

# *Reply to Akçay*

Peter Godfrey-Smith

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This note is a reply to Erol Akçay's "Against 'Covid Heterodoxy:' Open Review of Godfrey-Smith, 2021," which is a commentary on my "Covid Heterodoxy in Three Layers."<sup>1</sup> I will focus on what I see as the sharpest disagreements and also on some misrepresentations of my position. I won't comment on everything Akçay said, and should not be taken to agree with claims I don't comment on. (Similarly, Akçay does not discuss most of the arguments in my essay – the whole discussion here is concerned with a subset of the overall case.) I'll also use the opportunity to add some further thoughts about our situation with Covid.

## **1. Diversity of lockdown policies**

Akçay says: "I am compelled to put “lockdown” in scare quotes throughout since Godfrey-Smith doesn't work with a clear definition of the term," and: "There have been many, many kinds of responses, restrictions, mandates, guidances, with incredible variation of severity and enforcement that defies any argument that talks about them as a single policy."

The variety of measures and responses is emphasized many times in my essay. Different policy questions have become pressing in different societies, and much of the point of my treatment is to handle many of these questions individually. School closures are discussed as one issue; the fining of people for meeting with their friends is treated as

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<sup>1</sup> When I refer to my own essay here, I refer to version 4C. An edit with minor revisions (4D) went online a day or so before Akçay's comments. I assume he is not responding that one. The revisions are updates of details and do not affect the arguments. The current version is at the top of my personal website, <https://petergodfreysmith.com>, and the older versions are all archived at <https://petergodfreysmith.com/philosophy/culture-politics>. Akçay's commentary is at <https://erolakcay.files.wordpress.com/2021/08/godfreysmithreview-1.pdf>

another; suppression of protest is yet another. Forced closure of small businesses receives its own discussion. There is no reduction to some "argument that talks about them as a single policy." In the USA, school closures are probably *the* issue, and over-policing of ordinary behaviors has not been a major problem. In Australia, over-policing has been a massive problem (eg., the arrest of Zoe Buhler, p. 16), and schools have been closed with more reluctance. In other places, the shuttering of businesses in the absence of a safety net has been particularly important.

It is perplexing for so central a feature of my discussion (look at school closures, then look at policing, then look at business closures...) to be misdescribed.

Given this diversity, I suppose one might wonder whether the lockdown concept remains meaningful. Even before Akçay's piece, I've occasionally seen people from the USA put "lockdown" in scare quotes, intimating that this concept has been cooked up and put in place by people like me who want to be critical. Outside of the US, though, everyone knows that we are concerned with anything but a straw man, and we know exactly what is meant. The things I call "lockdowns" are the things that the UK Government has repeatedly announced using the term "Nationwide lockdown." The state to the south of me, Victoria, is currently in its sixth official lockdown. The term is routinely used in official policy statements as well as media reports. (The UK Government has a website headed: "Coronavirus: A history of English lockdown laws.")<sup>2</sup>

All of the policies mentioned above deserve their own discussion, and they receive it in my essay, but the policies are also unified in obvious ways. (If you want a philosophical label, call it a "cluster concept.") There are common motivations behind the fact that a great many American kids have missed over a year of in-person public school, the fact that people in the UK were fined £10,000 each for starting a snowball fight, and the fact that a woman in Australia was arrested in handcuffs for advocating a peaceful and masked protest on Facebook. These events raise somewhat different issues, but they occurred as responses to the same problem and as a result of the same mindset.

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<sup>2</sup> <https://commonslibrary.parliament.uk/research-briefings/cbp-9068/>

## 2. Other mitigation measures

Akçay says: "This last point brings me to an odd pattern in “lockdown skeptics” that Godfrey-Smith also seems to conform [sic], which is an almost hostility or annoyance at risk mitigation measures that are not “lockdowns,” such as masks, rapid testing, or more recently, vaccination...."

This is an egregious misrepresentation of my position. First, masks and mask mandates are not criticized or treated with hostility at any point in my essay. They are rarely mentioned and I am neutral about them. In one place (p. 9) I note that a comparative study that I employ against lockdowns does find support for masks.

