would not be possible to reach the desired result without making that restriction. Finally, it must be evaluated whether the restriction to that right, although necessary, will not compromise too much the situation of the holders of that right. That is, there must be an assessment that takes into account the consequences of the result of the restriction: the restriction must bring more benefits than harm. All this is part of a set of reflections, criteria and procedures that must be adopted when it comes to restricting human rights, so that such restrictions are justifiable.

Of course, this is a discussion for experts. The general population is not familiar with this type of reflection. However, it seems acceptable to consider the hypothesis that, only intuitively, the interviewees could glimpse the highly dilemmatic nature of the Covid-19 pandemic. They could also understand that the serious situation of the health crisis could give rise to reasonable justifications for the restriction of those human rights or part of them. Perhaps the most emblematic case is the restriction of the right to freedom of movement. Since the beginning of the pandemic in China and, later, in Europe, in 2019, the World Health Organization have indicated social isolation, and *lockdown* in more serious scenarios, as an appropriate and necessary measure to fight against the collective spread of coronavirus. Obviously, this measure implies a restriction of the right to freedom of movement. However, even if there is no expert debate on this particular issue, it seems intuitive to the common citizen that this could be a justifiable restriction. Of course, this same example was the subject of controversy in various parts of the world, where certain groups of people took to the streets in protest against social isolation policies.

For all these reasons, it was fundamental to ask the interviewees if

restricting the mentioned human rights, or at least some of them, would be a justifiable measure or not. The question was formulated in two steps. In the first one, the following statement was presented, for acceptance or rejection by the respondents: *The limitation of some right is justifiable during the Covid-19 pandemic*. When faced with this statement, interviewees took the following position:

Figure 7



Limitation of rights due to the pandemic, by respondent's characteristics

Source: Survey Human Rights and Covid-19, ENCE/IBGE and UERJ.

Together, the percentages of respondents who agree and strongly agree with the statement represent almost 80% of respondents who consider that the restriction of the rights mentioned, or at least some of them, is justifiable. Although it is a very large majority, the minority of 20% who revealed that they did not see any justification for the restriction of such rights is consistent. It is true that of the set of rights presented, one of them - the right to vote - was not even restricted, as the 2020 municipal elections, in Brazil, took place as planned and with additional health security measures. The other rights, with no doubt, suffered more or less severe restrictions. An example is the right to education: classes were transferred from the face-to-face modality to the remote one. Not to mention the right to health, which was restricted by the lack of vacancies and supplies both in the public and private heath services. The right to health was also affected, in Brazil, by the delay in starting vaccination, precisely because of the lack of vaccines. Although within the limits of an objective questionnaire (and not a long one), it is possible to see in the percentages of answers (80% x 20%) a part of the intense and heated debates that took part in society about the adequacy and necessity, or not, of certain restrictions on rights. For example: many people defended social isolation and, therefore, remote classes. Others have already criticized these measures. On one hand, many people said that isolation would bring the loss of work and income for part of society. On the other hand, many people also argued that the Government should adopt compensatory measures in order to minimize these losses and to be able to maintain isolation as a necessary action to combat the pandemic. Everything was, in one way or another, controversial. Even the right to health was debated. The argument based on an "Economy or Health" dichotomy, common to those who were critical of social isolation measures, revealed an understanding by which it would be justifiable to restrict the right to health, subjecting the population to collective spread of the virus, in the name of preserving the cycle of economy, including work and income.

