

The background of the cover is dark blue. It features a large, thick, light blue arc at the top. Scattered across the dark blue background are numerous stylized virus icons, each consisting of a central circle with several smaller circles radiating from it. The text is white and centered.

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PANDEMIC AND WHAT THEN?

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Editorial

The coronavirus pandemic is a global traumatic experience. It can be compared to the greatest cataclysms, although it would certainly be difficult to find an equally “universal” phenomenon, maybe except world wars and climate change, which affected and affects the inhabitants of the Earth to a similar extent. Its effects are experienced by entire nations and individuals. It impacts not only the health and life of billions of people around the world, but also influences their mental condition, social relations, the national and global economy, political systems, international relations, respect for civil and human rights, arts and religion, etc. In this sense, it is an all-embracing phenomenon, the consequences of which can be long-term and may permanently change human behavior, values and attitudes, as well as the political order and the international system. It is a challenge not only for medical sciences, which are looking for an effective drug or vaccine that would prevent subsequent waves of the disease. Representatives of social sciences and humanists must also face it intellectually, drawing up possible scenarios of social and cultural changes. Understanding the social consequences of the pandemic will enable societies to better prepare for life in post-pandemic reality. Hence the idea to prepare a special issue of the *European Journal of Transformation Studies* devoted to various aspects of social life affected by the pandemic. This issue consists of both research or theoretical papers, based on discipline-specific methodology and referring to specialized literature, generally meeting the rigours of scientific texts, as well as essays which, despite their looser form, may also constitute an important voice in the international discourse on the effects of the current pandemic, signaling important social, political and cultural issues that accompany the pandemic or which may arise in post-pandemic reality. They are based on the authors’ intuition. These are not only experienced scholars, but many of them are also active participants of public life and debate in

their countries.

Representatives of various scientific disciplines from various European countries, who perceive the long-term effects of the pandemic on the lives of societies and individuals, were engaged in the preparation of this issue. Therefore, this issue has an exceptionally international, and at the same time multidisciplinary character. In addition to articles and essays devoted to political issues and international relations (professor Andras Bozoki from Central European University in Vienna, Austria, professor Torbjørn L. Knutsen from the Norwegian University of Science and Technology in Trondheim, professor Andrei Taranu from the National School of Political Sciences and Public Administration, Bucharest, Romania, professor Arkadiusz Modrzejewski from the University of Gdansk, Poland), the reader will also find works written by lawyers, including the Polish Ombudsman, professor Adam Bodnar, as well as professor Tomasz Widlak from the University of Gdansk and Matúš Mesarčík, PhD. from Comenius University in Bratislava, Slovakia, artist, professor Ryszard Minkiewicz, the rector of the Academy of Music in Gdansk, who, together with his wife, Margot Stańczyk-Minkiewicz, Ph.D., from the University of Gdansk, prepared an essay on culture and art in the era of the pandemic, theologian and philosopher, professor Marcin Hinz from the Christian Academy of Theology in Warsaw, a bishop of the Lutheran Church who is considering the influence of the pandemic on religious life, specialist in the field of social geography, professor Daniel LaForest from Federico II University in Naples. Among the authors we will also find philosophers of culture from Lesya Ukrainka Eastern European University in Lutsk (a team of authors led by professor Viktoria Golovei), pedagogue, professor Maria Groenwald from the Univeristy of Gdansk, historian, professor Valentyna Hodlevska from the State Pedagogical University in Vinnytsia, Ukraine, sociologist, professor Urszula Soler from the Catholic University of Lublin, Poland and two Polish economists Joan-

na Furmańczyk, Ph.D., and Jerzy Kaźmierczyk, Ph.D, from the Poznań University of Economics and Business.

We would like this special issue of the *European Journal of Transformation Studies* to become our little contribution to the European and global discussion on pandemic and post-pandemic realities. It is a multidisciplinary multiplicity of voices that we hope will be heard both by our fellow scientists as well as by architects of the political and social order, who face important tasks of rebuilding the institutional order, redefining value systems and reconstructing social relations and public trust violated by the pandemic. Many of the published texts are normative, which emphasizes their practical dimension and usefulness.

Arkadiusz Modrzejewski,

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A JOURNEY INTO THE UNKNOWN? GLOBAL AND NATIONAL HUMAN RIGHTS IMPLICATIONS OF THE PANDEMIC¹

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Abstract

The article analyzes the implications of the pandemic on the protection of human rights at the national and global level. Human rights' norms may help in resolving some of challenges stemming from the pandemic. It concerns especially freedom of speech and access to public information, freedom of assembly, right to privacy or right to health. However, the unprecedented, gigantic scale of the pandemic undermines typical human rights' applicability. Moreover, some governments may take advantage of the emergency situation in order to consolidate authoritarian power. Certainly response to the pandemic needs a new definition of certain rights (especially right to health and equal access to healthcare by vulnerable groups). The international community underlines the need for global solidarity or new social contract. However, it is uncertain whether due to particular interests of some states (including nationalism and populism), as well as multilateralism crisis, there will be a chance for a real paradigm shift. In such a case, human rights will stay as one of instruments to accommodate the post-COVID-19 economic and social crisis.

Key words: *covid-19, human rights, United Nations, multilateralism, constitutionalism, nationalism, global solidarity*

¹ Article is based on the lecture delivered on 2 October 2020 at the inauguration of the 2020/2021 academic year in the SWPS University of Social Sciences and Humanities

INTRODUCTION.

THE REAL MEANING OF THE PHENOMENON

The coronavirus pandemic is one of the most ground-breaking events that occurred since World War II. Never before have democratic states experienced a crisis that would be so damaging for their social, economic and political ties. Of course, mankind had endured various crises before. Armed conflicts in various countries (Vietnam, war in the former Yugoslavia), the consequences of the Cold War, famine in Africa, HIV/AIDS epidemics, SARS or Ebola outbreaks, financial crises (such as the Lehmann Brothers collapse) are just a few examples of those. However, in each of these cases their impact was limited to a specific region, a few or a dozen or so countries, and did not spread to the entire globe. With the coronavirus epidemic, the risk is greater than ever before as it affects everyone and on all continents. Moreover, it crosses social boundaries. Various restrictions on personal freedoms, including the freedom of movement, affect everyone regardless of status. The coronavirus crisis is experienced by many people on a personal level. Perhaps it will also be a generational experience due to the widespread trauma caused by this epidemic. It brings about a change in the way businesses, economic models, transportation, universities, health care and education function. The economic crisis is deepening. According to the United Nations Secretary-General Antonio Guterres, we are currently experiencing the biggest economic recession since World War II and the biggest fall in income since 1870.²

If you type “Coronavirus” in the Google search bar, you will get 2.7 billion search results. As of 2 October 2020, the worldwide statistical data show that more than 34 million people are suffering or have suffered from COVID-19 and more than 1,019,580

² Antonio Guterres, Tackling Unequality: A New Social Contract for a New Era, Nelson Mandela Annual Lecture 2020, 18 July 2020, <https://www.un.org/en/coronavirus/tackling-inequality-new-social-contract-new-era> [24.10.2020]

have died because of it. The infection rate is rising on a worrying scale.³ We are living in a global village which lies on a ship that is sailing into the unknown. We don't know the way to the mainland which would give us a sense of security and stability and allow us to rebuild confidence. For the time being, winds are blowing stronger and stronger, storms are raging, the ship is still sailing but we don't yet realise the consequences of this journey into the unknown. How many people will perish? What will be the face of humanity after this great tragedy?

1. CONSEQUENCES FOR HUMAN RIGHTS

The coronavirus has specific human rights implications - practically in each category of human rights. Personal and political rights and freedoms are restricted, mainly due to the imposition of specific behaviours. Countries are finding it increasingly difficult to guarantee respect for social rights, especially the right to health care. The coronavirus epidemic also affects "third generation" rights such as the right to sustainable development. However, it needs to be stressed that respect for human rights depends on the specific political environment. It is not possible without the coexistence of a democratic system and the rule of law. Therefore, if democratic mechanisms and safeguards of the rule of law are disrupted, this will inevitably affect human rights.

The coronavirus outbreak has made it necessary to introduce extraordinary legal regulations imposing restrictions on the exercise of individual rights and freedoms. Individual states have dealt with the need to increase the efficiency of government action in enforcing infection control measures and influencing specific behaviour of their citizens - with varying degree of effectiveness. State of emergency has been introduced in some

3 As of 3 December 2020, there were 64.7 million positive coronavirus cases and 1.5 million deaths.

countries. Others have adopted detailed regulations on statutory level. In some countries, authorities have adopted recommendations for specific behaviours in the area of human interaction. Due to a high level of public confidence in the authorities, these recommendations have been sufficient to ensure compliance with sanitary standards by the entire society without the need for sanctions.