Here is what Akçay says about vaccination: "Widespread vaccination can avoid most or almost all of the harms (from infection AND “lockdown”) that we all are worried about. Yet, judging from the tone of their arguments, “lockdown skeptics” almost seem annoyed that we caught this break...." Here, in contrast, is what I say about vaccines in my essay: "The vaccines are an amazing medical achievement..." (p. 27). I support the vaccination program; vaccines are our path out of this mess.

Why does Akçay lump me in with anti-vax people, or even with those who are unenthusiastic about vaccines and would decline to offer such praise? The main reason seems to be that I criticize Dr Peter Hotez and, quoting him, the *New York Times*, for saying the following, when describing how to present information about the vaccines: "So what message should people hear? 'It's going to save your life — that's where the emphasis has to be right now.'"<sup>3</sup> I say that this is not true, given the infection fatality rate (IFR) associated with Covid for most ages. It is mainstream opinion that the IFR for Covid in developed western countries (given their demographic features, and so on) is somewhere under 1%, with numbers close to 1% as higher estimates. The first age bracket for which the risk of death reaches one chance in a thousand is roughly 40-44.<sup>4</sup> For children and college-age adults, it is much less than one in a thousand. For most people in the US and similar countries, then, vaccination is unlikely to "save their life," as they were

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<sup>3</sup> Akçay might also have in mind the fact that I am cautious about vaccinating young children at this stage, though this is not discussed in my "three layers" essay, only on twitter. My caution here is similar to that of the UK and German governments: <https://www.bbc.com/news/health-57888429>

<sup>4</sup> O'Driscoll, et al. (2021). "Age-specific mortality and immunity patterns of SARS-CoV-2." <https://www.nature.com/articles/s41586-020-2918-0>.

not at high risk in the first place. If a person is over 70 or 80, it's a different matter. Akçay says that my criticism of Hotez's comments "assumes that they are meant to apply to only to healthy young people." No, I assume Hotez meant them to apply broadly – to the US population at large. As the full passage from my essay has it: "The vaccines are an amazing medical achievement, but this [the *New York Times* repeatedly quoting Hotez] is apparently a case of deliberate tolerance of exaggeration to push home a desired effect." Why exaggerate, risking credibility? Why not just say what you believe to be true, and then show why this is a sufficient basis for action?

### **3. Related misrepresentations of my view of the risks**

Akçay: "The biggest empirical fallacy in Godfrey-Smith's essay is the assumption that Covid-19 has essentially zero health cost on non-elderly and otherwise healthy people, based on the (true) fact that the infection fatality rate (the fraction of people who die after getting infected) is much lower for younger people than it is for older people." Also: "... in focusing solely on individual mortality risk, and dismissing it as essentially zero for non-elderly..." (emphasis added).

I do not say or suggest that the risk to young and healthy people is "essentially zero," despite the fact that Akçay uses this phrase twice. I accept mainstream estimates of the infection fatality rate for Covid (note 4). The numbers are what they are. They are not "zero" or "essentially zero" but they are small. I also accept that Covid can have serious non-fatal health effects on people, including younger people, and that vaccines greatly reduce the chance of serious illness as well as mortality. I view Covid as a very serious problem and do not try to downplay it.

Akçay might perhaps include, in his claim that I see "essentially zero health cost" for the young and healthy, the idea that I am neglecting long Covid. This side of the problem is acknowledged, along with its uncertainties (p. 14). Repeating the essay: Am I concerned about long Covid? Yes. But given what we know, it is not enough to force people to shut down their businesses and prevent children going to school.

#### **4. Sweden**

Akçay says: "Similarly, Sweden is highlighted as a "light touch" country that eschewed "lockdowns," but Sweden spent much of the pandemic with a stricter blanket ban on public gathering than most US."

Sweden is clearly a light touch country with respect to the cluster of policies that I am concerned with. Schools in Sweden have been open throughout the pandemic for most ages (up to 16). Businesses, including restaurants, have not been forced to close. The large public gathering ban is one policy among many. There is a reason that Sweden is regarded as a test case. It gives us good information about how dangerous it is to keep schools open, keep small businesses open, and so on. The ongoing outcomes are discussed on pages 9-10 of the essay (especially the most recent update).