On the other hand, it seems acceptable to assume that when 80% of respondents understand that the limitation of some human rights during the pandemic is justifiable, they are referring to limitations resulting from measures adopted by State decision-makers as a way to combat the pandemic and not as a result of the course of the health crisis itself. Within this line of reasoning, it no longer seems credible that any interviewee has responded that the restriction of the right to health is justifiable. What is justifiable is the restriction of other rights as a way of ensuring the right to health. And, along these lines, the difference between the level of agreement may reveal a certain concern with the dose of restriction. For the 40% of respondents who strongly agree that restricting a human right during the pandemic is justifiable, this type of agreement may express a "no matter what" reasoning. That is, even if the decision is difficult, it must be taken to terminate the pandemic. As for the 40% who agree (but not strongly agree), this can express a "prima facie" reasoning, meaning that in principle it is justifiable to restrict a human right, but considering that it is important to verify the concrete measure in order to know if it is really necessary and until what point is suitable. Returning to the example of remote classes as a justifiable restriction of the right to education: for the 40% who strongly agree that the restriction is justifiable, this could mean keeping the remote classes environment until the end of the pandemic. For the 40% who simply agree, it could mean setting goals for blended learning or even resuming face-to-face classes after teachers are vaccinated.

In relation to the 20% who understand there is no reason to justifiably

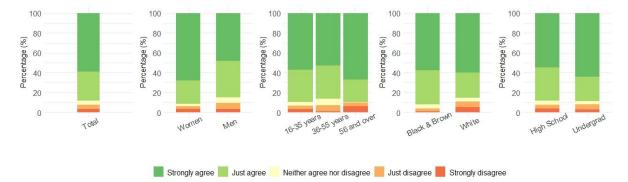
restrict any of the five rights listed initially (freedom of movement; education; health; work and income; voting), a similar reasoning can be applied. The approximately 8% of respondents who strongly disagree with the restrictions can be included in the "no matter what" argument. That is, it doesn't matter what the cost is, the Pandemic must be fought without any of these human rights suffering any form of restriction. In turn, the approximately 3% of respondents who simply disagree can be included in the "prima facie" reasoning. In this sense, they disagree that some form of restriction on those human rights is justifiable, however, depending on the context and the apparent results, they may tend to agree. And, finally, the approximately 9% who said they neither agree nor disagree can be understood as respondents without a formed opinion and, in a manner, they are opened to arguments from both sides.

In any case, it is not possible to say that the respondents would agree with the institution of a pandemic state of exception, in which restrictions on human rights would go beyond a justifiable level to be characterized, then, as a situation of deprivation of rights that would affect part of specific segments of the population.

Subsequently, the interviewees were faced with a statement on the justification for restricting not those specific rights initially listed, but non-essential services. The statement submitted for agreement or disagreement by respondents was as follows: "The interruption of non-essential services is justifiable during the Covid-19 pandemic." In view of this statement, the responses were as follows:

Figure 8

Interruption of non-essential services due to the pandemic, by respondent's characteristics



Source: Survey Human Rights and Covid-19, ENCE/IBGE and UERJ.

The result of this topic shows that the relationship between disagreement and agreement remains the same. There is, however, a difference in terms of proportion: 88% of the respondents, rather than 78% (as in figure 7), believe that the restriction of non-essential services is justifiable. On the other hand, 12% do not see reasons that justify restricting fundamental rights.

When the respondents' object of analysis is changed, from "Human Rights" to "non-essential services", a brutal shift of conceptual place occurs. Dealing with human rights (right to freedom of movement; right to education; right to health; right to work and income; right to vote), means to deal with rights of the first magnitude and, therefore, of significand legal and moral weight. On the other hand, non-essential services, due to their non-essential nature, are services that, even though they bring comfort and some level of well-being, do not surpass Human Rights in importance. Therefore, it does not seem reasonable that, in the name of preserving these non-essential services, the space for combating a Pandemic with such a high level of contagion and such an expressive lethality is limited.

For this reason, it seems reasonable and understandable that 88% of respondents agree that it is justifiable to restrict non-essential services during the pandemic. But what about those 7% or so who disagree or strongly disagree that restricting non-essential services is justifiable? There are two possibilities of analysis that seem reasonable. From a first perspective, it can be assumed that these interviewees are directly interested in the situation. For example, one of the respondents could be someone who works in the cultural sector and is suffering from unemployment or from a decrease in her/his income resulting from the isolation that forced theatres, cinemas and entertainment venues to stop working. From this point of view, even if this sector is considered non-essential, for the worker who lives off it and does not have access to reasonable compensation (such as better value emergency aid), it is understandable that he/she responds that there is no justification for the restriction of services in the culture sector. From a second perspective, it can simply be assumed that these respondents are putting their own comfort above the public interest in overcoming the health crisis. Although this perspective of analysis seems harsher, it makes sense in the face of numerous manifestations of pandemic revisionists or people who simply do not