In Poland, the government declined to introduce a state of emergency due to the upcoming presidential elections. In accordance with the provisions of the Constitution, such a decision would result in the need to postpone the election to a later date. It is probable that the ruling political party intended to benefit from the initial successes in the fight against the pandemic and lead to a swift victory for President Andrzej Duda in the presidential election. The decision not to introduce a state of emergency made it necessary for all the restrictions on civic rights to be introduced by way of a series of statutes (the so-called anti-crisis shields) and regulations issued on the basis of the Act of 5 December 2008 on preventing and combating infections and infectious diseases among humans (Journal of Laws of 2020, item 1845). Both the speed of change in the regulations as well as the scope and quality of the resulting legislation cast considerable doubt on their compliance with the Constitution, but in some cases also their rationality. Hungary is a good example, where a state of emergency was introduced giving authorities far-reaching powers, but at the same time further consolidated the system of authoritarian rule. Therefore, the epidemic was used to achieve specific political objectives. [Halmai, Mészáros, Scheppele, 2020].

Extensive solutions were also introduced in other countries. However, in the case of democratic states there is hope that after the coronavirus retreats, the restrictions will be lifted under the pressure from the opposition, the free media and the civil society, or simply due to a sense of responsibility towards

the citizens. There is no such guarantee for countries that have moved away from democratic standards. There is therefore a risk that the newly adopted mode of lawmaking will become a permanent way of shaping relations with the citizens and will further strengthen authoritarian tendencies. In addition, the regulations adopted in response to the coronavirus epidemic could stay with the citizens for longer. For example in Poland, when each of the anti-covid shields was adopted, various solutions were sneaked into the legal system which had very little to do with the need to combat the epidemic⁴

Let us recall that after the attacks on the World Trade Center on 11 September 2001 a debate was started on the relationship between freedom and security. It was argued that the need to combat terrorism makes it necessary to introduce restrictions on human rights and that the state should be able to use exceptional measures to counter threats. Widespread fear gave rulers a much broader possibility to change and restrict rights such as personal freedoms, bodily integrity, the right of access to courts and the right to privacy. In the most extreme cases, it even led to violations of the prohibition to torture prisoners in order to obtain information necessary for the fight against terrorism [Osiatyński 2011, 90 and further]. The extraordinary situation was therefore used as a convenient justification for the need to restrict (or even violate) human rights. A similar scenario may repeat itself in the context of the fight against the coronavirus epidemic. Fear could provide an opportunity for authorities in certain states to impose restrictions that their citizens would not normally agree to.

In the case of the coronavirus epidemic, the risk concerns not only personal rights and freedoms (such as freedom of movement or freedom of religion - due to the restriction on religious

⁴ Cf. e.g. the right to use stun guns by the Prison Service, Ombudsman's speech to Prime Minister M. Morawiecki of 29 April 2020, [https://www.rpo.gov.pl/pl/content/koronawirus-paralizator-wiezienia-rpo-do-premiera\[24.10.2020\]](https://www.rpo.gov.pl/pl/content/koronawirus-paralizator-wiezienia-rpo-do-premiera[24.10.2020])

practices), but also political rights and freedoms. The most serious threat is related to the right to peaceful assembly. Restrictions on people gathering in public spaces raise the question of how far government interference can go without defeating the very nature of gatherings (do groups of 10 or 5 people still meet the definition of a gathering?), are spontaneous gatherings allowed, how to hold people who violate the restrictions accountable - especially if their numbers are significantly higher than police forces? In addition, how far can the restrictions introduced by implementing acts go given a fairly general nature of statutory legislation?

Other problems affect freedom of speech. Because of the failures in dealing with the epidemic, authorities may be interested in restricting the flow of information. They could also act in good faith to prevent the spread of disinformation, information that may lead to panic or hate speech against medical personnel or people from certain countries or regions. The epidemic is a true challenge for information policy. The experience of some countries shows that openness and transparency on the part of the authorities reinforces citizens' trust in the state and, as a consequence, leads to greater willingness to comply with the recommended regulations.⁵ The spread of the epidemic has led to an increase in anti-covid and anti-vaccination movements, which poses an additional challenge for the state - how to ensure universal compliance with sanitary standards when the very existence of the coronavirus epidemic is questioned by significant social groups. Moreover, the economic crisis associated with the epidemic affects economic relations, increases unemployment and loosens the existing social ties. This provides plenty of fodder for the spread of conspiracy theories as-

5 Cf. Recommendations prepared by Access Now, a global NGO: Fighting Disinformation and Defending Free Expression During COVID-19: Recommendations for States, <https://www.accessnow.org/cms/assets/uploads/2020/04/Fighting-misinformation-and-defending-free-expression-during-COVID-19-recommendations-for-states-1.pdf>[24.10.2020]

sociated with the pandemic. The most dangerous ones are those that undermine trust in the state and argue the existence of an alleged global network of connections affecting governments around the world. The authorities (but also the owners of social media platforms) have to face the dilemma of whether to allow the free flow of information or, on the contrary, limit the spread of theories that threaten the functioning of democracy. In the United States, for example, the QAnon⁶ movement has already grown beyond the point that it could be treated as a marginal and insignificant social phenomenon. What is more, it is currently posing a threat associated with acts of terrorism [Amarasingham, Argentino 2020].

The coronavirus epidemic also affects the growth of nationalism. In her essay of 2 April 2020, Olga Tokarczuk wrote this about the threat: *“The fear of the disease has therefore turned us back from the winding road and has reminded us of the nests which we come from and where we feel safe. And even the greatest of travellers will, in a situation like this, always make their way towards some kind of home. That way, sad truths were revealed to us - that in a moment of danger, the frame of mind which sees nations and borders as exclusive returns”*⁷

The epidemic has caused a restoration of nation states and led to the re-establishment of various types of border controls and restrictions in international transportation (especially by air). It also brought about a change in the refugee and visa policy. There is no doubt that the process of globalisation has been

6 A. LaFrance, The Prophecies of Q. American conspiracy theories are entering a dangerous new phase, The Atlantic, June 2020, <https://www.theatlantic.com/magazine/archive/2020/06/qanon-nothing-can-stop-what-is-coming/610567/> [24.10.2020]

7 The essay was written by Olga Tokarczuk's for „Frankfurter Allgemeine Zeitung” under the title „Jetzt kommen neue Zeiten!” (1 April 2020, <https://www.faz.net/aktuell/feuilleton/buecher/autoren/reihe-mein-fenster-zur-welt-jetzt-kommen-neue-zeiten-16703455.html> [24.10.2020]). Its translation was published on the writer's Facebook profile and at culture.pl - <https://culture.pl/pl/artykul/okno-olga-tokarczuk-o-pandemii> [24.10.2020]

halted. During the first months of the pandemic in Poland, we saw these threats due to a massive desire to return from abroad and to consider our own nation state as a kind of “safe haven”. There were also voices blaming other countries for the existence or the spread of the epidemic. However, the threat of nationalism may increase due to the varying degree of success of individual countries in the context of the fight against coronavirus, and also due to financial disputes (also in the context of the EU budget) or the race for resources that may not be available. In this respect, the race for a vaccine is particularly dramatic as it is in fact a struggle to ensure safety to the state’s own citizens.

2. NEW TECHNOLOGIES AS A THREAT AS WELL AS AN OPPORTUNITY

The coronavirus epidemic coincided with the development of new technologies and the great opportunities they offer. However, new technologies are both an opportunity and a threat. For example, any person undergoing quarantine with the help of a special mobile application can be released from the obligation to present to the police on a daily basis. Remote medicine enables contact with a doctor without the risk of contracting the virus. It is possible to provide remote education at both school and university level, although in this case it is important to remember about the potential inequalities arising from digital exclusion.⁸ In the case of imprisonment, remote communication can ensure contact between detainees and their families. Public administration offices work and communicate using elec-

8 Mr. Ireneusz Dybziński from Zamość renovated and donated 600 computers to children from his own area during 4 months of the pandemic. This shows the scale of the demand for computer hardware and the possible digital exclusion. Cf. Łukasz Pilip, *Buduje laptopy i oddaje je dzieciom za darmo. W samej pandemii złożył już sześćset* [He builds laptops and gives them away for free. During the pandemic he reassembled over 600 of them], Wysokie Obcasy, 6 June 2020, <https://www.wysokieobcasy.pl/wysokie-obcasy/7,53668,25998300,buduje-laptopy-i-oddaje-je-dzieciom-za-darmo-w-pandemii-zlozyl.html> [24.10.2020]

tronic document circulation systems. Online conferences have replaced traditional lectures and seminars. New technologies allow for the development of new forms of communication and break down existing psychological barriers. In a sense, owing to the coronavirus, millions of people have become convinced that remote communication can be no less effective than normal, physical contact.

