

A. Introduction

Introduction: Coronavirus and International Affairs in the New Era of Globalization

CPE Volume 15(2) (Larry Catá Backer and Coalition for Peace & Ethics Special Issue editors)

Before 2019, the global health community had grown accustomed to the ever growing family of coronaviruses (CoV). Coronaviruses are members of a very large family of organisms which are responsible for diseases as endemic as the common cold, as well as for more acute variations that caused some fright in the first two decades of the 21st century. One was SARS-CoV (severe acute respiratory syndrome) which was first reported in Asia in 2003 and spread elsewhere before it was contained that year.¹ The other was MERS-CoV (Middle East Respiratory Syndrome), first reported in Saudi Arabia in 2012 and spread elsewhere, including the United States, and resulting in a death rate of 3 or 4 out of every ten patients.²

The variation of coronavirus identified as severe acute respiratory syndrome 2 (SARS-CoV-2) causes a disease now commonly called coronavirus disease 2019 or as it has become commonly known, as COVID-19.³ Through 4 December 2020, the World Health Organization (WHO) has reported over 64 million confirmed cases of COVID-19 and almost 1.5 million

¹ U.S. Centers for Disease Control, "Severe Acute Respiratory Syndrome (SARS)," (last reviewed 6 Dec. 2017) available [<https://www.cdc.gov/sars/index.html>]. There have been no known cases of SARS since 2004 according to this website.

² U.S. Centers for Disease Control, About MERS (last updated 2 Aug. 2019) available [<https://www.cdc.gov/coronavirus/mers/about/index.html>] . Later research suggested that MERS first appeared in Jordan in April 2012 and that the last large outbreak occurred in Korea in 2015. Ibid.

³ Mayo Clinic, "Coronavirus Disease 2019 (COVID-19)—Symptoms and Causes," CON-20479162 (24 Nov. 2020) [<https://www.mayoclinic.org/diseases-conditions/coronavirus/symptoms-causes/syc-20479963>].

deaths as reported to it.⁴ The numbers are probably far larger. And those numbers are likely even greater when one adds the deaths and illness that might have resulted from or been triggered by exposure to COVID-19.

COVID-19 was first reported in the People's Republic of China though its origins remain disputed. It was declared a pandemic by WHO on 11 March 2020.⁵ The origins of COVID-19 and issues of transparency and reporting responsibility among WHO members erupted almost at the same time as the pandemic itself.⁶ It is related to issues that range from accusations of reckless refusals to warn the international community, to capture of the WHO by a leading state actor, and to the question of reckless conduct that increased the mortality and infection rates in states.⁷ As early as March 2020 COVID-19

⁴ World Health Organization, "WHO Coronavirus Disease (COVID-19) Dashboard," (updated through 4 December 2020). Available [<https://covid19.who.int/>].

⁵ Jamie Ducharme, "World Health Organization Declares COVID-19 a 'Pandemic.' Here's What That Means," *Time* (11 March 2020) [<https://time.com/5791661/who-coronavirus-pandemic-declaration/>].

⁶ See, e.g., Jonathan Latham, and Allison Wilson, "A Proposed Origin for SARS-CoV-2 and the COVID-19 Pandemic," *Independent Science News* (15 July 2020) Available [<https://www.independentsciencenews.org/commentaries/a-proposed-origin-for-sars-cov-2-and-the-covid-19-pandemic/>]; discussed in Shin Jie Yong, "The Latest Theory that may Answer the Origin of COVID-19," *Medium* (14 August 2020).

⁷ At its meeting in March 2020 the WHO Assembly adopted a proposal which had been led by Australia and the European Union, to "review experience gained and lessons learned from the WHO-coordinated international health response to Covid-19," Rob Picheta, "WHO Approves Call for Inquiry into Global Coronavirus Response," *CNN* (19 May 2020) available [<https://www.cnn.com/2020/05/19/china/wha-pandemic-inquiry-resolution-vote-intl/index.html>] ("The resolution did not single out any individual country, but a number of nations -- including the US -- have accused Beijing of withholding information about the virus, which was first detected in the central Chinese city of Wuhan in late 2019." *Ibid.*). "But the international effort to uncover the virus' origins is again surrounded by questions over China's transparency and the World Health Organization's role in marshaling global cooperation." Carmen Paun, "The Hunt for COVID's Origins," *Politico* (3 December 2020). Available [<https://www.politico.com/newsletters/global-pulse/2020/12/03/the-hunt-for-covids-origins-491037>]; "How WHO is still letting China block a real investigation of how COVID-19 started," *New York Post* (8 Nov. 2020) available [<https://nypost.com/2020/11/08/who-is-letting-china-block-an-investigation-of-how-covid-19-started/>] ("The New York Times summed up its blockbuster report, which covered internal documents and interviews with more than 50 officials and scientists, this way: "As it

