Letter to the Journal

To Cope with a New Coronavirus Pandemic: How Life May Be Changed Forever

Chao Wang*

I. Introduction: The pandemic and the changing world

1. The lifestyle with which we were familiar with may become only a memory, as life is changing because of the coronavirus pandemic, but whether it will be changed forever depends on our coping strategy.

2. According to Henry Kissinger, the global pandemic will “forever alter the world order”. Yet our world is changing with or without the pandemic. Even before the pandemic, the world was changing drastically – it was replete with unilateralism, populism and inequality, which are arguably attributable to economic globalisation, neoliberalism and even the refugee crisis. However, the coronavirus pandemic has undoubtedly exacerbated these issues. It has also created many new problems affecting life, society and the world.

3. We may be witnessing “the end of globalism as we know it”. Governments and people in many countries are shifting from globalism to isolationism, from multilateralism to unilateralism, from multiculturalism to racism. Ultimately, one of our most

* Associate Professor, Faculty of Law, University of Macau, chaowang@um.edu.mo. This paper was completed on 11 July 2020 and the websites cited were current as of that date unless otherwise noted.

1 Henry Kissinger, The Coronavirus Pandemic Will Forever Alter the World Order (2020) (www.henrykissinger.com/articles/the-coronavirus-pandemic-will-forever-alter-the-world-order/). See also, Henry Kissinger, World Order (2014).

2 Henry Farrell and Abraham Newman, Will the Coronavirus End Globalization as We Know It?, Foreign Affairs (2020) (https://www.foreignaffairs.com/articles/2020-03-16/will-coronavirus-end-globalization-we-know-it). See also Coronavirus Will Change the World Permanently. Here’s How, Politico Magazine (2020) (www.politico.com/news/magazine/2020/03/19/coronavirus-effect-economy-life-society-analysis-covid-135579).

Cite this paper by paragraph numbers in this form: Author, Title, 19 Chinese JIL (2020), para
serious concerns might be that the world’s major powers may take a course that parallels that of the Weimar Republic a century ago.

4. However, in my view, the coronavirus pandemic is not the end of globalism; on the contrary, it offers a timely reminder of humanity’s interdependence in this changing world. As Kissinger argued in his 2014 book *World Order*, “our age is insistently, at times almost desperately, in pursuit of a concept of world order. Chaos threatens side by side with unprecedented interdependence.” If we look back into history and consider the global flu epidemic of 1918, we might have felt even more desperate and pessimistic in that situation than we do now. Across history, human beings have survived many pandemics, and this one should remind us, both at the micro level of individual life and the macro level of world order, of the importance of interdependence, of taking on this challenge together in this changing world.

5. One of the most important ways in which the coronavirus pandemic is changing the world is through its impact on every aspect of the life of every individual in society, including the way we work, live and learn, from the macro economy to household income, and from social security to individual human rights. How will the world—and especially daily life—be different after this pandemic? Without question, life is greatly affected by the world economy, which is now in one of its darkest moments. The current global recession may be the most serious economic crisis since World War II; it is far beyond the 2008 financial crisis and may be even comparable to the Great Depression of the United States in the 1930s. However, the pandemic has had substantial effects on much more than the economy; it has affected politics, society, culture, education, media, healthcare, security, science and technology, travel and personal lifestyle. It may be useful to explore the social and legal dimensions of the pandemic and its impact on daily life. All of the changes caused by the pandemic highlight the importance of human security and humanity’s interdependence. Normative consensus is necessary for the co-existence of all human beings in this changing world, and this should serve as a coping strategy in tackling the pandemic.

II. The impact of the pandemic on social life

6. The coronavirus pandemic is altering individual life. We cannot travel internationally or even locally, and we may not be able to dine in restaurants. As such, the service sector, especially travel-related industries, restaurants, airlines, hotels and tourist attractions, is seriously hurting. More than that, the pandemic is changing our social and work life in more complicated ways, especially the way we communicate in light of the development of information technology and communication.