New technologies can seduce people with their effectiveness and ease of use. But since it is technically possible to collect location and biometric data easily, this could be a simple way to build a supervised society. If we do not control this phenomenon on a conceptual and intellectual level, we may cause irreversible changes to our privacy safeguards. Yuval Harari suggested in March this year that *“Even when the number of positive coronavirus cases drops to zero, certain data-hungry governments may argue that they need to maintain biometric surveillance systems due to concerns of a second wave of COVID-19, a new strain of Ebola in Central Africa or... (insert any other reason)”*⁹

In view of this threat, it is extremely important to control how governments are fighting the coronavirus using new technologies, how smartphone apps used for this purpose are designed (e.g. ProteGo Safe), whether police and secret services are abusing their powers and whether personal data protection rules are respected. There is also the risk that the nature and degree of legal protection will vary according to the status of the individual - due to the need to monitor the movement of people between states, governments may seek to grant less protection to foreigners than to their own citizens. These threats are becoming

9 Yuval Noah Harari, *Koronawirusa nie pokonamy nacjonalistyczną izolacją. Wygramy z nim dzięki globalnej solidarności* [We will not win with the coronavirus with nationalistic isolation. We will win thanks to global solidarity], *Magazyn Gazety Wyborczej* of 28 March 2020 – translation of an essay which appeared on 20 March 2020 in “Financial Times” (translated by Katarzyna Wężyk), <https://wyborcza.pl/magazyn/7,124059,25826569,yuval-noah-harari-koronawirusa-nie-pokonamy.html> [24.10.2020]

the focal point of reflection in various circles. One example is the initiative taken up by 50 cities under the name “Cities for Digital Rights”, which sets out 10 principles to be respected in the context of data processing and use during the fight against the coronavirus epidemic.¹⁰

3. THE RIGHT TO HEALTH

The coronavirus epidemic, due to its scale, may undermine the constitutional and statutory guarantees of the right to health. Article 12 of the International Covenant on Economic, Social and Cultural Rights defines the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. In order to implement this right, the parties to the Covenant should take the necessary measures to prevent, treat and combat epidemic, endemic, occupational and other diseases (Article 12(2)(e)) and to create conditions which would ensure assistance and medical care for all people in the event of illness (Article 12(2)(e)). The scope of this right - “enjoyment of the highest attainable standard” - is crucial in the provisions of the Covenant. In fact, this phrase reflects the difficulties in implementing the right to health. This is because it depends on the wealth of a given country, good organization of the health care system and the universality of health care. The provisions of the Covenant lay down the necessary minimum that should be guaranteed (such as the adoption of measures necessary to combat epidemic diseases), but do not require the adoption of a uniform standard of minimum protection since the scope of this right depends on the condition of each country’s finances (“the highest attainable level”). In this context, the coronavirus epidemic is a real test of whether countries around the world are

10 Cities for Digital Rights Recommendations: Safeguard digital rights when using COVID-19 related technologies, https://citiesfordigitalrights.org/sites/default/files/CC4DR_Recommendations%2BPosition%20Statement_Covid-19tech%20final.pdf [24.10.2020]

able to implement effective epidemic policies, but also of whether people suffering from illnesses are adequately supported. At the current stage of development of the epidemic we can already formulate some general conclusions. The experience of Lombardy, Italy, has shown that one consequence of an epidemic could be the situation in which not all people can receive health care and medical support. The lack of ventilators and hospital beds made it necessary for doctors to decide who to rescue first. It had been decided that younger people would be treated with preference due to the lower probability of therapeutic response in older patients.¹¹ These decisions are one of the most difficult ethical choices ever to be made - whose lives are more important, who has a better chance of survival, who should be rescued in the first place. This is much like what happens during a war. At the same time, the situation in which the state has failed to provide the possibility for every life in danger to be saved constitutes a violation of the constitutional guarantees of the right to life. Making such a choice is also a profound interference with human dignity. In this case, due to the weakness of the state and insufficient funding of the health care, the decision is left to the medical personnel.¹² The obligation to make this kind of choice can be imposed not only on doctors. There may also be a shortage of rescue personnel and an insufficient number of ambulances. Due to the development of the epidemic, it is also possible that in isolated places (including social care homes) or in detention centres the lack of support staff and medical personnel will lead to numerous deaths. This raises questions

11 Greta Privitera, Italian doctors on coronavirus front line face tough calls on whom to save, *Politico*, 9 March 2020, <https://www.politico.eu/article/coronavirus-italy-doctors-tough-calls-survival/> [24.10.2020]

12 Cf. considerations of the Constitutional Tribunal in the context of the possibility to shoot down a Renegade aircraft and sacrifice air passengers for the sake of a greater good - saving the lives of people who could potentially become victims of a terrorist attack, judgment of 30 September 2008 in case no. K 44/07.

about the future of the entire system of care for the elderly and the real link between health care and social policy¹³

Another problem associated with health protection is the consequences of the pandemic for the availability of other medical services. The nationwide focus on preventing the development of one infectious disease causes a delay in the provision of other medical services. This is the case, for example, with cancer treatment where there has been a significant delay in diagnosing and providing health care services, which has, in turn, led to numerous deaths.¹⁴ We are therefore dealing with a domino effect. The downfall of one element of the system causes the collapse of others and it is unclear when the on-going degradation of the entire health care system will be stopped.

The pandemic will also result in new challenges for the public authorities in the area of the protection of mental health. Following the SARS epidemic of 2003 in China, the psychological effects of social isolation were investigated. The results showed that much of the symptoms are similar to the effects of the post-traumatic stress disorder (PTSD). The Polish system of protection of mental health is not among the best ones in the world with the slow process of deinstitutionalisation and transition to community care having started only recently. Therefore, the potential to provide support for hundreds of thousands of people due to the effects of lockdown, family trauma or economic insecurity may prove doubtful.

Particularly in the area of the right to health care the social,

13 Report of the Committee of Experts on Senior Citizens at the Office of the Commissioner for Human Rights - „The situation of older people in Poland - challenges and recommendations”, Warsaw 2020, <https://www.rpo.gov.pl/sites/default/files/Sytuacja-osob-starszych-w-Polsce.pdf>[25.10.2020]

14 Report entitled „Onkologia w czasach COVID-19. Jak pandemia zmieniła dostępność do opieki onkologicznej?” [Oncology in times of COVID-19. How pandemic changed the accessibility of the oncological care], September 2020, Fundacja Onkologia 2025, <http://onkologia2025.pl/userfiles/321321321/onkologia/COVID19/Onkologia%20w%20czasach%20COVID-19%20raport.pdf> [25.10.2020]

ethnic and racial differences are starkly noticeable. The victims are increasingly often the poor, the elderly, people that are discriminated against or people without access to running water and clean sanitary facilities. In some countries, due to the lack of universal health insurance, the coronavirus epidemic has affected the disadvantaged groups particularly adversely and even led to a crisis engulfing the entire country.¹⁵

Therefore, one consequence of the coronavirus crisis should be the creation of a system of basic health protection and basic welfare support for all citizens. Countries should now think about how to set up a list of the most basic health care services that should be provided to everyone on a worldwide scale. The approach exercised so far, based in fact on the recognition that certain social groups may be completely excluded from access to health care, has failed the test completely.¹⁶

CONCLUSIONS

The coronavirus epidemic has a direct impact on human rights. At the same time, its development makes it impossible to determine how deep the impact will be due to its scale, but also the social, economic and political problems associated with it. The state of crisis in the global economy and the dire situation in individual countries is serious due to the halt of globalisa-

15 Georg Packer cited the UN response to the coronavirus situation in the United States as an example of the deep collapse of the American health service which is reminiscent of dysfunctional and corrupt states. In his opinion, the crisis revealed what had been happening in the United States for years, but was invisible to the elites or ignored by them. Georg Packer, *We Are Living in a Failed State*

The coronavirus didn't break America. It revealed what was already broken, *The Atlantic*, June 2020, <https://www.theatlantic.com/magazine/archive/2020/06/underlying-conditions/610261/> [24.10.2020]