care about the pain and suffering of the other. Not only the countless cases of clandestine parties disrupted by inspectors, but, above all, the emblematic reaction of some people, generally from the middle and upper classes, reacting in an arrogant and pedantic way to what they considered to be a violation of a supposed "right to recreational agglomeration". This kind of situations reveal a shocking insensitivity and absolute lack of with those who have suffered and are suffering the most as a result of the pandemic. In this case, it is not about the logic of "I don't care". In other words, for these people others can suffer, lives can be lost, families can grieve, and they go on not caring. They only care about themselves.

3.5 SOCIOECONOMIC CLASSES AND THE PANDEMIC

In order to understand the population's perception of the pandemic's impacts on different socioeconomic classes, two questions were asked to the interviewees. The first one was addressed to at all research respondents: "Do you think that all socioeconomic classes are suffering the same limitations of rights?". The second was directed only to those who reported believing the limitations of rights were differentiated by social class: "Which socioeconomic class do you think is suffering more limitations?"

Brazil is an extremely unequal country. According to the data consolidation made by the World Bank and published in 2020, the country is one of the most unequal countries in the world in terms of income distribution, occupying the 156th position in a ranking of 164 countries, ordered from least unequal countries to the most unequal one. IBGE data show that, in 2019, up to 50% of the population had access to a per capita household income of R\$861, lower than the national minimum wage in force that year, set, at that time, at R\$998. Regarding the insertion into the labour market, 41.6% of the employed population were performing informal occupations, defined here as the exercise of work as an employee without a formal contract, being a domestic worker without a formal contract, a non-contributing self-employed, a non-contributing employer and auxiliary family worker (IBGE, 2020).

As for the housing situation, 2.6% of the population lived in households without a bathroom for exclusive use and 5.6% in households with more than three residents for each room used as a bedroom. In addition, 84.7% of the population

lived in households with water supply from the general water supply network, 65.8% in households with sewage or rainwater supply and 83.8% in households where at least one resident had access to the Internet within the household, with only 39.2% in households with Internet access via a notebook computer (IBGE, 2020). Only 28.5% of the population had access to health insurance, and this percentage differs according to the per capita monthly household income. For example, while only 3% of people living in households with no income or with monthly household income per capita of up to ¼ of the minimum wage had health insurance, 88% of those living in households with more than five minimum wages had this resource (IBGE, 2019).

A population with fragile work relationships; extremely low incomes and, consequently, limited access to food, alcohol gel and good quality masks; inhabiting domiciles with excessive density, less access to piped water and sanitary sewage; with limited access to health and education, they become more vulnerable to the impacts of a pandemic like Covid-19. The survet results show that the respondents are not unaware of these inequalities. Figure 9 shows that about 90% of them, regardless of their characteristics, perceive that there are differences between socioeconomic classes in terms of limitations on the rights to work and income, health, education, voting, and freedom of movement.

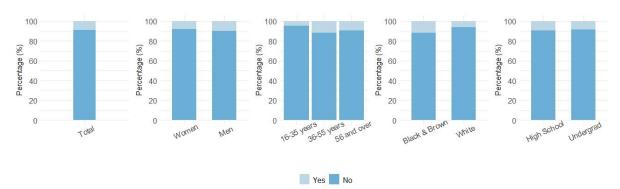


Figure 9

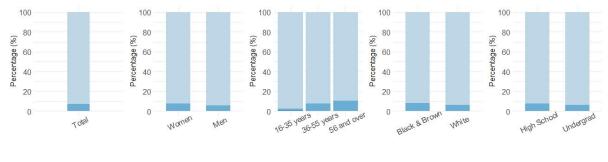
Equality of impact between classes, by respondent's characteristics

Source: Survey Human Rights and Covid-19, ENCE/IBGE and UERJ.