7. Human agency or autonomy is a capacity that is realized in communicative and social interaction, “which give[s] shape to thought and feeling.” The Internet-based

---

3 Richard Moon, *Justified Limits on Free Expression: The Collapse of the General Approach to Limits on Charter Rights*, 40 Osgoode Hall LJ (2002), 337-368.
virtual community was already well developed before the pandemic, but the pandemic is making it even more powerful and indispensable. Social distancing requirements have led to more online communication not only in our social life but in our office work, as it has become necessary and cost-efficient. Increasing numbers of office workers have become telecommuters, and universities have moved their courses online. However, working and learning from home are not possible or enjoyable for everyone, as many people prefer the office environment, where they can interact and socialise with colleagues.

8. The pandemic is also affecting doctor-patient communication, including the delivery and reception of healthcare and other services. The Internet of Things and artificial intelligence have made the remote delivery of telemedicine and other services more feasible. Thus, reliable and cost-efficient medical options are available at home without commuting to and waiting at medical clinics, freeing up hospital space and other medical resources for patients in need of intensive and critical care.

III. The social, political and legal implications: Rethinking human rights in light of the pandemic and its impacts on our life

9. The coronavirus pandemic is not only altering individual life, but also impacting society. The pandemic has important implications for the linkage between the epidemic and its social determinants. The notion of “social epidemiology” helps to explain the dramatic variations in health outcomes in different societies. The United States is thus far the most heavily affected by the pandemic in terms of confirmed cases and death tolls. The death toll of the Covid-19 pandemic on Americans is far greater than the terrorist attacks of September 11 and higher than the number of American casualties in any single war or natural disaster since World War II. Similarly, European countries also show high mortality rates and death tolls from the coronavirus outbreak. As suggested by statistics and comparisons of various countries’ responses to the pandemic, the health of society as a whole, which is also known as population health, is shaped by both biological and social processes. These not only concern individual lifestyle and health conditions but also involve political, economic, cultural and legal factors, in addition to access to healthcare.

10. Societal factors such as social inequality, discrimination and poverty; psychosocial problems generated by psychological stress related to the pandemic; and cultural norms, such as social acceptance of wearing masks, socialising and social distancing, all heavily influence population health, in combination with biological factors such as genetic make-up. All of these factors inform government performance during the pandemic and are created or exacerbated by the pandemic.

4 Paula Braveman and Laura Gottlieb, The Social Determinants of Health: It’s Time to Consider the Causes of the Causes, 129 Public Health Reports (2014), 19-31.
11. After comparing different countries’ responses to the pandemic, Francis Fukuyama argues the following:

It is already clear why some countries have done better than others in dealing with the crisis so far, and there is every reason to think those trends will continue. It is not a matter of regime type. Some democracies have performed well, but others have not, and the same is true for autocracies. The factors responsible for successful pandemic responses have been state capacity, social trust, and leadership. Countries with all three—a competent state apparatus, a government that citizens trust and listen to, and effective leaders—have performed impressively, limiting the damage they have suffered. Countries with dysfunctional states, polarized societies, or poor leadership have done badly.5

Eventually, Fukuyama’s view seems to coincide with that of his former teacher Samuel Huntington, who argued, half a century ago in his 1967 book *Political Order in Changing Societies*, “the most important political distinction among countries concerns not their form of government but their degree of government” (p. 1).

12. It has also been pointed out that “human rights, laws, and legal practices are powerfully linked to health”, and that the law operates “as a pathway along which broader social determinants of health have an effect”.6 Since the World Health Organization (WHO) declared the coronavirus pandemic a Public Health Emergency of International Concern (PHEIC), it has had strong human rights implications and impacts on personal life. Life has been affected by government measures and legislation such as quarantines, lockdowns and travel bans. However, coronavirus-related human rights issues also relate to access to healthcare, access to information, freedom from racism and discrimination, freedom of expression, the rights of the elderly, the rights of people in custody and in institutions, personal protection equipment for health workers, the right to food, the right to education during the pandemic, the right to privacy and economic relief to affected people. The reason the pandemic has so many human rights implications is that the right to health, as set out in the International Covenant on Economic, Social and Cultural Rights (ICESCR), is “closely related to and dependent upon the realisation of the other human rights”.7

---

5 Francis Fukuyama, The Pandemic and Political Order, Foreign Affairs (2020) (https://www.foreignaffairs.com/articles/world/2020-06-09/pandemic-and-political-order).