16 „To learn from what went right, we must look at what went wrong” - how to address, and recover from, the impact of COVID-19” - speech by Michelle Bachelet, UN High Commissioner for Human Rights, 14 September 2020, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26232&LangID=E>[24.10.2020]

tion processes, interruption of supply chains and stoppage of continuous economic growth. Also in the case of Poland, the economic crisis may undermine the basic safeguards of human rights. In the long term, Poland may not be able to guarantee adequate quality of public services due to growing public debt. A new paradigm of shaping social and international relations is urgently sought in the international community. Various statements call for global solidarity, a new social contract¹⁷ and a new global deal¹⁸, however there is no real determination seen on the part of the world's superpowers and countries having a real influence on the fate of our globe. There is even the risk that the invention and access to a COVID-19 vaccine will become subject to nationalist inclinations.¹⁹ Poland participates in global discussions on this subject only to a modest degree, mainly due to its weak position in the European Union caused by the gradual marginalization of its political significance.²⁰

Human rights, understood as a political and legal doctrine, do not answer all the questions related to the coronavirus epidemic. For example, how do we safeguard the right to health for all people in the world if there has never been a real attempt to harmonise the standards of compliance with this right and countries have created different standards for their health policies?

17 Mary Robinson, Phil Bloomer, Shaping a new social contract through the pandemic, 8 April 2020, Open Democracy, <https://www.opendemocracy.net/en/shaping-new-social-c-ontract-through-pandemic/> [25.10.2020]

18 Cf. speech by Antonio Guterres of 18 July 2020, <https://www.un.org/sg/en/content/sg/statement/2020-07-18/secretary-generals-nelson-mandela-lecture-%E2%80%99Ctackling-the-inequality-pandemic-new-social-contract-for-new-era%E2%80%99D-delivered> [25.10.2020]

19 Cf. speech by Ursula von der Leyen, President of the European Commission, on the state of the European Union: "Vaccine nationalism puts lives at risk. Vaccine cooperation saves them" of 16 September 2020, https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_20_1655 [25.10.2020]

20 Piotr Maciej Kaczyński, *Warszawa w Radzie UE zasługuje na ksywę „Hamulcowa”* [Warsaw in the Council of the European Union deserves a nickname „Brakesman”], *Magazyn Gazety Wyborczej*, 29 December 2019, <https://wyborcza.pl/magazyn/7,124059,25548484,warszawa-w-radzie-eu-ropy-zasluguje-na-ksywe-hamulcowa.html> [24.10.2020]

However, human rights standards can influence state policies forcing them to seek solutions that protect human dignity and are non-discriminatory and proportionate. This is why the activities of various international organisations and their agendas show a willingness to look for ways in which existing human rights standards could be adapted to the new situation. The academic community is also not passive in this respect. A good example is the book written under the direction of professor Teresa Gardocka and professor Dariusz Jagiełło entitled “Pandemia COVID-19 a prawa i wolności obywatelskie,” which will be published by C.H. Beck in December 2020.

The question that remains is whether this “adaptation” of human rights standards will keep up with the rapidly changing political, social and economic reality. If it doesn’t, the gap will widen and human rights will become further delegitimised. Human rights, as a value that binds the transatlantic civilisation together, have been in crisis for some time now [Moyn 2020]. Meanwhile, the coronavirus epidemic has in many cases become a kind of stress-test for human rights. Let us hope that human rights will endure. Perhaps it will take extraordinary effort not only to adjust them to the new reality, but also to adopt them as a language of communication for solving various disputes and dilemmas. It is therefore necessary to ensure wider participation of the civil society and greater empowerment of the citizens in the development of policies resilient to epidemic risks.²¹

Finally, let’s consider the following question. If not human rights, then what? It appears that nothing is more effective in providing the whole of mankind with the space to shape ever better standards of living. So let human rights become the music that soothes the savage breast on this ship of ours that sails

21 Cf. the speech by Michelle Bachelet, UN High Commissioner for Human Rights of 25 September 2020, [https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26312&LangID=E\[24.10.2020\]](https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26312&LangID=E[24.10.2020])

into the unknown. It is my only hope that it never dies down.

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AFTER ORWELL: SOME THOUGHTS ON THE POST-PANDEMIC WORLD

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Abstract

This essay investigates the different meanings of the global shock of the Covid-19 pandemic. Written during the times of the epidemic, it offers more questions than answers. Can we consider it „democratic” or is it a pandemic for the poor? What is reality and its social construction in this story, and to what extent these factors overlap? The speed, invisibility, and global reach of the current epidemic are unparalleled. We are more afraid of the danger we do not perceive directly - because it is colorless, odorless, invisible, but it can strike us at any time. Speed and breadth create a sense of inevitability. When a sequence of events arrives in a wave-like manner, the interconnection of its individual components amplifies the effect many times over. The impact of the epidemic is exacerbated by the creation of deadly focal points: it spreads fastest where people live side by side in the highest density. To what extent the prolonged isolation weakens not only our biological, but also social-immune systems? Finally, the essay also investigates how authoritarian power holders use this opportunity to grab even more power, from China to Hungary. The pandemic opened the way for a political danger: a new authoritarianism based on big data and close surveillance, which completes, or in some ways transcends, the dystopian vision of Orwell. An emerging bio-dictatorship might be the new enemy of freedom.

Key words: *Covid-19, inevitability, social immune system, new authoritarianism, surveillance state, biopolitics, dystopia*

Covid-19 is the first global 'plague' in history leaving long-term marks and memories of quarantine, masks, gloves, curfews, mass death, economic decline, air traffic disruption, loss of physical contact between people i. e. social distancing, and systematic disinfection.

The most popular Facebook group of the epidemic era is "View from my window", which gained one and a half million followers worldwide in three weeks. All exposes the image they see from their home, allowing us to take part in both private and global travel in cyberspace. We look out the window of our virtual apartment in Alaska, New Zealand and the Philippines. We peek through the keyhole. A further and even more intimate step is the Hungarian-initiated group called "My home office challenge", in which everyone uploaded a picture of their desk and the scene of their work at home.

Here we no longer look from the inside out but show a corner of our apartment to the curious looks from the outside. *Entangled within National Tradition* by Géza Komoróczy, a Hungarian historian, was published almost thirty years ago. In the digital age, we go further: our interior entangles us in. The concept of *glocalization* - which combines and dissolves its global and local opposites into a single term in the sociological discourses - denotes well the concept which has become a real worldwide success during the pandemic.

After the epidemic, not the number of deaths will be decisive, but the memory of the shock. The shock that forced everyone to radically change usual behavior overnight. Part of this common experience is that the epidemic is 'democratic' in the sense that the virus does not pick on victims: anyone can be its target, regardless the age and physical condition. He kills few, but frightens everyone, though the members of the wealthier classes have a much better chance to defend themselves. Anyone who has a garden or stay outside in countryside surrounded with nature, can make the life more harmonious even during quarantine.

However, the majority of people only move within the walls of their apartment.

Patients, the poor, those in vulnerable jobs and the elderly are more affected by the epidemic. They are especially nurses, teachers and social workers doing still barely recognized jobs by society. All those who are already more vulnerable than average can find themselves in unbearable situations. These situations range from alcoholism to depression, mental illness and unemployment to starvation. Domestic aggression and violence may intensify, many may drop out of the education system, and the number of suicides may rise. In such changes, redistribution policy, social solidarity can be measured in the state. This is when it becomes clear what a person's life is worth to a given community.

But what makes a coronavirus- caused death different from other deaths? How many people die from circulatory and heart failure, cancer, flu, car accidents and military conflicts? How many lung patients die and how many of their reasons can be attributed to pollution? Compared to the current epidemic, even the AIDS panic experienced in the 1980s was negligible. Why do the deaths listed above bother the public less than the victims of the coronavirus? Why do some social events become trend-reversing historical milestones and others not?

Reality and its social construction overlap. The speed, invisibility, and global reach of the current epidemic are unparalleled. We are more afraid of the danger we do not perceive directly - because it is colorless, odorless, invisible, but it can strike us at any time. Speed and breadth create a sense of inevitability. When a sequence of events arrives in a wave-like manner, the interconnection of its individual components amplifies the effect many times over. People forcibly locked into their homes, face this external tsunami. The impact of the epidemic is exacerbated by the creation of deadly focal points: it spreads fastest where people live side- by -side in the highest density.

