Individual Freedom in the Post-Corona Era

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Abstract
In this essay, I examine the concept of individual freedom that varies depending on cultures through different attitudes toward the administrative policy of wearing masks. Many Westerners criticized the enforcement of the policy in East Asia as the oppression of individual freedom. I argue that the criticism is based on a narrow understanding of the problem and that individual freedom becomes obscure even in the West as we are entering the society of surveillance capitalism due to technological revolution. Confucian cultures give us a context in reference to which we reflect on individual freedom in the post-pandemic situation.

A column published in the French business daily *Les Echos* in April 6 under the title 'COVID-19 and tracking: let's not sacrifice our individual liberties' opined that South Korea's administrative policy of tracing the movements of confirmed cases and making tracing information available to the public was perhaps one of the worst cases in terms of the respect for individual freedom. The author, lawyer Virginie Pradel, opposed discussions in France that were in favor of adopting a similar contact tracing system as Korea's. The Korean Embassy in France immediately complained to *Les Echos*, and Jun Hae-oung, the director of the Korean Cultural Center in Paris, submitted a rebuttal to the daily under his name on April 14. He said, 'The South Korean government and its citizens are very committed to the fight against the virus', adding that 'all measures taken are based on laws' and 'approved by Korean citizens'.

In the age of COVID-19, we are witnessing the conflict between the right to pursue individual freedom and the moral obligation to ensure the safety of the community and our neighbors from the spread of the virus. This conflict often arises in instituting policies concerning wearing masks, building contact tracing systems and limiting various cultural activities including religious gatherings. The efficacy of wearing masks to avoid the virus is now widely accepted across the East and the West. Not long ago, however, some considered the refusal to wear face masks as an act of protecting

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individual freedom, and some politicians, such as the former US President Donald Trump, exploited the 'anti-mask' movement as a political symbol to create solidarity among their supporters.

A societal controversy of this kind draws my attention to philosophical questions arising from the debate on the state control over individual citizens and the protection of individual freedom in an emergent case like Covid-19. In the early stage of this crisis, China appeared to undergo a great deal of turmoil due to the exponential growth in confirmed cases, but the full deployment of its considerable state authority under the centralized socialist system allowed it to avoid catastrophic damage at a relatively early point in time. As the success of pandemic response hinges on the efficiency of centralized disease control systems and the voluntary compliance of citizens, East Asian countries including Taiwan and Korea have experienced relatively low numbers of cases, as compared to the U.S. and European countries. In response to this, Western societies have begun to voice the criticism that the deployment of national surveillance systems, mandatory mask use, and movement restrictions infringes on the freedom of individuals and that East Asian countries have traditionally neglected individual freedom.

1. Can individual freedom be measured?

'Individual freedom' involves a number of connotations and complex philosophical issues that cannot be settled down by providing a specific set of behaviors and criteria. It is like other abstract values of love, justice and righteousness. From a superficial perspective, as Virginie Pradel pointed out, a government would indeed be violating individual freedom and the right to privacy if it imposes penalties on the refusal to wear a mask, prohibits entry into buildings without wearing a mask. It may be even more serious a problem if the government utilizes location tracking software on smartphones to identify the movements of infected persons and makes such information public. How can the conflict of interest between the pursuit of individual freedom and public control be navigated in situations like the pandemic that affects the entire world as well as individual countries? How does the notion that restrictions on individual freedom are unavoidable to ensure the public interest and the safety of society accord with the ideology of liberalism? A number of Americans including the former US President Trump and Europeans regarded the mandatory use of facial masks as an invasion of individual freedom, and Virginie Pradel presumed that the location tracking of confirmed

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cases infringed on individual freedom and undermined the core values of liberal democracy.

With regard to conflicts between authority and individual liberty, English philosopher and liberal John Stuart Mill asserted in his book *On Liberty* that individual freedom should in no case be violated unless it harms others: 'That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so,…In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign' (Mill, 1860, p. 22).

Based on Mill's standards, the enforcement of mask wearing for infected persons does not infringe on individual freedom since their refusal to do so is likely to spread the coronavirus to others. Likewise, it is difficult to view the mask use mandate as a violation of individual freedom, because even those who are not confirmed to have been infected may pass on the virus through asymptomatic spread. What about releasing information on the movements of infected persons to the public through location tracking? If the disclosure of such information can minimize the risk of infection for others, the restriction of the individual's right to privacy would be justifiable. Then, why are the descendants of Mill in the West enraged by policy measures taken by East Asian countries? And why do citizens of the said East Asian countries quietly comply with such measures?