6 Scott Burris, Ichiro Kawachi, and Austin Sarat, Integrating Law and Social Epidemiology, 30 Journal of Law, Medicine and Ethics (2002), 510-521.

7 Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 14: The Right to the Highest Attainable Standard of Health (Art. 12 of the Covenant), 11 August 2000, E/C.12/2000/4. See also Office of the United Nations
13. It is obviously a challenge for the government to balance our individual rights and the interests of society. For example, the government is responsible for providing accurate and up-to-date information about the virus, which is necessary for the protection of health rights. However, it must also restrict and regulate misinformation and disinformation on social media, which causes concerns about limitations on freedom of expression. Another example is mask wearing, which concerns the question of whether it is proportionate for a government to restrict individuals from wearing masks or to force individuals to wear masks in public in different situations or scenarios. What is the meaning and legal nature of mask wearing? Can mask wearing be considered expressive conduct protected in the same way as free speech? If wearing masks is considered expressive conduct protected under freedom of speech, and thus the government’s legislation restricting individuals from wearing masks in public for public safety reasons is ruled unconstitutional, can similar analogies be applied if the government mandates that individuals wear masks for health reasons during public health emergencies? As such, this might constitute “compelled speech” that may be seen as a violation of freedom of expression, which may mean that the government cannot force an individual or group to engage in certain expressions.

14. In light of the public health emergency presented by the Covid-19 pandemic, government responses have included limitations and restrictions on human rights. However, governments must ensure that any rights-restrictive measures taken to protect the interests of society are lawful, necessary and proportionate (ICCPR Article 19(3)). More debates on pandemic-related government measures affecting human rights are sure to take place, as beyond common measures such as quarantines, lockdowns and travel bans, the human rights impacts of the coronavirus pandemic on individual life will be pervasive and complicated.

IV. Human security and humanity’s interdependence as normative consensus and coping strategy

15. The coronavirus pandemic is changing many aspects of individual life—not only how we work, live and learn, but most importantly our perceptions and behaviour in this changing society and world. It has been argued that the pandemic has caused a shift from globalism to isolationism, such as the decoupling arguably taking place between China and the United States due to trade and political tensions between the two countries. The coronavirus pandemic has increased trade decoupling by forcing a currently globalised and efficient supply chain system to switch to a domestic-based supply chain to reduce political risks and ensure supply to domestic consumers.

16. However, as mentioned earlier, the coronavirus pandemic offers a timely reminder of humanity’s interdependence for co-existence. On 31 July 2019, just a few High Commissioner for Human Rights (OHCHR), COVID-19 Guidance (2020) (https://www.ohchr.org/Documents/Events/COVID-19_Guidance.pdf).
months before the outbreak of the coronavirus pandemic, a Rand expert testified before the U.S.-China Economic and Security Review Commission, based on empirical research by the RAND Corporation:

As the world’s two largest economies, the United States and China face increasingly similar challenges in health: Domestically, both face a rapid increase in health expenditures because of aging societies, an increase in chronic medical conditions, and an increase in substance use disorders. Globally, both face pandemics, climate-change-induced health problems, mass migration, and bioterrorism. Past U.S.-China collaboration in data and technology sharing on pandemic surveillance, public health system building, and biomedical research have benefited both countries and the world. Unfortunately, given the increased tension between the two countries on trade, technology sharing, and security concerns, bilateral collaborations on health—such as data sharing on surveillance and innovative biomedical research—may suffer.