The pandemic affects the city dwellers more than people of the 'steppes', i.e. the rural ones. This has already been the case with plague outbreaks, although they have not yet become global. The digital age is the reverse to the Middle Ages: there used to be a slogan "urban air sets you free," but now it makes you sick. The dystopian nightmare of biological warfare can come true, and public demonstrations by urban citizens can be dismantled with well-timed, centrally launched epidemics. Instead of water cannons, drones will be able to spray us. Guns are no longer needed; the Kalashnikov and the sling are placed next to each other in the museum.

While the diseases and causes of death listed above are built into the daily lives of the modern age, there are cures for it and their occurrence can be prevented by lifestyle changes, the victim of the coronavirus is still incurable today. Summed up, these factors – simultaneity, wave-like, invisibility, globality, density, and incurability – altogether will lead to the socio-psychological effect of the coronavirus suggesting a doom.

This pandemic will have a generational effect. The slowly declining "boomers" replaced by the "coronavirus" generation. I never thought it was appropriate to name generations with letters - as Generations X, Y, Z - because the basic element of the definition of becoming a generation is a significant historical event that affects broadly equal social groups in a similar age. Such was the case, for example, in 1968 and 1989, which further divided the historical era between "boomers" and the coronavirus generation. These events, which were of global significance, convey different cultural patterns to wider sections of society, and their impact can be felt decades later.

Researchers are competing to develop a usable vaccine as soon as possible. Despite their expected success, it can still be assumed that epidemics, sweeping the continents like giant waves, will return. The concept of immunity used in peacetime is relativized and will be valid in a narrower sense, for an ever-shorter

period of time. Isolation, atomization, and physical distance become social in scale.

That may not be the right answer. Prolonged isolation weakens our biological and social immune systems. Patients need to be segregated, but not everyone can be sick at the same time and not everyone can stay home. It is the job of healthy people to maintain the daily functioning of society: to work, to travel and to have fun. The life of human society can be broken not so much by the epidemic, but primarily by ourselves: it breaks down if we accept that we have fallen apart. As for social beings, this is unacceptable for us.

The Hungarian government is not the only one that failed in being prepared carefully for a crisis. What is unique, however, is that the exercise of the beautiful virtue of honesty has not even risen in government communication. Directors of the government's propaganda machine have not been equipped to deal with the spread of the coronavirus, but - as an evergreen of political propaganda - to talk about foreign migrants. The transition from campaign themes to reality did not go smoothly. The government did not blame the fraternal Chinese Communist leadership about the epidemic, but on two Iranian students staying in Hungary. The regime undermined public confidence: by postponing the tests the people felt cheated and did not believe the official data. Not only the protective equipment were deficient, but it also became clear that the system's communication was based on secrets, censorship, and lies, thereby contributing to endangering human lives. More and more people have noticed that lies could kill.

If nothing else, the regime quickly recognized the benefits of making "power policy" that could be exploited through the epidemic. With the Authorization Act, Prime Minister Orbán has granted himself an unlimited power. He, similarly as Napoleon who put the crown on his head with his own hands, Mr. Orbán has made all Fidesz MPs unanimously approve the state of

emergency. In principle, this should last for the times of duration of the epidemic, but how long the epidemic lasts is determined by him, so his authorization is unlimited in time. Since the Romans, this is called a system of command, or dictatorship. The term “dictator” originally meant “a chief official with extraordinary powers in the Republic of Rome”.

Orbán, the embodiment of this pathologically personalized system, believed that the best way to control the epidemic was to find scapegoats. In doing so, he revealed that he was lacking not only professional respect for doctors and social workers, but also his ability to see the problem. His “System of National Cooperation” is essentially based on the pillars of inequality and anti-solidarity: for example, the concept of a ‘work-based’ society, which appears as a tax haven for ‘insider’ large investors, sets ruthless expectations of the poor. They stay left with the principle of ‘God helps those who help themselves’.

We can be confident that after the epidemic, common sense will prevail in many countries and they will return to freedom - which has not really been abandoned in their wish to do so. The importance of expertise, so critical for planning and public policy to exist, will be recognized even more than before. It will be a watershed when and which the country returns to the world of democratic functioning, and in which countries their leaders want to maintain the state of emergency for as long as possible. Since the story of Edward Snowden we know for sure that some democracies unconstitutionally collect data about their own citizens. Nevertheless, perhaps even so, we can hope that the shock of the epidemic will help the fall of populist leaders in Western countries.

As time goes on, it is increasingly likely that the lives of societies will have to be restarted from elsewhere than they used to exist before the pandemic. Decision-makers may recognize that new thinking is needed and that the crisis of each subsystem must be approached in a unified way. An environmentally conscious

lifestyle can be strengthened, progressive taxation and intergenerational communication can be emphasized. If we recognize that unilateral globalization has a devastating effect in the long run, we may be able to make reforms enabling us to live more solid, equal and better life after the crisis. Recent attempts for an alternative globalization may steer social development in a more democratic direction.

In contrast, there is the other possibility in which authoritarian regimes consciously break away from liberal democracies. In these countries, the democracy-like worn now, will fall off and the restrictive rules, still considered temporary at the time of the epidemic, may persist. The culture of hypocrisy may be pushed into the background, and these systems may move to a pseudo-collectivist, command-and-control system based on the direct observation of citizens. Collectivism can be “fictional” in the sense that it does not have to be in a common space, in physical proximity to each other, or marched to state command. It is enough for individuals in the online world to follow blindly the leader’s instructions, even in isolation from each other. When tools replace the goals, citizens’ behavior becomes machine-like, ritualistic.

Seventy years ago, Hannah Arendt thought that propaganda and terror were the two most important tools of a totalitarian dictatorship. Fifty years ago, Juan Linz believed that the most important feature of authoritarian dictatorships was depoliticization and the maintenance of traditional mentalities.

Foucault’s theory of the transformation of supervision and punishment rises to another level. In the past, punishment was public, its execution was a “carnival,” and its purpose was deterrence therefore performed in public spaces in front of everyone’s eyes. Later, it all moved to closed institutions, state prisons, i.e. institutions we are not willing to know anything about. After that, the emphasis gradually shifted from punishment to prevention: i.e. to a positive state regulation of behavior, inter-

nalization of regulations, and following of the general routine of the social system. The main goal of punishment was no longer to punish the deviant offender, but to positively reinforce the behavior of the conformist majority and to codify their pattern of life. Regulation of behavior has already been addressed primarily at the workplaces and schools. Even in the new situation caused by the coronavirus epidemic, there is a motive to follow the orders, but the state no longer aims to lock anyone in prisons and hospitals that are already costly to maintain. It is easier to instruct everyone to stay home for their own sake. Room captivity is a new form of prison privatization.

Now, for the authoritarian systems of digital age, propaganda and the atomization of society seem to be paramount. At the artificially produced high- noise level, the free discourses aimed at learning about the situation disappear. The real danger is big data authoritarianism, in which observers are left with no chance of observing who is watching them.

The state can classify its citizens according to whether they consider themselves behaving well or badly. This process has already begun in China. But the guardian-protective state is also increasingly curious about our thoughts. Thousands of trolls manipulate the information from which our thoughts sprout. Members of the Orwellian Thought Police may not yet know what is going on in our heads, but it is becoming increasingly possible to explore this, based on our voluntarily released data. Because what Facebook asks us as first: What's on your mind? As the surveillance state - sooner or later - becomes the enemy of the citizens, a society that secretly defends itself against the sanctioning power of 'thought crime' may also emerge. Defense against state-performed 'mind reading' will be the only chance to preserve human dignity. If we do not have strong, alternative ideals, our daily actions will be guided by fear, hiding, and self-censorship.

But the state can not only trace our behavior and thoughts but

can also classify us according to our state of health: on this basis, some will be more valuable than others. Health status is always determined by an individual's physical vitality, so a bonus can only be given to obedient citizens who improve their loyalty rates through making sports or other physical activity. The state-sponsored fitness culture – the Darwinian culture of survival of the fittest – is built on a cult of strength and flexibility that looks especially good near stadiums and power centers. In this culture, the concept of 'critical thinking' makes no difference at all and is even undesirable. A new tool of repression may be biopolitics, in which not only do our health and diseases become public, but also the legal system based on them may openly discriminate us. If, upon biometric signals, the state perceives someone to be ill, they can forbid such person not only to travel but also to exercise public affairs, or install a tracker on them, or even instruct them to stay home. What shall we do if the system pushes us to a dilemma in which we should choose between freedom and health?