In Korea, although there was only one intellectual, as far as I know, named Han Sang-Jin who expressed concern over the increasing state control over the public during the pandemic, the issue did not become a controversy under the public spotlight from the perspective of the infringement of individual freedom, and a majority of the Korean public did not associate the matter of disease control with that of individual freedom. Rather, social criticism was directed toward those who hid or lied about their movements, which demonstrates the fundamental difference of attitude between the East Asia and the West concerning the relationship between the individual and the society. Considering another interesting news that China has developed a mobile application that can pinpoint individuals with bad credit within a 500 meter radius of a user, it is clear that the norms adopted by each society to pursue social safety can greatly vary and a criterion of individual freedom accordingly. In order to understand such norms, it is crucial to first understand the cultural backgrounds and contexts in which they are produced and consumed.

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2. Individual Freedom in the Western Tradition

Individual freedom is closely linked to the existence of an individual. The existence of an individual is essential as freedom must be possessed and enjoyed by an agent or a subject. Democracy is a political system based on the existence of diverse individuals as citizens who are free and equal. Mill and other liberals believed that the worth of a society or a nation was based on the sum total of happiness or satisfaction individuals that comprised it might have. A prerequisite for individual freedom in a society to be secured is the existence of an individual as a whole being or as an absolute unit. The notion that an individual is the most basic element of a society is widely accepted in Western societies, as is the idea that we all exist as separate individuals with our own rights, desires, and values. The concept of an individual or individuality, however, is not as simple as it seems at first glance.

Throughout the history of Western philosophy, the definition of an individual or individuality has been a difficult and longstanding metaphysical question. Human beings do not simply exist in abstraction; rather, a human being exists as a woman or a man who is old or young, long haired or short haired, and fat or skinny. In reality, an individual is a being of myriad qualities and empirical properties. But, no matter how many properties and characteristics may be used to identify an individual, it is almost impossible to identify and to pin down with all those descriptions a particular individual who exists here and now. For there could be, in principle, many others who might fall under those general descriptions.

For centuries, Western philosophers have struggled to identify the conditions under which an individual 'a' can be identified as 'a'. The emphasis on individuality and the search for its conditions are deeply related with certain aspects of the Western Christian culture. One of the core elements that comprise the Christian worldview is the salvation of soul after death. In order to attain ultimate salvation, an individual must establish a positive relationship with God and cherish Christian values by leading a moral and religious life. And what is saved after death is 'my' soul, not the soul of my family or my friend. The soul must remain absolutely individual and cannot be shared with other beings. It must be simple (not divided), and unique. My soul belongs to me only. Good deeds of mine can only save me, but not others.

Responsibilities, duties and rights are completely vested in an individual who carries out actions. What is at stake is my conscience and my own moral decision to act. Morality and religious belief are something that I myself take responsibility on as person. Even my

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parents and family members have little to say about moral decisions I make and about the matter concerning the soul. The relationship between the soul of an individual and God is absolutely covenantal, that is, formally binding only between the two. Even though the authority and the social binding force of Christianity have waned, the idea that an individual human being stands as a solitary existence facing God *vis a vis* is deeply ingrained in laws and other social practices in Western societies as an ideal.

If an individual is accepted as an absolute unit, freedom can be referred to as the original state of an individual. The following paragraph by John Dewey helps us understand the concept of individual freedom as accepted in Western culture.

> Cicero had maintained that every man had its principles innate within him….The Roman law itself was most often used in the interest of absolutism, but the idea of a natural law, and so of a natural right more fundamental than any human dictate, proved a powerful instrument in the struggle for personal rights and equality. 'All men naturally were born free,' wrote Milton. 'To understand political power right,' wrote Locke, 'and derive it from its original, we must consider what state all men are naturally in, and that is a state of perfect freedom…' These doctrines found eloquent portrayal in Rousseau, and appear in the Declaration of Independence of 1776. (Dewey, 1978, p. 143)

Underlying the strong resistance against the coercion of a person's will in any way is this conception of individual freedom or individuality. The infringement of the right to privacy under the pretext of a government's pursuit of public interest is also to be rejected in the name of individual freedom.

In the initial stage of the COVID-19 pandemic, Westerners expressed their disapproval of government measures or social forces to adopt practices that individuals may dislike, such as wearing masks, and showed anger at tracking infected people. These phenomena are related with the aforementioned conception of individual freedom running deeply in Western cultures. The conception can be put in a phrase, 'I belong to no one but myself'. But we are now facing threats to such conception in the postmodern and post-coronavirus era. Even in the Western world, individual freedom seems to become an epitaph written on the gravestone of modernity no longer fitting in the world built on digital technology, virtual space, and platform business. I will address this issue in the last part.