Jennifer Bouey, Implications of U.S.-China Collaborations on Global Health Issues (2019) (https://www.rand.org/pubs/testimonies/CT516.html).

17. In this context, the policy recommendations made by the RAND Corporation to the U.S. government for consideration based on empirical evidence included 1) collaborating with China on global health capacity building and 2) encouraging Beijing to increase its collaborations with multilateral organisations:

In the past 60 years, China has responded positively to and made progress as a participant in global governance. China’s recent prominence in global health has contributed to the UN agencies’ missions and opened China to being more receptive to feedback and guidance from WHO, the World Bank, and the International Monetary Fund. The Chinese government holds its reputation working with international institutions in high regard. In a way, one might say that the United States has been quite successful in its Cold War-era goal of reaching out to then-isolated China and including it in the global order. It seems to be counterintuitive to discredit China’s contributions when it is starting to take more responsibilities and contributing more as an active member of the global governing system. [Ibid.]

18. James Tully, an influential and distinctive political philosopher, offers a unique perspective on the importance of cooperation and co-existence by referring to Canadian First Nations artist Bill Reid’s sculpture The Spirit of Haida Gwaii as a symbol of the age of cultural diversity. According to Bill Reid:

The sculpture encompasses mythical creatures, animals, men and women, who together symbolize not just one culture but the entire family of living
beings. The canoe is filled to overflowing with creatures who bite and claw one another as they doggedly paddle along. The variety and interdependence of the canoe’s occupants represents the natural environment on which the ancient Haida relied for their very survival: the passengers are diverse, and not always in harmony, yet they must depend on one another to live. The fact that the cunning trickster, Raven, holds the steering oar is likely symbolic of nature’s unpredictability. . . . There is certainly no lack of activity in our little boat, but is there any purpose? Is the tall figure who may or may not be the Spirit of Haida Gwaii leading us, for we are all in the same boat, to a sheltered beach beyond the rim of the world as he seems to be or is he lost in a dream of his own dreaming? The boat moves on, forever anchored in the same place. 8

19. Whereas The Spirit of Haida Gwaii sheds light on the importance of humanity’s interdependence and co-existence, the notion of human security serves as “an approach to assist Member States in identifying and addressing widespread and cross-cutting challenges to the survival, livelihood and dignity of their people” (UN GA Res A/RES/66/290 (2012)). It calls for “people-centred, comprehensive, context-specific and prevention-oriented responses that strengthen the protection and empowerment of all people” (ibid.). The notions of humanity’s interdependence and human security coincide with the words of Confucius: “the greatest ideal is to create a world truly shared by all” (Confucius, “Book of Rites”). This is also the foundation of the concept of a “community of a shared future for mankind”, a view that was also shared by French historian Ernst Renan in his 1882 lecture “Qu’est-ce qu’une nation?” (“What Is a Nation?”), as he proposed that “nations are not held together by ethnicity or culture, but by a deeply felt sense of community and shared destiny”. 9

20. In summary, as we know very well, life is changing because of the coronavirus pandemic, but whether it will be changed forever depends on our coping strategy. The coronavirus is not the end of globalism; on the contrary, human security, established through a higher degree of social and economic cooperation and interdependence, should be our strategy for dealing with the coronavirus pandemic in this changing world and for establishing a normative consensus towards a shared future for mankind. Our strategy for coping with the coronavirus pandemic will determine how our world may change.

---
8 Bill Reid, The Spirit of Haida Gwaii (www.historymuseum.ca/cmc/exhibitions/aborig/grand/gh04eng.html). See also James Tully, Strange Multiplicity: Constitutionalism in an Age of Diversity (1995), 23.
9 Jacob Mardell, The “Community of Common Destiny” in Xi Jinping’s New Era, 25 The Diplomat (2017) (thediplomat.com/2017/10/the-community-of-common-destiny-in-xi-jinpings-new-era/).