As democratic herd immunity is slowly emerging against the bio-dictatorship introduced to protect our health, the regime may initially find volunteer supporters easily. Where the political loyalty is main aspect, there the experts find a risky future for them. In difficult times, the professional expectation risen to them would be to make a step out of the dominant paradigm and a way to take an innovative approach to solving problems. But do you dare to do it?

The epidemic will not change human nature, but the man-made institutions can be used not only to restrict freedom but also to protect it. In Eastern Europe, people with the concept of social segregation confuse the concept of social distancing. For many zealous mobs, a state-frozen society is the end of history. By this, they mean their own victory and liberal democracy is over. They do not think that "fearful is a seductive power of goodness" and the observed might eventually become observers.

Although dependence is always mutual, you had better bear in mind that “though ships bob on the surface / and oceans run beneath us / it is the water rules.”

ECONOMIC, PSYCHOLOGICAL, AND SOCIAL CONSEQUENCES OF THE COVID-19 PANDEMIC

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Abstract

The first half of 2020 has entered the history of humanity as a time of change, uncertainty, risk and fears about health and the economic situation. The aim of this paper is to show the broadest possible spectrum of consequences of COVID-19 pandemic from economic and psychological points of view. Today, it is difficult to assess what the long-term consequences of a pandemic will be, but we have highlighted, in our opinion, the most important consequences in the social, economic, and psychological spheres. A review of scientific and popular literature as well as media reports was used to analyse the problem.

Key words: Covid-19, crisis, finance, budget, work, remote work, stratification, mental condition

INTRODUCTION

The aim of this paper is to show the broadest possible spectrum of consequences of COVID-19 pandemic from economic and psychological aspects. The COVID-19 pandemic situation is so new and complicated that we have assumed the most important thing is to show the various eventual consequences of the impact of the virus on human functioning. However, which of the effects analysed in the article becomes a universal reality, and which of them will be quickly forgotten by the world, we can evaluate only after sufficient time has elapsed.

The problem of how coronavirus influences the surrounding reality is so extensive that all the consequences are rather unpredictable. Therefore, the following article focuses predominantly on the issues that seem the most relevant now, at the time it is introduced. However, it may turn out that in the future the significance of various issues and problems will vary. The situation is so dynamic that many of the aspects analysed here cannot be clearly defined as true or false. Moreover, the effects seen as positive in the short term may prove negative in the long term and vice versa. The coronavirus pandemic changed how time and planning are approached. Until now, people saw time as a resource that could be controlled. The long-term approach dominated, and the man thought that there was not a single situation impossible to cope with. The pandemic has shown that this approach is deceptive. People are anxiously waiting for what will happen, suspend their decisions, do not know what will happen next, how the situation will develop, and therefore taking mainly short-term goals. Among the most important and interesting COVID-19 consequences, it is worth referring to such aspects as: natural environment, state indebtedness, acceleration of technological changes, problems with balancing demand and supply, changes in consumer behaviour patterns, exacerbation of interpersonal differences, stress, violence, remote work, problems with the health system. Similarly to a person-in-crisis,

economy reacts first with horror, aggression, or a desire to escape, so now the economy has shown what is happening at the beginning of a violent crisis. Over time, people become resistant to the effects of the crisis or give up. What will the future of man and the economy be like?

HOW DID IT START?

What was the beginning of the crisis? Although at least from January 2020 health problems in China were known [WHO 2020], very few enterprises, governments, and even more ordinary citizens prepared themselves anyhow for the onset of the crisis. This was probably because of their disbelief that COVID-19 could spread all over the world and affect everyone. When the first COVID-19 cases were reported in Western countries, public reactions were quite specific. Fear reigned, and stores lacked toilet paper, people fought for the last pieces of vegetable in supermarkets. In some countries (e.g. in Poland) the amount of money in circulation increased at least several times due to a short run on the banks [Money.pl 2020]. In other countries (e.g. UK), the ATM withdrawals fell in 60% during the lockdown [Finextra 2020]. Then some countries began to return their citizens back to their home countries from abroad they had lived. It was the last moment of the “splendor” of some airlines that are now on the verge of bankruptcy. Every day they lose millions of euros and experience now a mass dismissal of their employees. At the peak of the crisis, the planes had no-where to park, so they were left on the runways. So, the question arises about the shape of the future aviation market and ticket prices. If the flights become more expensive and become a prosperous part of society again, then migration will decrease. Until now, low cost flights made migration almost automatically increased. If the flights become more expensive, and at the same time, in times when we have used to perform many business tasks remotely, some of the business trips will lose their sense and the

economic migration will weaken and “move” to the Internet. The crisis in the aviation market also has a significant impact on the tourism industry. Cheap flights guaranteed the influx of tourists. After the pandemic, the situation will definitely change. Tourism, transport and restaurants were hit by the crisis first.

NATURAL ENVIRONMENT

From the today's perspective, the balance of losses seems to be much larger than the profits, but the positive effects of the COVID-19 pandemic cannot be missed. As one of them changes in the natural environment can be considered. When China was almost paralysed by the spreading virus and therefore stopped industrial production, there was a significant reduction in dust and greenhouse gas emissions [Mańkowski 2020]. The situation is similar in the US and Europe. Rather complete closing of the national borders resulted into reduced number of car trips and a significant reduction in air traffic, which in turn transmits into a reduction in exhaust gases and toxins in the air. In places so far crowded by tourists, there were peace and quiet, and this affected the environment. According to Jacobo [2020], fish appeared in the canals in Venice. Dolphins could be seen around Sardinia, and deer walked around the streets of the mountain resort of Zakopane. Part of this news proved to be fake news [Daly 2020]. The negative side of this positive impact of a pandemic on nature is the fact that when life begins again “normally” and people's activity returns to its previous level, the natural environment will feel it. What is more, the production of medical waste has increased significantly in recent months, as well as the amount of personal protective equipment used (face masks, helmets, gloves). So, people produce even more rubbish that considered and handled before the pandemic.

STATE BUDGET, GDP, AND FINANCE

Unlike the 2008/9 crisis, the 2020 crisis refers directly to the real sphere [Kušnířová 2013]. Similarly to that time, the government indebtedness to ease the crisis, but its level will be record-breaking [Puls Biznesu 2020; Cukierman 2020]. In Poland, the budget deficit in the first four months of 2020 amounted to almost PLN 19 billion. In the period from January to March 2020, the deficit was at the level of almost PLN 9.5 billion, but in April - which was the first full month of all restrictions related to the prevention and fight against coronavirus - it increased by just as much [KPMG 2020]. The largest decrease was recorded in CIT revenues - they fell by almost 29% compared to the last year. A decrease was also recorded in the PIT revenues - they fell by almost 11%. This information is very worrying for local governments, which derive a large part of their income from these two taxes. At the same time, state aid targeted at enterprises, as well as amounts allocated to fight against the COVID-19 pandemic, translated into a significant increase in budget spending (budget spending increased about more by PLN 18.5 billion than last year in the corresponding period from January to April). Moody's rating agency, in its report from May 2020, forecasts that Poland's GDP will fall by 3.8% this year. The entire CEE region must consider the negative effects on the economies of individual countries. It is interesting and surprising that the predictions of the European Commission are even more pessimistic. It assumes e.g. a 4.3% decrease in Poland's GDP in 2020. The result is expected to be significantly better than in the Euro zone, where GDP decline of as much as 7.7% can be expected. Pandemic causes great uncertainty all around the world. In China, since 1990 it is the first time when the authorities have not targeted the country at its growth, while setting short-term goals such as: creating new jobs, maintaining urban unemployment at 5.5%, and increasing inflation. According to the literature, one of the most sensitive litmus papers

of the economy is the stock exchange. The old adage says that “When the Wall Street sneezes, the world stock market catch a cold.”. Meanwhile, the US stock market did not react strongly to negative data from the real estate market, even though they are worse than during the 2008 crisis. In June 2020, the S&P 500 index was back to where it was at the beginning of 2020 [Cappelle-Blancard, Desroziers 2002]. The average wage in the US increased, which is probably because mainly the lowest earners were dismissed. The federal government finances benefits for those released from their jobs. It will be crucial for the US economy whether layoffs in the US are permanent or if many of the dismissed workers return to work. Analysts estimate that stock markets have stopped to be data-oriented. The FED has decided to buy junk bonds, which has never done before [Egan 2020]. This way, it intentionally turns up the market, which is particularly important in the election year. Before the presidential election, the US is unlikely to take drastic steps against China. Meanwhile, government bond yields in many countries are around zero. Negative savings rates are increasingly observed in Western Europe. At the same time, despite the difficult situation with COVID-19 and the US labour market, dollar is extraordinarily strong, which results, among others from the dollar’s assessment as “a safe haven” for investors. After the first positive news about the vaccine reported in May 2020 on COVID-19, the US stock market went up again.