served as a focal point of US-Chinese tensions and competition for power, and the authority to lead global anti-pandemic efforts.⁸ That controversy continues, spilling over from the medical field that of international trade and suggests the convergence of both during times of pandemic.⁹

Early in the life of the COVID-19 pandemic, and even before WHO's eventual formal declaration of what in hindsight was obvious, the Coalition for Peace & Ethics attempted to organize what was then conceived as a workshop. The motivation was an effort to explore, even at the early stages of what would officially become a pandemic, the convergence of a number of significant events around the COVID-19 phenomenon. These included the politics of COVID-19 origin stories and their effects on and ramifications for international relations. But we were interested as well in a number of other trajectories that were manifesting themselves almost from the start of the international consciousness that this disease was something potentially far more deadly than SARS or MERS. These included the development and deployment of big data and data driven analytics and modelling to both manage populations and develop policy. It also included the contests between the challenges of disease mortality mitigation and the effects of those measures on national (and eventually the global) economy. The COVID-19 related tragedies were also a compelling motivator, from the plight of cruise ships of infected passengers and crews unable to dock anywhere, to the tragedy

praised Beijing, the World Health Organization concealed concessions to China and may have sacrificed the best chance to unravel the virus's origins.'").

⁸ It was reported that "A war of words between the United States and China over coronavirus intensified on Monday after the Chinese embassy in France suggested the outbreak actually started in the US. President Donald Trump and other American officials have repeatedly described coronavirus as the "Chinese virus", incensing Beijing and sparking tit-for-tat accusations on the origin of the contagion." "US-China Spar Over Coronavirus Again," Aljazeera (23 March 2020) Available [<https://www.aljazeera.com/news/2020/3/23/us-china-spar-over-coronavirus-origin>].

⁹ Associated Press, "Do China's Claims of Coronavirus on Frozen Foods Stack Up?," Los Angeles Times (25 Nov. 2020). Available [<https://www.latimes.com/world-nation/story/2020-11-25/china-claim-coronavirus-frozen-foods>] ["China has stirred controversy with claims that it has detected the coronavirus on packages of imported frozen food, including from Russia and Norway. Frozen shrimp imported from an Ecuadorean company was banned for one week Tuesday in a continuing series of such temporary bans." Ibid.).

of high mortality rates among the vulnerable, especially the aged and those confined to long term care facilities.¹⁰

Most importantly members of the Coalition for Peace & Ethics noted that by February 2020 consequences of disease hysteria and its effects on the way human communities interacted with each other were becoming increasingly evident. In the United States, a focus on extent of the challenge of COVID-19 for China, and the measures taken by Chinese authorities, as well as widely circulated news coverage of speculation about the origins of the disease within the food markets or the infectious laboratories in the first great disease epicenter—Wuhan, China¹¹—appeared to give rise to anti-Asian sentiment. These reactions were expressed early on in actions that could be characterized as falling within a spectrum from the ludicrous¹² to the racist.¹³

It was our original idea to bring together scholars, students, lawyers, and others from Europe, Latin America, Asia, Africa, and North America for a roundtable discussion of these early trends and what they augured for the approaches to meeting the challenges of the disease. But events overtook us. Penn State University, following many states and other institutions, closed in early March in an effort to slow the progress of the disease and to reduce the strain on medical facilities.

¹⁰ For example, as a result of policy decisions by the administration in New York State, by July 2020 it had become evident that “New York is now home to one of the highest nursing home death tolls in the nation, with more than 6,400 deaths in homes and long-term care facilities tied to the virus.” Vincent Barone, “Gov. Cuomo sent 6,300 COVID-19 patients to nursing homes during pandemic,” *New York Post* (8 July 2020); available [<https://nypost.com/2020/07/08/cuomo-sent-6300-covid-19-patients-to-nursing-homes-amid-pandemic/>].