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3. Individual Freedom in East Asian Cultures

The cultural traditions of Korea, Taiwan and other East Asian countries were strongly influenced by such religious traditions as Confucianism, Buddhism and Taoism. Among them, Confucian values have come to dominate everyday rituals, social norms, modes of political power and governing practices in many Asian countries. This is partly because Confucianism is closely related to the specific moral norms that are complied with in everyday lives and bureaucratic rules of governance, while Buddhism and Taoism to metaphysical questions transcending this-worldliness.

In the Confucian tradition, an individual never exists as an absolute unit. Individuals always exist in the network of relations carrying out their roles, and fulfill moral responsibility and duty imposed upon them within familial relationships. Moral rules are regarded to reflect the order of heaven, the universe and the nature. Within the family, there are specific roles, moral norms and duties that must be followed by the father, the mother, sons, daughters and daughters-in-laws. Because of the longstanding cultural focus on filial piety, even an individual's body is considered to be bestowed by their parents, thus my body being not truly my own. Happiness of one's life depends on how well one performs the role allotted by the community and the value system one belongs to. The phenomenon that an individual in the East Asian culture pays much more attention to moral obligation and responsibility than to individual rights originates from the Confucian tradition centering on tightly knit human relations.

In Korean culture, the existence of an individual is established as a function of networks, not as an abstract unit independent of various social contexts. There have been various kinds of socially working networks developed throughout the history. These include not only networks like families and clans, but many pseudo-familial networks such as networks of hometown acquaintances, school friends, and religious groups. Countless social communities in Korea very often work like a family network. Many Korean CEOs are still fond of using the word 'our family members' when they refer to their employees. When people get close in Korea, they use terms to each other expressing familial relations like grandmother, aunt, brother and sister. Individual freedom in this type of society is thought to be obtained when individuals fulfill given roles within their networks by living up to their names and completing moral responsibilities that define the roles. Individuals are very likely to have inhibitions being conscious of other people's judgments because the roles are given

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from outside of their own selves. An individual does not belong to its own self but to a greater social self like families, clans, or a group with larger public identity, i.e. the nation. Individual freedom is supposed to be achieved only when the networks that form individuals function as intended. As an individual cannot be separated from the community and the network, individual freedom can only be achieved, or at least is thought to be achieved, when the network serves its own purpose. Individual freedom as developed in the West becomes more or less superfluous, if not spurious, or remains as an empty ideal in the Confucian culture.

The problem of individual freedom may be dealt with differently according to the way in which an individual is defined. If individuals are recognized as independent beings and separate units that possess unique values of their own, individual freedom can be achieved (or felt to be achieved) at the level where individuality is maximally procured. In Western culture, individual freedom is deeply related with other important concepts such as individual autonomy, inalienable rights of a person, and free will. On the other hand, the concept of individual freedom entered the East Asian cultures from the late 19th century when the Western democracy and the modern legal systems began to take root as an essential part of modernization.

In Confucian culture, the prime state of existence for an individual is to perform a given role in familial or social networks and fulfill the moral responsibilities set in accordance with the roles one plays. Individual freedom is not to be separated from the wellbeing and harmony of a close-knit community such as family or clan. The successful fulfillment of proper roles is considered to be the most valuable thing a human being born into a concrete network of relations may feel. My freedom is achieved by sharing happiness with family members and with those who bear family-like relations with me. If my family members are not happy, then I feel unfree as well as unhappy, being bound to them in many aspects; social, political, economical, cultural, religious, psychological, and so on. Individual desires that disregard family or social relations are deemed to be selfish, and in most cases, the private (私) is considered to have lower value than the public (公). The optimal state of individual existence is to be in harmony with others in the community by following moral laws which are universally valid as the mandate of heaven.

Naturally, an emphasis on the importance of existence and the will of individuals can also be found in the Confucian tradition. For example, *The Analects* includes a passage as 'The commander of three armies may be taken away, but the will of even a common

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man may not be taken away from him' (Chan, 1963, p. 36). In *Mencius*, we may also find a passage saying, 'Therefore all things of the same kind are similar to one another.... The sage and I are the same in kind' (Chan, 1963, p. 55).

