
Covid-19 restrictions vs individual freedom: is it a true dilemma?

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While the West has debated to a great extent how far they should go on restricting social and economic activities, that issue does not seem to create a fuss in non-western countries, especially in Asia. With a historical process developed outside the scope of classical liberalism, the greater focus on social cohesion and collective effort justify the relatively homogeneous debate in the region. In Japan, as a matter of case, wearing a mask has been a habit long before the pandemic, as a practice in respect of the health of people around, therefore, a sanitary ethic that induced a better social cooperation during the current emergency of Covid-19 (RYALL, 2020).

Some comparison between main Asian countries and main western ones shows that the Asian method has offered so far a better solution to contain the virus. Deaths per million prove that affirmation to be true: Japan presents 209 deaths per million, for South Korea the number is 213 deaths/million, and India 377 deaths per million. China numbers are disputable due to lack of transparency (DING, 2020); nonetheless, no concrete suspects of mass deaths are brought up, despite a 1,4 billion population.

Figures are significantly worse for Western powers. They go from 1517 deaths/million in Germany up to 2431 deaths/million in the United Kingdom and 2930 deaths/million located in the United States (STATISTA, 2022). It is important to observe my choice of Asian countries. African nations could be analyzed in their low number of cases and deaths, but scarce tests and reports explain much of that situation. Latin America case is more ambiguous. In spite of outliers such as Brazil and Peru, the general number is better than West. Also, considerable Western influence on Latin nations makes it more complex to view more “adequate” non-western scenarios as in far-east Asia as mentioned above.

By effectiveness only, it would seem beneficial to the West to emulate massive social control, harder circulation restrictions — even if those measures were not to go as far as China’s. However, those policies would not be enough, for the main reason of the Asian method’s success lies in a profound compliance by their population, which

carries a legacy that opposes the individualistic liberal dogmas we find in the West. For instance, in areas influenced or that were at least for a short period of time, colonized by China we find traits of “new confucianist” philosophy (WEIMING, 2000), which is centered in social life and collective actions for the welfare and harmony of all (ROZMAN, 2002). Since the rise of modern Europe, more and more liberal ideas have grown, and principles extracted by Locke and Smith still resonate in Western civilization. And where the West imposes its world view, the principles and practices often meet some sort of resistance, especially in the defense of traditional values, norms and beliefs from the external menace. Brazilian indigenous author Ailton Krenak, expanding the topic of Covid-19 human suffering, inserts the pandemic amidst the debate of environmental destruction. This, in his view, is an effect of the “metastasis of what is called capitalism” (KRENAK apud MASUTTI, 2021).

Despite the criticisms and given the western philosophical motives, was there any chance that the liberal-influenced states could engage more effectively in collective actions? And to do so with the support of their national population? Resistance when it comes to social isolation casts a doubt on what degree (the so known model of) self-interested rational individual would be willing to lose in order that society gains. The liberal defense of free speech is also going to be analyzed on its limits, by what effects it can have either to improve the sanitary efforts or to worsen the pandemic scenario. In third place, religious freedom is also an issue, due to the imbroglio with restrictions on worship services and public gatherings, bringing back the debate of state intrusion on religious activities. Lastly, the autonomy of markets and their imbalances due to government lockdowns also play a role in this current discussion. So, basically, those four fundamental liberal rights — freedom of circulation, speech, religion and market— point out to an apparent dilemma in terms of necessary actions to tackle a pandemic crisis.

Still, as presented in the following sections, it will be demonstrated that not always liberal ideas are defended up to the end. Abnormal situations in the last century and in recent years show that individual rights may be put in second place in order to conform to a solution for a nationwide problem. Furthermore, conflict of liberal values themselves may offer a less radical position and a possible conciliation around a responsible middle-term solution.

1 The warfare imagery

Since Covid-19 was admitted as a health threat in early 2020, it has become common to refer to the pandemic as a “war”; not the typical one, but a war on the virus. Thus, once the enemy was defined, the “military front” started to act. Many media companies and national health ministries have addressed the metaphor of “front line” to the work of doctors, nurses and other health staff. In addition, the “supply line” soldiers had their correspondent during the pandemic: the

essential workers — notably, those in supermarkets, drugstores, police forces, firefighters, delivery of food etc.