¹¹ Cf., Sam McNeil, “China’s Virus Pandemic Epicenter Wuhan Ends 76-Day Lockdown,” PBS (7 April 2020); available [<https://www.pbs.org/newshour/world/chinas-virus-pandemic-epicenter-wuhan-ends-76-day-lockdown>].

¹² See, e.g., Ariel Zilber, “Coronavirus fear sparks boycott of Corona BEER as survey finds 38% of beer-drinking Americans say they now won’t drink the lager,” *Daily Mail* (28 February 2020); available [<https://www.dailymail.co.uk/news/article-8056489/Coronavirus-fear-sparks-boycott-Corona-BEER-survey-finds-38-say-wont-drink-lager.html>].

¹³ See, e.g., Geoffrey Mak, “Being Asian-American in the Time of COVID-19,” *The Guardian* (8 May 2020); available [<https://www.theguardian.com/commentisfree/2020/may/08/asian-american-coronavirus-geoffrey-mak>].

The original Roundtable was then postponed to 17 April 2020.¹⁴ And, in what would become the standard method of communication and meeting during the course of the pandemic (though we did not know that at the time), the Roundtable format was changed and it became a virtual event over an extended period and conducted in multiple formats.

At the same time, the possibility of pursuing an online alternative militated against cancellation and convinced us that we would do more good postponing and re-shaping rather than canceling the event. Indeed, that re-scheduling and transformation of the event could itself provide additional topics for discussion about the world of academic discourse and knowledge production within and among universities in the post-COVID-19 world. Thus, the pandemic itself suggests both the importance of the topic, and the ways that it is changing the way that organized human activity is being transformed. In that context working hard to change the format of the event to suit the times might itself serve as one of the more important elements of the Conference Roundtable.¹⁵

In addition to the capstone event, the virtual Conference-Roundtable—held 17 April 2020¹⁶—the organizers also sponsored a number of interviews with key collaborators. These twelve interviews were then circulated through the Coalition for Peace & Ethics' YouTube Channel.¹⁷ These interviews permitted

¹⁴ See, "POSTPONED to 17 APRIL 2020--Coronavirus and International Affairs Roundtable," *Law at the End of the Day* (19 March 2020); available [https://lbackerblog.blogspot.com/2020/03/postponed-to-17-april-2020-coronavirus.html].

¹⁵ *Ibid.*

¹⁶ See Conference-Roundtable Website; available [https://www.thecpe.org/projects/education-projects/roundtable-coronavirus-and-international-affairs/].

¹⁷ See, "Video Interviews: COVID-19 and International Affairs 2020," Coalition for Peace & Ethics YouTube Channel; Available [https://www.youtube.com/playlist?list=PL6pg8c3VR_wPL4EtXwvoPYiD7VDy1YDb9]. The Description noted:

The Conference/Roundtable brings together academics, practitioners, and civil society actors from China, the United States, Spain, Germany, Israel, and Italy, each bringing a unique national and regional perspective to the discussion of COVID-19 in its transnational effects. These effects are simultaneously local (manifesting in specifically contextual

individuals to speak at length, in a conversation format, about the COVID-19 related issues they had been following. It also permitted us to broaden our range of engagement, moving from a centering of discussion on Europe and North America, to China, the Caribbean and Latin America, the Middle East, Eastern Europe, and Ukraine, and Africa.

Larry Catá Backer's Interview examined the rationale for focusing in international rather than national approaches to the COVID-19 pandemic, and on the semiotics of the virus in terms of imposing meaning through nationality, through morality, and through responsibility.¹⁸ Yuri González Hernández's interview focused on COVID-19 in Cuba and the Caribbean, on the role of Cuban medical diplomacy abroad, and on the economic repercussions respecting pharma and the tourist sector.¹⁹ Alice Hong's interview examined COVID-19 from the perspective of a foreign student at a US university; reflections on the way that the great drivers of international relations produce personal and individual effects).²⁰ Shan Goa's interview considered life under COVID-19 across the US-China divide. Dr. Gao grew up in Wuhan where his parents still live and work and he now works in the midwestern U.S.²¹ Keren Wang provides a superb interview that started with a wide ranging discussion of the difference between the US and China in terms of their response to the pandemic, and then considered how that response and this pandemic has shaped its own discourse in both countries, contrasting the way that discussion is constructed by officials, the media, and among common

ways) and global, manifesting in tendencies to convergence in some respects of principles, practices, and outlook. Participants and Contributors here engage with their subject in a series of short video interviews. We hope you enjoy them!