These claims on the equality in the aspect of rational ability and human dignity, however, did not make clues to the protection of individual rights. Why? How did the notion of natural endowment in human beings give rise to, on the one hand, the concept of natural rights in the West, and that of natural duties, on the other, in the East? An individual as a being situated in the network of human relations must take responsibility for ensuring the effective working of the network. There has been a strong belief in Korea that an individual and the network are bound together by a common lot. Very often, reward and punishment were given on a group basis, rather than an individual basis. The guilt-by-association system has worked until quite recently.

When a person holds fast to one's own rights and runs counter to the general will of a community, that person is often regarded as selfish enough to cause the malfunctioning or even the destruction of a community. While the Chinese character '公' carries the meaning of public, open, official, fair, and universal, its counterpart '私' has the negative connotation of being selfish, rather than its literal meaning of being private. Within this culture, individual freedom is thought to be achieved when the network operates in utmost harmony. The existential meaning of being an individual is manifested in being with others: I am part of you, and you are part of me. Any role-playing cannot be completed without different many other role players. The sense of fulfillment in life comes from the recognition that we all are participating in the same play. It is not like the recognition of the equality of you and me.

An intriguing point that may have ethical significance is that there is a moment in which individuality reveals itself in the Confucian tradition, namely when a subject stands against the established order of a king or a government by placing one's own name on the public appeals. In cases of political resistance in the past Joseon Dynasty, an individual revealed its individuality even more starkly and the spirit of defiance toward authority in which an individual staked its own life was sometimes accepted as one of cardinal virtues of Confucian intellectuals. In some ways, it can be said that individual freedom is negatively acquired through a struggle for recognition against the ruling power by risking one's own life. Throughout East Asian history, it was not uncommon practice to mount an open rebellion by leaving behind a public testament or

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committing suicide by self-immolation in public to resist unjust authority or to defend moral values such as chastity, loyalty, and faith. Such cases represent extreme ways for an individual to pursue moral responsibility and freedom.

In the traditional Confucian culture, as I mentioned, social prizes or punishments were imposed on a collective basis. In particular, the tradition of attributing punishments to the group to which one belonged played a crucial role in reinforcing collectivist behaviors among people. Family or clan was not merely a community based on consanguinity but also a political community bound by a common fate. Churches in modern Korean society where Confucian values are waning seemingly function in a way that clans in traditional society did. In many cases, Koreans tend to project emotions that they might have for their families onto the groups to which they belong. They frequently form a sense of unity with others or an outside group to which they feel close. In this type of society, individual freedom is not an absolute or an objective value manifested by a certain measure but somewhat a vague or a subjective value created from numerous relationships. As such, it is the value that is flexible enough to be readjusted depending on situations.

In this context, East Asians tend to show greater leniency in comparison to Westerners towards the social policy decisions enforced upon individuals under social emergencies. Instead of regarding the compulsory mask use or the disclosure of the information about infected persons as the suppression of individual freedom, they regard such actions as the price they should pay to protect 'our' society under the specific situation of the COVID-19 pandemic. The so called 'compliance' shown by individuals in East Asia toward state-instituted policies can also be understood in terms of the aforementioned relativistic weighing of an individual's freedom and rights. At this point, a question may arise. When does an individual in the East Asian culture where individuality seems obscure see individual freedom as being infringed upon or damaged? This issue is inextricably linked with oppression, discrimination, and injustice, which are inflicted upon groups to which individuals belong. When their groups or communities suffer from oppression or damage in any form, individual members belonging to them tend to feel as though their own rights have been violated and their own liberty damaged. This aspect of East Asian culture provides an explanation for collectivist and conformist behaviors among East Asians.

Today, the surveillance capitalism that is unfolding within the development of digital technology poses diverse challenges to

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individual freedom in both the East and the West alike. In a society where individuals are relegated to the level of consumers, the desire of an individual is inevitably linked to the desire of other consumers. Individual freedom is nowadays reduced to the freedom to purchase goods that other consumers like to purchase. Countless commercial advertisements and social networking services make it difficult for an individual to have desires on its own independently from what other people desire. Ironically, individual freedom in a digitalized capitalist society where an individual enjoys more freedom than ever before in human history appears to be in danger. I examine the issue in more detail in the following section.

4. Individual Freedom in the Post Pandemic Era

The COVID-19 pandemic accelerated the advancement of online communication across the globe. Traditional communication methods are rapidly changing due to the development of digital technology, which affects all the aspect of human life including politics, religion, art, and education. The post-pandemic world will never be the same as what we have been used to. The development of 'fintech' (financial technology) implies that capitalism will also be subject to many changes in the future. Companies such as Amazon or Google are shifting into corporate entities whose identities are difficult to define, while the propagation of platform labor is creating an another kind social problem. All the online activities conducted by individuals, including online transactions or Google searches, leave digital traces that are stored, analyzed and processed as data for intended purposes, mostly likely for the purpose of creating profit.