The availability of credits for companies and individuals is decreasing and the stability of the financial sector is decreasing. Financial institutions have behaved typically for themselves, i.e. conservatively and first of all, increasing their credit requirements. Banks withdrew from the promotion of mortgage loans, raised their required contribution (which was gradual anyway) and raised the margins. Some mortgage loans are granted based on the average interest rate index (e.g. WIBOR, EURIBOR) for a given country plus a fixed margin, and this means that if the

market interest rate drops, the bank's profit also drops significantly. To defend themselves against this, some banks include an additional provision in their contracts that the overall interest rate on the loan may not fall below a certain level.

EMPLOYMENT

Almost all countries in the world have been - more or less - affected by the effects of the economic lockdown caused by the COVID-19 pandemic. Statistical data shows that many different groups of employees forced to adapt to the situation and cope with these changes differently. The most-favoured (happy) group is the so-called professionals who relatively easily adapted to the new conditions. They exchanged face-to-face meetings for e-meetings taking place in virtual space using Zoom, Google Hangouts, Skype, MS Teams, and other specialised platforms enabling remote work. This group of employees (called "Zoomers") usually works full time, collects regular salary, and performs their professional duties. The inconvenience or obstacles that arise in their work relate to organizing their work at home properly (especially when there are also children at home), they may feel discomfort caused by the inefficient division of time between home and business time, but this way of working leaves their standard of living, home budget or expenses unaffected. Remote work also means limited social relations between people. Coffee or a cigarette breaks, so ordinary before, are definitely conducive to conversation and making closer ties. It is hard to drink coffee with someone via Zoom. This can further weaken the ties between employees.

Due to the pandemic, many organizations - out of concern of people - decided to introduce a remote work on an unprecedented scale. Offices, clinics, hospitals, cooperatives, etc. have been forced to work remotely, and although in most cases no regulations have been introduced, but new solutions got successfully introduced. Previously, in many cases, applicants and clients

have not been able to force service providers (especially public services) to change their functioning. COVID-19 has done so! The unquestionable benefit was the minimizing the contacts between people, which in turn resulted into reduced spread of the virus. At the same time, many companies have discovered a significant reduction in labour costs. The reduction of office rental costs, operating costs (water, electricity) combined with unchanging (and sometimes even increased) work efficiency means that some companies consider continuing the remote work even after the pandemic ends. Moreover, this situation makes it possible to look for employees in the areas of the country with lower wages. This, in turn, may be conducive to a drop in demand for a real estate in large cities, and an increase in smaller towns that have valuable assets for residents, other than distance to work, e.g. no air pollution or access to health care.

The situation is different for temporary employees. They usually find themselves in a difficult situation [Każmierczyk, Chinalska 2018]. It was the group, which first felt the effects of the pandemic the most. Auchan in Poland dismissed employees working on the flexible forms of employment.. This is not the only one case, as many companies have made such decisions. The forecast is that the changes taking place on the labour market will cause that it changes from the recent employee's market formed during the economic boom to the employer's market. The crisis may cause employers to wonder more often than before whether to hire someone under a contract of employment and, as a result, are more likely to employ under a civil law contract.

SALE

The economy has a limited supply of goods and labour due to illnesses, quarantine and other restrictions and the lack of components for production due to breaking supply chains. In addition, there was a decline in consumption and private investment, and a strong slowdown in activities in sectors such

as tourism, entertainment, and transport. This forced a drop in the valuation of transport costs often below the costs spent. Oil has ceased to be a source of pressure and those countries that used it before, do not do so now. Russia is trying to strengthen cooperation with other countries of the Eastern Europe. It will soon become clear whether these activities are effective. Due to mobility restrictions, the drastic decrease in the number of flights (in some markets by up to 95%) and a decrease in the production of goods and services also decreased the demand for fuels. In the second half of April (20/04/2020), in the US the oil prices fell more than -37.63 USD per barrel (delivered in May 2020) [Polsat News, 2020, Szokujące dane z rynku ropy. Cena baryłki spadła poniżej jednego dolara, 20.4.2020]. Producers were willing to pay extra money to make clients buying oil from them. This was accompanied with extremely low liquidity (probably only a few hundred contracts). The reduction of production agreed in the first half of April by the OPEC + Countries did not help. Further contracts brought stabilization in oil prices.

Closing the shopping centres for almost two months slowed down the retail sector. The effects of this will be severe both for specific companies and for the state budget. What is more, after the re-opening of shopping centres, customers do not return here in crowds. Major retail chains, including LPP, Empik and CCC, have not opened hundreds of their stores. These retail chains terminate contracts with shopping centres, demand radical reductions in rents or stop all business operations. Many indications show that the decline in the retail turnover will be permanent. The practically determined pandemic effect will be recession. Social effects will probably be huge and felt by hundreds for a long time - some people will lose their jobs and livelihoods, and also a wave of business bankruptcies is awoken. The pandemic has caused changes in consumer behaviour. On the one hand, the financial situation of many people deteriorated, and they stopped being able to afford to buy new clothes or

coffee at a well-known coffee bar. Online trade has gained popularity, perceived now as “secure” shopping because it not require any direct contact with other people. Sellers transfer their activities to the internet, but here they encounter organizational problems and lower margins.

In addition, shopping in small stores, markets, and small shopping centres is becoming popular. People make shopping lists and try to limit the time they spend in the store. Thus, the importance of impulse purchases is reduced. Shopping centres tried to make us spend as much time as possible in them. This was conducive to spending on shopping, relax, and making sports. Now shopping centres will be forced to limit the number of customers. Will their managers be able to choose those customers who are more likely to buy goods instead of walking around shopping malls?

Limiting the role of shopping malls can have a domino and bankruptcy effect. Collapsing shopping centres can result in a drop in demand for security and cleaning services. Even after lifting most restrictions, people will be afraid of large air-conditioned and overcrowded spaces with keeping physical distance rather impossible. In this situation, the real scenario seems to be the fall of some of the major shopping centres and this may be an opportunity to rebuild their commercial significance.

STRATIFICATION, DIFFERENCES, AND DISCRIMINATIONS

Rising food prices, which are the basis for purchases of low-income people can cause the social stratification in the society becoming stronger. This will be supported by the government policies, which, by maintaining low (or negative) interest rates, deprive their citizens of savings (in many countries the fundamental principle of central bank independence has been forgotten so far). Altogether with rising the unemployment, this will lead to individuals' frustration and to increase in populism and extreme - social movements, including activities of nationalist.

Social moods change and people afraid of COVID-19 think in a specific way. It is more extreme and makes them easier to manipulate.

Data from the USA clearly show that the crisis in the labour market resulting from the COVID-19 pandemic is more felt by women than by men. In April, unemployment increased to 14.7% in the USA, i.e. 16.2% for women and 13.5% for men. In February, the level of unemployment of both sexes was similar - around 3.5%. The main reason is that it mainly affected those industries, which employ mostly women. A relatively small decrease in employment is reported in construction and industry, i.e. in sectors where the majority of employees are men it affects the level of unemployment. In February and March 2020, women accounted for three-quarters of redundancies in retail trade, although they account for about half of the workforce in this sector. Women are usually underrepresented in middle and high positions, which is why the crisis hits them first. Moreover, these are mainly women who are responsible for the majority of household duties and those related to children's online education. They are also - much more often than ever before - exposed to domestic violence. Generalising, it can be suspected that the victims of the crisis will be primarily the weaker people on the labour market - women, the disabled, older workers, and the youth.

In households in which both women and men are employed, women spend more time on household duties and childcare [Furmańczyk 2015]. The pandemic isolation situation has further aggravated and highlighted these inequalities. At the same time, there was a positive effect and some hope for the future. It turns out that forced isolation and staying at home meant that fathers spend much more time with their children during the pandemic than ever before. Perhaps this will change the attitudes of fathers and mothers in the context of childcare and sharing housework more.

HEALTH CARE

Health has become particularly valuable during a pandemic. Huge increase in demand for disinfectants and facemasks has caused their prices increased several times. Business entities, which managed to change their production in advance or bought cheap facemasks to sell them later, earned unprecedented amounts. The result of the increased demand for facemasks was the increase in the prices of sewing machines as well as a series of frauds in which both governments and private individuals bought products without the appropriate official approval. Nepotism in government purchases also should require an appropriate notice to be taken.