Nevertheless, despite those similarities, the image of the enemy is not as clear as it would be in the case of a nation, a dictator or a terrorist group. A virus has no face, and laboratory footage at first sight does not reveal how powerful the enemy is. After all, outside the microscope, in social life, that enemy is invisible. So, the danger it causes has been, to a certain point, up to a subjective view, based on news picked to read, and personal experiences with the illness in close social circles. For some authorities, Covid-19 was treated as a “little flu”, as Brazil’s president Bolsonaro said or “Kung-flu”, in Trump’s speech (FOLHA DE S. PAULO, 2021) (BBC NEWS, 2020). To others, though, it was seen as a hazard to public health, or to put it in a broader sense, to many areas concerning the national functioning, such as economy, education and political stability.

If, indeed, it is possible to argue we are facing a war, how could liberal ideas operate unabashed? After all, when a war breaks, even in liberal democracies, martial law is applied (or similar laws, e.g. “state of siege”, “state of war”), shrinking or suspending individual liberties (FAIRMAN, 1928). For instance, martial law was held in the United States at the time Pearl Harbor was attacked by the Japanese, in 1941, lasting until 1943 (LIBRARY OF CONGRESS, 1946). More recently, in February 2022, martial law became active in Ukraine, in response to the Russian full-scale invasion. In this last case, president Zelenskyy suspended 11 opposition parties (accused of Russian influence) and unified TV channels in a single platform, in order to have a single trustworthy information source. This Ukrainian decision seems harsh, especially for a country that tries to link with the West and accept its liberal values, in contrast with the Russian position (SAUER, 2022). However, the emergency of war allowed legitimacy — and apparent some significant public support — for that.

After considering the situations above, was the warlike scenario of the Covid-19 pandemic enough to enforce such laws and have public compliance with it? Restrictions in individual rights, in fact, have taken effect in liberal-built countries, but the public reaction was (and has been) ambiguous. While many citizens have acted in conformity to the recommendations of public health authorities, large groups of people have protested and opposed isolation, mask-wearing and mandatory vaccination. Where the influence of this latter group was most noticed, the results have also been the most catastrophic. That is reflected in the number of deaths in the United States, the United Kingdom and Brazil, with the latter reaching 3118 deaths per million (STATISTA, *Ibidem*).

The pandemic, despite similarities, ultimately, is not war. The ruling authorities continue to be mostly civil ones, while in war, military broadens their scope of action. Perhaps, the civilian government does not impose the same level of intimidation as military councils, fomenting civil disobedience. Another difference is that the pandemic

is global, so the idea of a war (expressed mainly nationally) does not apply so easily due to the lack of international coordination and unity: a war across all borders is not like an enemy rushing through someone's country border specifically.

In short, despite controversies, some interpretations using the metaphor of war and its respective law may be useful to illustrate that some rights have clear limitations, in favor of welfare and health security. That means, an approach which gives primacy to national interest and understands the dangers that too much freedom can cause. In this sense, the typical realist perspective in IR could present a parallel, delegating greater actions in the figure of the state and providing a relatively unified social response around the pursuit of national interest — in this case the maintenance of public health of their citizens and protection from external sanitary perils, such as new variants. In the economic sphere, the war comparison also helps to justify state intervention to provide stimulus checks, emergency income programs and support to small businesses. Looking through this lens, it is no surprise the European Parliament discussed a “New Marshall Plan to assist Member States stricken by the Covid-19 pandemic” (GRAPINI, 2020). The pandemic economic recovery may be faced with a solution akin to those with postwar economic recovery.

2 The natural and inalienable right to life

At the same time that liberal individual liberties might spark outbreaks of Covid-19, as a result of self-interested behavior, one of the main liberal principles establishes the state responsibility to protect the lives of individuals (LOCKE, 2001). Thus, how can liberalism assure freedom and, simultaneously, keep citizens safe? The answer is not simple, and liberal democratic states have to deal with it by giving more or less importance to one value in detriment of another. Non-Western countries or those with different principles from that of liberalism do not have to balance so much the aforementioned values. Alternatives in the form of collective efforts may appear more adequate to them. Therefore, the liberal trouble must be analyzed by checking some of its types of freedom and their possible implications for the success or failure in coping with the present pandemic.