Like it or not, and intended or not, we all exist today as chunks of big data. We are almost transparently encapsulated by unknown strangers who handle our data for their own purposes. Those strangers could be individuals or institutions or business firms. Human beings are trapped in a massive network of surveillance and the companies that operate the invisible surveillance systems are accumulating enormous wealth. The era of surveillance capitalism is expected to expand to the degree no one ever can imagine. As the Internet of Things becomes more common making everything that exists in the world 'smart', it appears as though human beings come to satisfy their desires more effectively living in a better world abundant with a variety of goods. Individual freedom seems to blossom with the increases of individual choice and autonomy. In an era of unprecedented convenience and plenty, there seems to be no limit to what

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one can desire. Are people living in a surveillance capitalist society freer than ever in human history?

The source of power that would dominate the post-pandemic world is digital technology. But a horrible thing is that there are no headquarters of technological domination. Technological developments and the utilization of data are not governed by a certain centralized sector of society, neither by a heroic leader. Technological onslaught on human civilization is ubiquitous, pervasive, and smeared all over our lives. Many dichotomous distinctions we were used to are now becoming blurry. There is no clear distinction between the exploiter and the exploited within a society. Whereas I can play a role of consumer on one platform, I can also become a producer by establishing another platform. I can buy books at an online bookstore, then sell them online as used books. I may even construct a platform to sell used books on specific subjects alongside other sellers. Increasingly, it is difficult to guess where digital technology will eventually take us. At the time when all are abstracted to mere data, how should individual freedom be understood? On Amazon, every choice that I make is analyzed to guide my future choices and also other consumers' choices. AI will guide me to other items I might like. The information about other people's choices often stimulates my desire to better off than others. Does this give us a stress or a happy moment to exercise free will to buy goods?

Nowadays, it is very difficult to regard individual freedom as something that has an absolute value. Concepts of my own rights, my own possessions, and my own desires are turning more and more equivocal. Upon choosing a book on Amazon, Amazon immediately tells you what other books were purchased by other users who chose the same book as mine and leads you to make further purchasing decisions. This appears to be a similar mechanism to the practice of releasing the movement routes of persons infected with COVID-19 in Korea and Taiwan, though in this case, infected persons are simply referred to by serial numbers. The only difference between the two aforementioned examples is that the information on books purchased by other users recommends me to make a purchasing decision, whereas the information about confirmed cases of COVID-19 suggests that I should avoid taking the same routes. Although Virginie Pradel regarded the disclosure of the movement routes of infected persons as 'surveillance that disregards freedom', this kind of practice is already taking place on numerous platforms under surveillance capitalism in which we willingly choose from the options

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recommended to us in the name of free will under an overwhelming deluge of information. My desires and freedom exist as a function of enormous digital networks, or rather as the result of the working of such enormous networks. What is especially intriguing is that this resembles the way in which the freedom of individuals is defined in East Asian culture in the previous sections. It is important to take note that the situation that Western intellectuals might describe as 'barbaric' will become much more commonplace in the future society of surveillance capitalism. I am afraid that the gloomy aspect of surveillance capitalism will be intensified in the post-pandemic world. In the traditional Confucian Korean culture, people have placed great value on the act of resistance against injustice to defend humanity and moral spirit. In general, Confucian culture places strong emphasis on the protection of moral principles based on humanistic values to which one holds steadfastly to foster moral sincerity towards the community of pseudo-familial relationship. The reason I reflect on the aspect of Confucian culture that emphasizes the community values more than individual freedom is that individual freedom in the contemporary West becomes an issue more obscure than ever. Individual freedom is put in danger not only in the East but also in the West. Nowadays it becomes nearly impossible for people all over the globe to live without Google or the like amidst the digital revolution. If we take individual freedom as an absolute value, we have to face a gloomy future. In order to avoid falling into a nihilistic or pessimistic vision of what we are in the age of technological development, we must begin to approach individual freedom from a different perspective. In view of the contingent nature of human life and the fragility of human existence, we must embrace the concepts of individuality and individual freedom as values that are constantly being readjusted and revalorized within the network to which we belong. Individual freedom in Confucian culture would do well to make reference to the reality of situation that we face globally in the post-pandemic era of surveillance capitalism. I would like to conclude the essay with one question: Is individual freedom as a final end of our life valuable in itself or a means to accomplish greater values beyond?

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