¹⁸ Interview Larry Catá Backer (11 April 2020), CPE YouTube Channel; available

[https://www.youtube.com/watch?v=9jgYvKzy_qg&list=PL6pg8c3VR_wPL4EtXwvoPYiD7VDy1YDb9&index=1].

¹⁹ Interview Yuri González Hernández (11 April 2020); CPE YouTube Channel; available

[https://www.youtube.com/watch?v=9jgYvKzy_qg&list=PL6pg8c3VR_wPL4EtXwvoPYiD7VDy1YDb9&index=1].

²⁰ Interview Alice Hong (12 April 2020); CPE YouTube Channel; available [https://www.youtube.com/watch?v=GuYj251Ujyo&list=PL6pg8c3VR_wPL4EtXwvoPYiD7VDy1YDb9&index=4].

²¹ Interview Shan Goa (13 April 2020), CPE YouTube Channel; available [https://www.youtube.com/watch?v=4KWypsBCBJw&list=PL6pg8c3VR_wPL4EtXwvoPYiD7VDy1YDb9&index=5].

people.²² Jonathan Kiwana's interview moved our gaze from Asia to Africa. A lawyer and constitutional scholar in Uganda, he spoke to the way that Uganda and neighboring states confronted COVID-19 and the pandemic, the role of the African Union and IFIs, as well as the role of Multinational Enterprises in meeting the COVID-19 challenge.²³ Pini Mirtetski's interview focused on the state, technology and the response of Russia, Ukraine, Israel, Turkmenistan, and Belarus in meeting the challenges of the COVID-19 pandemic. He first considers the current responses among these states from a comparative perspectives, and then considers the role of technology in each nation's response.²⁴ Nicolas Scholz's interview centered on the situation in Germany, a federal Republic with its own brand of center-periphery issues that are different from that between the US States and federal government. He spoke as well to COVID-19 from a European historical perspective, situating it within a century of shocks that adds perspective.²⁵ Lastly, Bethany Salgado's interview focused on issues of the challenges of COVID-19 for business with particular focus on the consumer products industry. She also spoke about business and human rights in two respects: the first was relating to corporate responsibility for the integrity and welfare of stakeholders in its supply chain; the second touched on the responsibility of enterprises for worker protection in the form of PPE and obligations to sanitize workplaces.²⁶

In addition, to the Conference-Roundtable presentations and the video interviews, the organizers also sought to distribute short interventions that touched on emerging issues

²² Interview Keren Wang []; CPE YouTube Channel; available [https://www.youtube.com/watch?v=5uoFAPF_LKs&list=PL6pg8c3VR_wPL4EtXwvoPYiD7VDy1YDb9&index=6].

²³ Interview Jonathan Kiwana Interview (14 April 2020); CPE YouTube Channel; available [https://www.youtube.com/watch?v=88nkCaSZLrk&list=PL6pg8c3VR_wPL4EtXwvoPYiD7VDy1YDb9&index=7].

²⁴ Interview Pini Mirtetski (16 April 2020); CPE YouTube Channel; available [https://www.youtube.com/watch?v=M8RABBqDN-0&list=PL6pg8c3VR_wPL4EtXwvoPYiD7VDy1YDb9&index=8].

²⁵ Interview Nicholas Scholz (16 April 2020); CPE YouTube Channel; available [https://www.youtube.com/watch?v=SHWntp8CflQ&list=PL6pg8c3VR_wPL4EtXwvoPYiD7VDy1YDb9&index=9].

²⁶ Interview Bethany Salgado (16 April 2020); CPE YouTube Channel; available [https://www.youtube.com/watch?v=HgW1kyecjfo&list=PL6pg8c3VR_wPL4EtXwvoPYiD7VDy1YDb9&index=10].

in real time. These were posted to the blogsite “Law at the End of the Day.” Lastly, a number of individuals, some participating in the events of March and April 2020 and some participating thereafter, contributed longer essays and think pieces to the project.