Figure 10 indicates that among people who perceive the difference in the impacts of the pandemic by class, 95% recognize that people in lower classes were the most impacted in their rights. They lost jobs, had their income reduced or

extinguished, and became to depend on emergency aid to guarantee their survival and that of their families. In addition, they faced more difficulties in accessing healthcare in hospitals with crowded beds, public schools that were closed and with precarious resources to conduct remote classes, among other problems. This perception is stronger among young people up to 35 years old: the percentage reaches 98%. Overall, only 5% of respondents believe that the middle classes were the most impacted by the pandemic and no survey participant reported believing that the upper classes were the most affected ones.

Figure 10



The most impacted class due to Covid-19, by respondent's characteristics

Lower class Middle class Upper class

Source: Survey Human Rights and Covid-19, ENCE/IBGE and UERJ.

3.6 THE GOVERNMENT AND THE FIGHT AGAINST COVID-19

To add new dimensions to the Federal Government's assessment regarding the fight against Covid-19, questions were asked about the effectiveness of its measures and about the respondent's expectations regarding the degree of rigidity of the measures adopted. In this way, it was possible to draw a framework with four dimensions related to the management of the pandemic: mitigation of impacts, containment of the worsening, effectiveness of measures to promote social distancing and rigidity of the measures adopted (Figures 11 to 14).

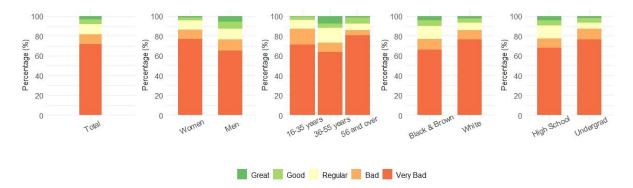
In all dimensions, the Government was classified as critically negative by the vast majority of respondents, either by having their actions evaluated as bad or very bad or by explicit disagreement when statements of a positive nature were presented. Such a result, although disheartening, was expected, considering the evident disastrous management of crisis by the Federal Government, a situation that led Brazil to occupy the second world position in the number of deaths from

Covid-19. By July 2021, the country reached the mark of 550 thousand deaths (Johns Hopkins, 2021), and many of them could have been avoided. For its performance, the Government at the time was classified as the one with the worst management of the pandemic. The ranking was made by the Lowy Institute, which analysed data from more than 100 countries, referring to 43 weeks, and classified the countries according to the *Covid Performance Index* (Lowy , 2021).

It is in this scenario that the vast majority of respondent, regardless of their characteristics, evaluated the government negatively (Figure 11). More than 80% of respondents consider the Government's performance to mitigate the impacts of covid-19 to be bad or very bad. When analysing separately the evaluation of the government's performance by characteristics of the respondent, it is possible to observe that women, young people up to 35 years of age, white people and people with complete higher education evaluated the government's performance more negatively. On the other hand, people who positively evaluate the government's action in mitigating the pandemic add up to around 8% of respondents. This percentage drops by more than half among women and young people up to 35 years old, which shows, in these groups, a different perception of the impact of actions taken by the government regarding the pandemic.

Figure 11

Government performance to mitigate Covid-19 impacts, by respondent's characteristics

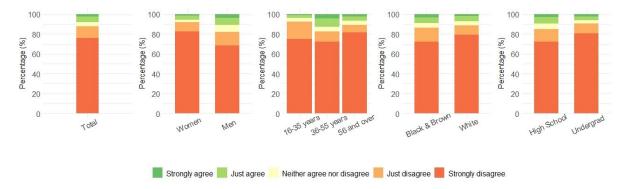


Source: Survey Human Rights and Covid-19, ENCE/IBGE and UERJ.