#### **5. Voluntary changes in behavior**

Akçay criticizes what he takes to be my "assumption... that but for "lockdown policies" (whatever they are), people would go about their lives in a relatively normal way, and all the human endeavors and flourishing for younger people would go on unchecked. I find this hard to fathom...."

I certainly don't make this assumption, though I can understand how it might appear to have been present in that part of my argument. So I'll make things more explicit.

If young people were allowed to visit others, attend schools and universities in person, develop joint projects in an in-person way, and meet people they might eventually want to form romantic, domestic, artistic, and professional partnerships with, their behavior during a pandemic would in many cases be different and more cautious from what it would otherwise be. But the gap between what they would normally do and what they are allowed to do under, for example, a UK/Australia-style lockdown is enormous. There is a lot of space between these extremes. Here, for illustration, are the rules currently in force where I write these words. One cannot visit, for the kinds of reasons above or for normal companionship, any person who lives in another household, except, if one lives alone, for one nominated and fixed "bubble" companion.

More explicitly:

From 12.01 am on Saturday, July 31, people living by themselves will be able to nominate one person allowed to visit them. It can be a family member or a friend, but authorities say they will not be able to change that person once they have started the bubble....

**Highlights:**

- The nominated person can visit their single friend in their home, but it can't be the other way around.
- The nominated person can travel more than 10 kilometres from the place of residence, but can't leave the lockdown area.
- For those living in one of the nine local government areas under tighter lockdown restrictions, the nominated person must live within a five-kilometre radius of their home.<sup>5</sup>

I am not affected by this rule, though I know people who are.<sup>6</sup> It will probably apply for several months. The UK had a similar rule in place for months; this Australian rule is modeled on one developed in their last winter lockdown.

A rule like this has enormous effects on what Akçay refers to as "all the human endeavors and flourishing for younger people." If young people were given back their freedom of movement, they would probably not go back to normal patterns of interaction, but would come up with something better than this.

(As a minor issue, if a person is going to make a fuss querying and scare-quoting the term "lockdown," they might also give some thought to the euphemistic character of labels like "mitigation measure" (and "NPI," though this is not one Akçay uses) when applied to a rule, especially a rigidly enforced one, like this.)<sup>7</sup>

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<sup>5</sup> This more compact wording is from a news report via the public broadcasting service: <https://www.sbs.com.au/language/english/how-does-the-singles-social-bubble-for-greater-sydney-residents-work>. Importantly, this "bubble" provision was a *loosening* of the rules in place for about 5 weeks beforehand.

<sup>6</sup> It is also legal to engage in outdoor exercise with one other person (who need not be specified permanently), and this applies whether or not one lives alone. But you have to keep moving; don't try to sit down on a bench with them.

<sup>7</sup> It becomes tempting to endlessly multiply footnotes with anecdotes, many of which I suspect will seem initially unbelievable to people in the US. The rules on exercise mentioned in the previous note are now being enforced by helicopter. Police helicopters threaten people from the air with megaphones and call in their colleagues to issue fines.

## 6. Focused protection

Akçay reserves most animus for the Great Barrington Declaration, which advocates "focused protection" as a response to the Covid pandemic. He does not see this as "a real alternative to 'lockdowns,' but rather a rhetorical crutch against 'lockdowns' (really, any strategy of suppressing community spread)." Akçay says that there are no concrete proposals here at all, or that what has been offered is "vague" and does not have a "reasonable chance of success."

I have not read everything that the Great Barrington authors Kulldorff, Gupta, and Bhattacharya have written on this topic, but I, too, don't know of a detailed proposal that shows how to implement their "focused protection" idea in some particular setting. As I understand it, this is because they are describing a schema or outline that would have to be developed and implemented in very different ways in different circumstances (according, for example, to the mix of public and private institutions involved in a particular society). The Great Barrington measures I mention in my essay are "using significant resources to enable older people and those with health problems to be kept safe during outbreaks (for example, paying the salaries of older and more infirm workers who cannot work from home), while younger people lived more normally." They also advocating reforming the arrangements in aged care homes, with significant investment of resources, to reduce the risk in those settings. I endorse those ideas. The Great Barrington authors are not outsiders or amateurs. They appear to be in the minority, among relevant professionals, but I don't take that to be very decisive.