First, the freedom of public manifestation has been a highly debatable issue. Some governments limited the number of people in demonstrations while others have banned those gatherings altogether, under the justification of containing the spread of the virus. But, in most non-liberal states, as the pandemic advanced through months and months, authorities from different countries used the sanitary restriction as a pretext to abuse their power and silence people's criticism about their governments. In terms of that practice, the most repressive countries have been China, Cuba, Egypt, India, Russia, Turkey, Venezuela and Vietnam (HUMAN RIGHTS WATCH, 2021). From that perspective, liberalism has proved to avoid similar abuses.

As for freedom of speech, in general, misinformation and its free and quick dissemination poses a problem in liberal states. Some authorities have acted in a thin line in order to contain fake news and avoid censorship as well. In some cases, polemics have risen, such as in the Joe Rogan/Spotify situation, in which the podcaster invited to an interview Dr. Robert Malone, who stated doubtful information about the mRNA vaccines. The White House manifested requiring Spotify to halt misinformation. A middle-ground was adopted: the content was not removed, but a disclaimer was inserted to provide scientific-based information (BOWDEN, 2022). In a whole different scenario, a strict control on information may also be harmful to the Anti covid efforts: at the beginning of the crisis, China did not lay out to the world proper information concerning the outbreak in Wuhan. In addition, the Chinese government censored those (e.g. Li Wenliang) who tried to expose the illness surging there, claiming they were spreading rumors (BOCIURKIW, 2020).

Religious freedom is also part of the debate on how far states should go on restricting social activities. When it comes to religion, that is a delicate issue, since it involves deep beliefs of people on topics that transcend their material existence. During a pandemic, when religion brings comfort amidst suffering, limitations of worship services were imposed in some countries, and there were cases in which those restrictions caused some tensions in liberal influenced societies. In Canada, a pastor was arrested due to not conforming to sanitary legislation (MAYER, 2021). In Brazil, this issue had to be taken to the Supreme Court, which permitted restrictions on masses and services (D'AGOSTINO, 2021). On the other hand, in Iran, despite the high level of religiosity, their non-liberal background allowed the government to close mosques, as a way to contain Covid-19 dissemination. Some religious discourses have also been used to misguide the population, leading to denialism. That is the bizarre case of Tanzania former president Magufuli, who underestimated the virus and solely called for prayers. Magufuli himself died of suspected Covid-19 complications (BBC NEWS, 2021).

Lastly, the freedom of markets to operate autonomously has also been impacted. In rich countries, government economic support was sufficiently provided. However, there was still some rise in unemployment and a significant increase in inflation levels. In developing countries, the impossibility to work (with the exception of home-office) also caused more expressive unemployment and inflation, but, without plenty of public resources at hand, governments could not avoid the increasing number of people reaching poverty levels as well as starvation. (UNICEF, 2021). In synthesis, the rich liberal countries, while limiting some work activities, also acted unusually by directing state-guided economic support. In poor countries, even if the state were strong enough in a non-liberal manner, the resources, being scarce, would limit appropriate economic programs.

In sum, the main question in an apparent liberal dilemma is: what right should prevail over the other?

Conclusion

The point we reach is that a certain trade-off shall be made. For example, the defense of property (in terms of acquiring property through work and non-stop economic activities) might collide with the defense of life (requiring social isolation and, in serious cases, lockdown). The possible answer for liberal regimes to deal with this problematic situation lies on the middle-ground and on a reevaluation of rights, recognizing them not as absolute principles, but limited ones (such as war and the necessity of martial law tell us). By rejecting the reckless support of a single liberal principle, governments can balance some of them with the others, avoiding the danger of excessive (utopical) freedom in a society.

Furthermore, as a period of exception, vigilance should be kept, so that temporary and justified restrictions do not move on in times of “normality” under authoritarian form. Also, learning can be made from non-Western nations, where greater social cohesion and a less individualistic actions offered better Covid-19 responses.

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