Most respondents (88%) disagreed with the statement that the government acted quickly in order to minimize the impacts of the Covid-19 pandemic (Figure 12). This percentage exceeds 90% among women and young people up to 35 years old. Of this total, when disaggregating by color or race, it can be observed that this percentage is similar. However, considering only the answer of those who strongly disagree, it is clear that white people responded more negatively compared to non-white people (meaning black and brown people). This information shows that, in terms of color and race, the group of white people is the one that most disagree with the statement that the government acted quickly. In terms of expressing agreement, non-white people (blacks and browns) and whites differ by only 2%. When disaggregating by sex, however, the results indicate that men who, to some level, agree with this statement are approximately 10%, against only 4% of women. This difference indicates that female respondents believe, more than males, that faster government action was needed. In terms of disagreeing to some degree, women differ by approximately 5% from men, being 91% and 86% respectively. The difference becomes greater when analysing the answer "strongly disagree", in which women account for 83% and men 73%. This is the largest difference observed between any other response, which indicates that female respondents are more critical than male respondents. The variable sex, therefore, is more relevant to this response than the color or race variable.

Figure 12

Government response time in order to contain the worsening of the pandemic by respondent's characteristics

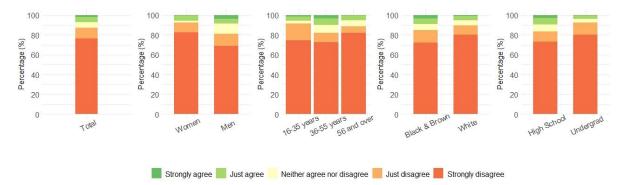


Source: Survey Human Rights and Covid-19, ENCE/IBGE and UERJ.

The critical situation that Brazil has reached is explained by several factors. Among them, it is possible to identify inertia and ineffectiveness, respectively in relation to the delay in acquiring vaccines and the prescription of chloroquine for the treatment of Covid-19. In particular, the absence of educational and coercive measures to ensure social distancing, recommended by international organizations and experts around the world, for its effectiveness and low cost in containing the spread of the virus and, consequently, the spread of the disease, does not seem to be indifferent to the population. This is revealed from the responses to the statement: "The Federal Government was effective in applying measures to maintain social distance during the Covid-19 pandemic". The percentage of respondents who disagree with this statement is almost 90%. This position is stronger among women, whose percentage of disagreement is almost 10 percentage points higher than that of men (Figure 13).

Figure 13

Perception of the effectiveness of measures taken by the government in order to ensure social distancing, by respondent's characteristics



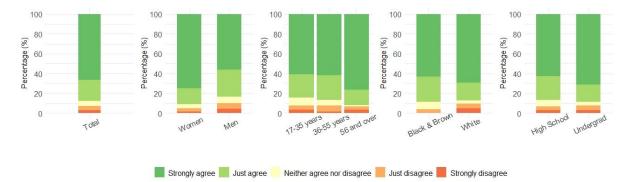
Source: Survey Human Rights and Covid-19, ENCE/IBGE and UERJ.

Almost 90% of respondents agreed, to a greater or lesser extent, with the statement "Federal Government should impose stricter measures to prevent the worsening of the Covid-19 pandemic". The agreement is stronger among women and non-white people (Figure 14). This indicates that there was an expectation on the Federal Government. In the respondents' perception, what was expected was that the Government - either through individual action by the President of the Republic, or through the use of the government machine - would adopt measures different from those that were effectively chosen to protect the health and life of the population.

The respondents' positioning is compatible with a population dissatisfied with the government's negligence, evidenced in the image of a President who, in the midst of the Covid-19 pandemic, consistently refuses to wear a mask, and who promotes and participates in events involving crowds of people. The interviewees' position may also be associated with disapproval of the existing conflict between the Federal Government and the State or Municipal Governments, which decreed a curfew and suspension of non-essential services. On this topic, the most recent measure, enacted on May 27, 2020, stands out. The Attorney General's Office¹¹, at the federal level, filed a direct action of unconstitutionality before the Federal Supreme Court in view of the restrictive "lockdown" and curfew measures imposed by some states and municipalities due to new advances of the Coronavirus (Agência Brasil , 2021).