It is normal and healthy in a democracy for people to reflect on, and indicate preferences about, the general directions in which policy choices should go, leaving implementation details to be handled by professionals with local knowledge and expertise. If there is no discussion of broad policy directions and no one questions it when one group of insiders say that something is impossible, despite well-qualified dissent, democracy decays.

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<https://www.news.com.au/world/coronavirus/australia/police-helicopter-warning-sydney-beachgoers-to-move-on-sparks-debate/news-story/87cb2ca1506e898fac5bbb07f2c45ca5>  
For other helicopter footage: <https://twitter.com/OliviaLeon22/status/1422526895078342658>

Here are some closing thoughts. Writing about these issues, and especially corresponding with people in the US, has brought home to me the differences between superficially similar cultures. I think and hope that Americans will be startled when I say that tonight it was announced that additional members of the armed forces will be called in to help enforce our current lockdown.<sup>8</sup> The soldiers are not armed, but they are certainly there to intimidate. I am confident that my American friends will be amazed to hear that our police are threatening people from helicopters with bullhorns, too, if they gather too closely (note 6). A lot of general concern has been directed at the US over the past year or so, with people wondering whether that society will survive its recent strains. In some ways I am more worried about the situation in other countries, including Australia. I suppose this is partly a matter of whether one is more worried about the threat of disfunction or the threat of coercion. I had always thought of myself as someone a bit more concerned about disfunction, but that is no longer the case.<sup>9</sup> As the retired UK judge Jonathan Sumption has argued, an important tacit feature of democracies that they have to be able to act in unusual ways in extraordinary circumstances, but this capacity has to also be surrounded by a strong culture of restraint. Special state powers need to be used with great caution. There is little of that awareness left now, in places like Australia and (Sumption's main focus) the UK. One of the reasons that I criticized the media in the "third layer" section of my essay is my belief that the media have contributed to the erosion of this valuable societal feature.<sup>10</sup>

Even in its less civil moments, I value Akçay's engagement with my essay. As noted above, he discusses just a few of its elements, but they are important ones. He professes some "exasperation" with my thinking, but often he seems exasperated mostly

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<sup>8</sup> "The NSW government is moving to strengthen police powers and significantly increase the number of army personnel on the streets of Sydney in a bid to curb the growing number of Covid-19 cases." <https://www.theaustralian.com.au/nation/gladys-berejiklian-launches-covid-crackdown/news-story/3618d325d16cea65d664bf75a9f919a5>.

<sup>9</sup> I emphasize "over-policing" in my discussion of these countries' responses to Covid. I accept that over-policing is also a problem in some US contexts, but in that setting it is at least nominally, if imperfectly, directed on weapons and crime. Here, it is explicitly aimed at preventing you from spending time with friends or visiting your vaccinated parents.

<sup>10</sup> For more on this theme, see Sumption's recent conversation with Jay Bhattacharya, at <https://collateralglobal.org/article/a-conversation-with-lord-sumption/>. For a more detailed presentation by Sumption, see his 2020 Cambridge Freshfields Annual Law Lecture, <https://www.privatelaw.law.cam.ac.uk/events/CambridgeFreshfieldsLecture>.



with other people and other positions (such as a disdain for the vaccination program). He should then write about those other people and not impute their views to me. Both sides of this debate have their share of unreasonable people. The side opposed to lockdowns includes its paranoiacs, conspiracy theorists, and anti-science types. The other side has its neurotic fear-merchants and its willing authoritarians. Both sides also contain the occasional outright hustler. But both sides also include reasonable people, people who can see the other side and are interested in middle ground despite ongoing attempts to obscure it, people who are just trying to help us get through this period with as little harm done as possible.

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