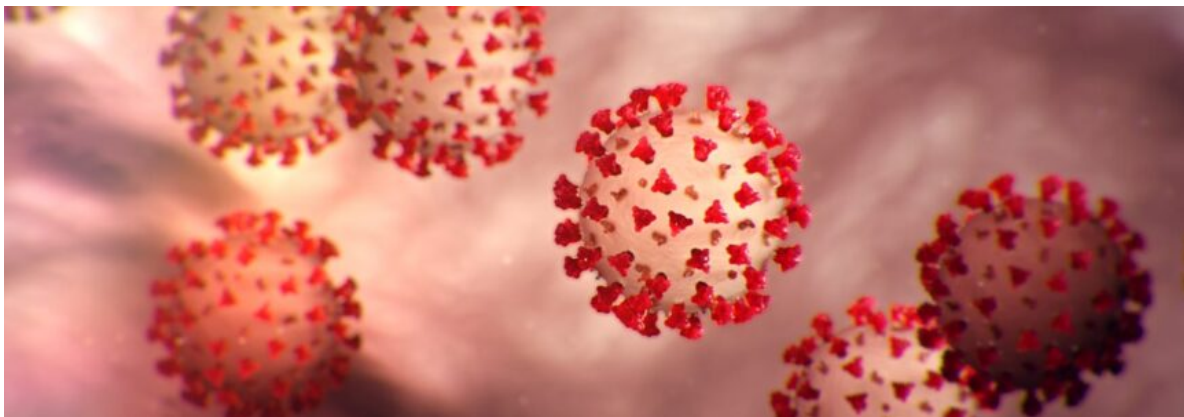




BIOETHICS FORUM ESSAY

Why We Need a Covid-19 Commission

by [M. Sara Rosenthal](#) and [Arthur Caplan](#)

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Congress recently announced plans for an independent commission to investigate the facts and causes of the January 6 insurrection at the U.S. Capitol. This 1/6 Commission is to be modelled after the 9/11 Commission, established in 2002 after a hard-won lobbying effort by the 9/11 families. While an independent 1/6 commission is needed, a national commission to investigate the disaster that the Covid-19 virus has caused in America must also be launched.

In the immediate aftermath of the terrorist attacks on September 11, 2001, there were many unanswered questions, and it was the family members of those killed who demanded an independent commission. The 9/11 families included family

members of United 93 passengers, who stormed the cockpit of their hijacked plane to prevent a direct attack on the Capitol. On 9/11, 2,977 Americans died. It was the largest civilian mass casualty event on American soil since the Pearl Harbor attack on December 7, 1941, which killed 2,403 Americans. The 9/11 Commission Report revealed core vulnerabilities and systemic failures across many institutions and government agencies; it was said to be a “failure of imagination.”

In less than a year, over half a million Americans have died from Covid-19, exceeding the number of American battle casualties in the Civil War (214,938); World War 1 (53,402), World War II (291,447), the Korean War (33,739), and Vietnam War (47,434). On December 10, 2020, the single-day death toll from Covid-19 surpassed 9/11 and reached 3,100; on January 8, 2021, it reached 4,085, exceeding the single day death toll of the Battle of Gettysburg (3,155 deaths) and the Battle of Antietam (3,675). In the final hours of the Trump Administration, on January 20, 2021, 4,409 Americans died from Covid-19. For much of the fall of 2020 through February 2021, the United States has





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to define a mass death toll resulting from state-sponsored policies. As bioethicists, we know a holocaust when we see one; our entire field was established from the ashes of the Third Reich’s Final Solution to exterminate Europe’s Jewish population. Any basic course in bioethics typically begins with teaching some of the history of the Holocaust and the American-led effort to accurately document Nazi Germany’s crimes against humanity through the Nuremberg Trials. In fact, the first documentary film on the Holocaust and concentration camp footage was shown on the eighth day of the Nuremberg Trials, produced on August 28, 1945. The documentary stated, “The films were made pursuant to an order issued by General Dwight E. Eisenhower, Supreme Commander Allied Expeditionary Forces.” Eisenhower also insisted on requiring ordinary German civilians to tour the concentration camps so they could not deny their existence.