Figure 14

Rigor of the measures adopted by the government to prevent worsening of the pandemic, by respondent's characteristics



Source: Survey Human Rights and Covid-19, ENCE/IBGE and UERJ.

3.7 VOLUNTARY ISOLATION

The subject of voluntary isolation was investigated based on two questions: "Do you believe you are complying with the rules of social isolation?" and "Do you believe that other residents of the city of Rio de Janeiro are complying with the rules of social isolation?". For each question, only two response options were given: "Yes" and "No". In the graph, the results were organized in order to show the answers of the two questions combined with each other, by respondent. With this, the following response categories were created: No/No; No/Yes; Yes/No and Yes/Yes.

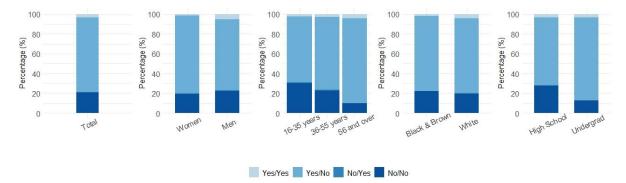
Most respondents believe that they are complying with the rules of social isolation and that other residents of the city of Rio de Janeiro are not (Figure 15). This is evident in all analysed groups, but it is stronger among women. Such a response reveals that most respondents evaluated their own habits during the

¹¹ TN: Free translation based on the original term, in Portuguese, Advocacia Geral da União.

pandemic in a positive way, while they evaluated the habits of others as negative. According to Utts (2005), respondents tend to soften their responses about undesirable social habits. Not complying with isolation rules would be one of them. However, the perception of complying with the isolation rules may not be wrong, as it is compatible with the profile of the respondent who, by having a medium or high level of education, may belong to a class of workers who were able to remain employed and work remotely, or even to a class of people who do not need to leave their homes, not taking, therefore, the risk of contamination. The questions do not distinguish the conditions or the intensity of isolation. Thus, it is not possible to know whether the respondent's perception of non-compliance with isolation refers to cases in which non-compliance was due to extreme necessity. Neither is possible to know how often non-compliance occurred.

Figure 15

Perception of one's own behavior and the behavior of others during the pandemic, by respondent's characteristics



Source: Survey Human Rights and Covid-19, ENCE/IBGE and UERJ.

4. MAIN FINDINGS: BY WAY OF CONCLUSION

The main objective of the study presented here was to produce information that helps to unravel the perception of residents of the city of Rio de Janeiro about the process of limiting human rights during the Covid-19 pandemic, as well as the role of public authorities in relation to these limitations, compensation and guarantees of those rights. To reach this goal, five basic rights were listed. These rights were evaluated by the researchers responsible for the project as the most likely to suffer restrictions in the pandemic context: health, education, freedom of movement, work and income, and voting.

Considering that the concept of human rights is not something simple nor consensual, the first step was to verify whether the survey respondents recognized the five aforementioned rights as human rights. The results showed that yes, the vast majority of respondents identify those rights as human rights. They also agree, to a lesser or greater degree, that at least one of those rights was limited during the pandemic.

Observing a general perception of the population on the concept of human rights and its limitations during the pandemic is essential to understand their expectations regarding the government's action in order to ensure these rights or, at least, in order to create compensation for eventual restrictions imposed on them. More than 90% of respondents believe that the government is responsible - whether for what it has done, for what it has failed to do or for what it has done insufficiently - for the limitations of rights that occurred during the pandemic.

It is also expressive the percentage of people who believe that the restriction of at least one of these rights is justifiable at this time of health crisis. In other words, about 80% of respondents agree, totally or partially, that a right can be restricted due to the protection of another right, such as the right to life, for example. As for non-essential services, the percentage of the population that agrees with the statement that their suspension is justifiable during the pandemic is even higher, approximately 90%.