This volume 15(2) of *Emancipating the Mind* brings together these distinctive strands of intervention. Part B serves loosely as a set of Conference Roundtable proceedings. It includes the Conference-Roundtable description and its Concept Note, the Conference-Roundtable Program, as well as a number of the short interventions and interviews, some originally published to “Law at the End of the Day”²⁷ and revised for publication in this volume. Here the focus was on the margins—not the great titanic battles of the great powers and their leaders, but rather focusing on those who tend to bear the consequences of these much more influential struggles. These serve as contemporary witness to the struggles of individual and less potent powers, in the shadow of the decisions made by the great states and international actors in confronting pandemic.

Larry Catá Backer starts Part B with a short intervention introducing the concept of COVID-19 as a social force accelerator. The rest of the interventions take a more granular look at COVID-19 from the edges of the personal, the social, and the political. Shan GAO and Alice Hong speak to the highly personal experiences of Chinese students in the United States with family in China. Yuri González Hernández speaks to the pandemic from the global margins—the Caribbean and Latin America. Nicholas Scholz speaks to the way that COVID-19 has itself infected power; the virus has as powerful an abstract character as it does a physical form, each contributing to damage to individual and societal bodies. Bethany Salgado then speaks to convergence of consequences around pandemic. Like an army, a society is no stronger than its logistics in meeting challenges.

Part C then includes a number of longer essays and articles on COVID-19 and its connection to the broader issues of governance, of international relations, and of its effects on the stability of national orders and the international (public and private) system. Birgit Spiesshofer starts with an examination

²⁷ See Law at the End of the Day; “COVID-19”, available [<https://lcbackerblog.blogspot.com/search/label/COVID-19>].

of initial steps undertaken by the European Union. She takes a sardonic look at the challenges of convergence for the European Union in the shadow of COVID-19. David Westbrook turns his gaze from the business of constitutional international orders to the enterprise of education. Like political organs, the great educational factories have succumbed to their own logics in the face of COVID-19. And those logics may not align with the ideal behind which these bureaucracies have been changing. Your González Hernández then takes a deep dive into the realities of COVID-19 in Cuba. Cuba presents an interesting hybrid case as a state exhibiting the characteristics of both a highly developed and a developing state in ways that complicates pandemic responses.

Maria Chiara Marullo and Francisco Javier Zamora Cabot then turn attention to one of the more consequential global consequences of pandemic and the responses to the challenges it presents—its effects on structures, notions and practices of human rights. They remind us that shifting perspective can make a great difference in the way that responses are crafted—is COVID-19 principally a medical crisis, a political crisis, an economic crisis, or a human rights crisis? Larry Catá Backer then speaks to the metamorphosis of COVID-19. He focuses on COVID-19 as the nexus point for transformations within origin narratives (where did the pandemic originate); on morality (who is sacrificed and who bears the burdens imposed by others); and on the transformation of the relationship between those who manage and those who are managed. Lastly Jordan Alkaabi does a deep dive in the realm of COVID-19 responses and technology. He examines the way that technology has transformed the character of responses and the transformative effects of those technologies on social and political spaces in South Korea, Taiwan, Canada, New Zealand, and Australia.

We are grateful to all of the participants both in the live events, and who contributed to this volume. We believe that these essays and intervention, singularly and as a body of work, provides an important and sometimes overlooked set of perspectives about plague and its consequences for globalization, the international order, social organization, and the mechanics of managing large populations threatened by a disease whose very properties continued to elude for so long.

We are also grateful to the Conference-Roundtable sponsors: these included the Coalition for Peace & Ethics, the

Research Forum for Law and International Affairs, Penn State School of International Affairs, and Penn State Law. The Conference-Roundtable would not have been possible without their contributions, and we are grateful as well for their flexibility in responding to what turned out to be a very fluid situation.

We hope our readers find the proceedings and essays of some use. We also hope that readers who are interested will also consider listening to the interviews. In many ways they provide a window onto the realities of the pandemic at a point when global actors were only coming to realize its scope and the challenges the pandemic posed.

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