The Nuremberg Trials also led to the witness and testimony of the infamous medical experiments at the hands of Nazi doctors; these experiments led to The Nuremberg Code in 1947 – the code of ethics for medical research that formed current standards echoed in the Belmont Report guidelines. (The Covid-19 vaccine trials followed these guidelines, as well.) Indeed, experts in authoritarianism have noted (here, here, and here) the astonishing similarities of 21 century U.S. and the interwar period of Weimar Germany that led to the collapse of a democracy yielding to the Third Reich; weak democracies can lead to authoritarian rule, which flourish through conspiracy theories and propaganda. One cannot study the origins of the Holocaust without understanding how effective disinformation and propaganda became in enabling a mass death toll.

There were so many falsehoods spread about Covid-19 and mitigation efforts such as mask-wearing, only a Covid Commission can help to untangle the scope and role government-sanctioned misinformation played in the U.S. death toll from the pandemic. Acts of commission are different than missteps – incompetence, incomplete data, scientific uncertainty, or other bureaucratic obstacles that lead to delayed action or poor decision-making. Such was the case in the early years of the HIV/AIDS pandemic or the failure of the Wilson Administration to address the 1918 flu pandemic.

In responding to Covid-19, deliberate acts of commission by the Trump Administration included a coordinated misinformation campaign; pressuring states to forego science-based mitigation efforts; bullying public health experts and other officials trying to enforce public health measures, such as social distancing or mask-wearing, ultimately turning mask-wearing into a partisan issue; interfering with the independence of the CDC; and causing biological harm by seeding the virus in maskless mass gatherings organized by the President of the United States. Such concerns are echoed in a report by the Lancet Commission on Public Health Policy and Health in the Trump Era. Acts of omission include the failure to enact the Defense Production Act to increase critical supply of medical equipment and tests, including personal protective equipment. Additionally, abandoning Covid-19 management to individual states was reportedly a decision based on politics rather than public health, which created enormous supply scarcity and disparities.

Then there is systemic racism, which steadily worsened during the Trump era. When the U.S. marked its first 76,000 coronavirus deaths in May, almost 60% were African Americans; Covid-19 deaths continue to be disproportionate in this population. Some were even calling that genocide.

R.J. Rummel, in his 1994 book, *Death by Government*, distinguishes between acts of genocide, democide, and politicide; Laurie Garrett, author of *The Coming Plague*, recently argued that Trump committed “pandemicide.” A Covid Commission can help to determine whether the Trump Administration policies led to any such acts.

With respect to vaccine development and the Trump Administration’s “Operation Warp Speed,” while some may credit the administration with this initiative, the delay of the Trump Administration to provide clear data on the program to the incoming Biden Administration, failure to properly plan for a nationwide vaccination program, and honest testimony from scientists involved with this mismanaged program, may reveal a very different story and political motives that a Covid Commission can uncover.

Ultimately, in the spirit of “Never Again,” we need to tell the truth and label the American Covid-19 experience accurately. A Covid Commission, like the 9/11 Commission, will serve the American public so we “don’t forget” and can teach this history.

M. Sara Rosenthal, PhD, is a professor at the University of Kentucky in the departments of internal medicine, pediatrics, and behavioral science and the founding director of the Program for Bioethics and the Markey Cancer Center Oncology Ethics Program. Arthur Caplan, PhD, is the Drs. William F. and Virginia Connolly Mitty Professor of Bioethics and the founding director of the Division of Medical Ethics at NYU Grossman School of Medicine. He is a Hastings Center fellow and member of the Hastings Center’s advisory council, @ArthurCaplan.

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