Another important questioning was related to the population's perception of the differences in the impacts of the limitations of rights on the lower, middle and upper socioeconomic classes. More than 90% of respondents said they perceive distinctions in the way the impacts occur. In addition, although these are mostly people with a medium or high level of education, which can be seen as an indicator of belonging to the middle class, 95% of them recognize that the lower classes, the ones in a situation of greater vulnerability in the face of the pandemic, were the most impacted by the limitations that occurred, mainly in the rights to health, education, freedom of movement, work and income.

The evaluation of the Federal Government's performance in relation to the fight against the pandemic was carried out in four dimensions: creation of a policy of compensation for impacts, response time in containing the worsening of the pandemic, effectiveness in the application of measures in order to promote social distance and rigidity of the measures adopted. Respondents' dissatisfaction with the government was evident. The disapproval percentages is above 85% in all the evaluated dimensions.

In the last stage of the survey, the goal was to understand whether the Rio de Janeiro residents comply with the rules of social isolation. Most respondents positively evaluated their own habits during the pandemic and negatively evaluated the habits of others. Less than 3% reported believing that everyone is complying with isolation rules.

In the midst of a serious health crisis such as that of Covid-19, the Federal Government prioritized economy over life, promoted misinformation, the use of medications without any scientific proof and made little effort to buy vaccines that could save millions of lives. In this context, the results of this research are encouraging: they show that a significant portion of the population understands the importance of basic human rights and takes a stand in their defense. Furthermore, it recognizes that the Government's negligence has left historically vulnerable populations to their own devices. These people, who already have limited rights, have suffered further restrictions.

The respondents' perception, seen through the answers that stood out the most, reinforces the theoretical perspective of the exercise of a type of sovereign power that, through different modes of regulation, protects part of the population - makes it live - and leaves another part to its own fate - let it die. In the case of the Covid 19 pandemic, the biopolitics adopted by the Federal Government left a large part of the population helpless - the most vulnerable or precarious -, either because of the lack of effectiveness of part of their fundamental rights, or because of the uncoordinated and negligent way in which they faced the pandemic. In this scenario, the concept of "letting die" must be understood in a concrete and abstract way. Specifically, the unjustified delay in the acquisition and distribution of vaccine, as well as the lack of operational support to hospitals, led to the objective death of thousands of people, especially the ones in the lower social classes. On the other hand, the deprivation of rights led to social death, not only for those who were in confinement, but, above all, for those groups that were unable to isolate themselves due to the nature of their professional occupation. These groups were more exposed and mocked as they were more susceptible to the contagion of the coronavirus. For the part of the population that was left to die, sovereign power was exercised in the form of disregard and a fundamental inequality: the one that draws the difference between those who experience their rights as if they were privileges and those who are deprived of their most elementary human rights.

Finally, it should be said that these results help to shed light on the perception of the population of the municipality of Rio de Janeiro about the concept of human rights and the restrictions imposed on them due to the Covid-19 pandemic. However, they are far from exhausting the issue. It is important to remember that almost all respondents have medium and high schooling and, possibly, are not included in the most vulnerable part of the population, also the part most impacted by the pandemic. Expanding the study in order to reach this population and understand how they see the limitations of rights suffered, which rights they consider the most affected ones, what are their expectations for the future, among other information, would be of a great value for the discussion of how to mitigate the impacts and consequent expansion of inequalities in the right to health, education, work and income, for example. In addition, future improvements and additions to the study could also include an evaluation of the possibilities of expanding the geographic scope and the possibility of using sampling.

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APPENDIX: QUESTIONNAIRE DESIGN

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Andrea Diniz da Silva, Elizabeth Belo Hypolito, José Ricardo Cunha, Antonio Etevaldo Junior, Ana Clara Cancelo Cruz, Bernardo Braga Martins, Bruno Fernandes Abelaira Paz, Vitor Hugo Cruz de Souza

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O Governo Federal agui rapidamente para evitar o agravamento da pandemia da Covid- 19. Una da covid- 0 Governo Federal foi eficaz na aplicação de medidas para manter o distanciamento social 0 Governo Federal foi eficaz na aplicação de medidas para manter o distanciamento social					ICIA COM AS SEGUINTES AFIRMAÇÕES:	
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