On the one hand, people are afraid of being COVID-19 infected in the clinic or hospital and they postpone their appointments with the specialist doctors. On the other hand, most hospitals suspended their scheduled appointments, as well as scheduled surgical procedures except those life-saving. In many cases, untreated chronic diseases led to the deaths of patients who either did not end up in hospital at all or end up in their physical condition when no help even could be provided. The coronavirus pandemic highlighted several health system imperfections. Obsolete equipment, which is insufficient, poor organization, procedures that hinder efficient operations and delay the assistance. Decision-making at the central level, on the one hand, unifies the rules of conduct in case of suspected coronavirus infection, but on the other hand it transfers and spreads responsibility to many different institutions and people.

MENTAL - HEALTH CONDITION

The coronavirus pandemic has not only surprised with the rate of spread between continents and countries. Surprisingly, it turned out that in the 21st century, when people are learnt that (almost) all is under their control, the most effective way to stop COVID-19 – a quarantine - turned people to social isolation

and significantly reduced their activities in every sphere. Closing schools, kindergartens, cultural institutions, offices, courts, as well as significant restrictions on business operations, combined with a noticeable lack of basic goods in the first period of the pandemic (rice, flour, pasta, sugar, toilet paper) caused feelings of fear and anxiety.

Isolation - lasting for over three months - causes people to live under stress. The initial surge of adrenaline caused by the need to cope with a new, unknown, dangerous situation begins to subside, but people still live under stress. On the one hand, many people are already tired of staying at home and start to rebel against restrictions on their rights, fulfilment of their needs or their sense of freedom. On the other hand, leaving a safe home space is accompanied by anxiety, which has at least two main causes. One of them is the lack of consistent, clear, and transparent information about the pandemic. While the next one is little knowledge of the virus itself. It is necessary for people to get used to a constant state of uncertainty and constant threat. It is a situation, in which one should adapt to a constant level of stress resulting from the fact that nothing is unpredictable and unplannable in the near future. Over the past few months, we have not been able to meet our basic needs, such as going out for a walk, meeting our friends, going to the swimming pool or to get a new haircut. However, there are also benefits resulting from this situation. People began to appreciate the slower pace of life, not being subject to a constant time pressure, rush, multitasking. Therefore, they want to go back to an earlier life without losing what they achieved in isolation. Many people are still afraid of infection, but the initial fear of their health and life and of their relatives has weakened, and instead of this, the only left is that one of not losing the job. The need to interact with other people, move freely and spend time in a pleasant and unlimited way is also felt more and more. It is also worth adding that some people (e.g. medical staff, shop assistants, couriers,

and owners of companies saving themselves from bankruptcy) focused on action, constantly mobilized to survive while they also experience the more and more severe effects of a constant stress. The fatigue experienced by those working in a traditional way and those working online is different. Return to a relatively normal functioning is not an easy matter and time is needed to get used to the new living conditions.

The increasing number of reports about child abuse online as well as domestic violence shows a dangerous effect of social pandemics, which is partly due to people's mental condition. The ban on leaving the place of residence worsened the situation. Children, who are unable to keep their contacts with peers in the real world, spend their time online more often and more willingly. Parents, burdened with their remote work and additional obligations, pay less attention to ways of how they children use the internet. This is also facilitated by online education at many different levels. In this way, children can easily become victims of cybercrime or sexual abuse in cyberspace. Isolation also contributed to increase in incidence of domestic violence. Before the epidemic, going to school or work was a way for children/people to escape what happens at home. Currently, closing the victim and the torturer in one place reduces possibility of escaping or seeking for help. In addition, many people feel stressed related to the precarious work situation [Każmierczyk, Chinalska 2018], as well as they feel frustration caused by prolonged online education, which requires greater involvement of both parents. These factors cause that the number of cases of violence increases significantly. Even worse, those affected have limited opportunities to report and seek for help. An effective solution seems to be to ensure that services in the field of medical, psychological, legal, social, professional, and family counselling - despite the lack of possibility or limited personal contact - are provided via telephone or online.

Currently, one can only speculate which of the "coronavirus be-

haviours” will survive the pandemic. It can be assumed that such will be those considered by people beneficial. Undoubtedly, the positive effect of isolation seen by people is to reduce daily expenses. On the one hand, this is due to the closure of large-scale shopping centres, trade restrictions, and only basic shopping. On the other hand, the reason for this is, among others, fear of losing a job, and thus a source of income. A slow perception of life and having more time for yourself, your family and passion are also perceived positively by society. Although, naturally, it should be emphasized that long-term isolation will lead to frustration and tension, spending time only with your immediate family can become a source of conflict, and a decline in demand will aggravate macroeconomic problems.

THE FUTURE IS UNKNOWN...

Pandemic acts as a catalyst for structural changes (including the implementation of new, often innovative technologies). Only few months ago, most people could not imagine a “closed” world, in which remote work is everyday life, and interpersonal contacts (in the private and business sphere) are established and maintained because of using widely various platforms, applications and communication programs. Thus, coronavirus contributes to developing the IT industry. The desire to master COVID-19 has also influenced the development of the medical sector, especially in the design and production of protective medical equipment, as well as in the production of tests and conducting intensive research on the development of vaccines and medicine. On the other hand, however, some studies [Armstrong-Stassen 1994; Brockner et al. 2004] indicate a negative relationship between downsizing and innovation. Ultimately, much will depend on the sector. Some of the sectors will introduce modern solutions and adapt to new conditions, while some will suffer so much that their reconstruction will take years or will never happen. Even at the edge of 2020, the vision of closed schools, enterpris-

es, people locked up in their homes and allowed to leave them only in order to meet basic needs, spoken out loud would cause laughter or suspicion of mental disorder, but today it has become a reality. Thus, it can be expected that people have been opened to new (perhaps impossible) perspectives and forecasts of social or economic development. On YouTube, channels broadcasting about the impact of 5G networks on COVID-19, political and business conspiracies are popular. While earlier, in many development scenarios, most of the society (in typically human cases) and most economic experts (in the case of the economy) followed the mainstream forecasts, today there is no development path on which people could lean and build plans for further life. This is also important in the mental aspect. A man works much better if is sure of future. Confidence in the future promotes trust at work [Davydenko, Kaźmierczyk, Romashkina, Andrianova 2018]. Examples such as the Nazi death camps prove that one of the greatest atrocities for man is the uncertainty of tomorrow. Thus, the coronavirus pandemic is a kind of shock therapy for humankind. On the one hand, it opens its eyes to new prospects (previously considered as unrealistic development), and on the other, as in any other revolution, there will also be victims who will become people not adapted to change. There will also be people and organizations that will try to rip social, political, or economic capital on it. This will be reflected in the demand for and supply of goods and services. There is already talk about securing the supply of basic and most important goods, products, and semi-finished products by internal production on the European continent. It turns out that during the pandemic, security and stability of supply may prove more important than costs (limited by Ricardian comparative advantages). It remains open to what extent these voices will be reflected in practice. Will consumers be able to pay more for their goods produced in their country or on their continent? Will there be political forces strong enough to impose such solutions on the economy? For

now, we have more questions than answers, but the old business rule, according to which the first to adapt to the changing situation wins, remains true.

During a crisis, someone gains, and someone loses. We are used to the fact that the European economy has been developing in the last 30 years. Even after the 2008/9 crisis, we quickly rebuilt it. Now some predict a gigantic recession like that of 1929, from which the world will recover for several years. On the other hand, the first news of a possible invention of the COVID-19 vaccine caused strong reflections on NASDAQ. Coronavirus has made forecasts, or rather discussions on development scenarios, much bolder. Analysts and economists are not afraid of discussing the issues that would be considered unrealistic fantasies a quarter ago. The situation is very dynamic, and it is difficult to make reliable long-term social and economic forecasts today. The world is changing “in front of our eyes” and if we do not find a cure or vaccine for COVID19, it will change dramatically. It is worth remembering that such opinions were also popular in 2009, when the world had not experienced such crisis yet, which the world did not manage to recover from, while now we are waiting for the developments with COVID-19 and no one can be sure - everything is uncertain.

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CULTURE, ARTS AND MEDIA DURING AND POST THE COVID-19 PANDEMIC

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Abstract

The methodological basis of the study is prognostic, synergetic, structural, and functional approaches that allow us to perceive cultural phenomena and processes in the diversity of their manifestations in the context of interdisciplinary discourse. The study reveals the existential dimensions of the pandemic, its impact on urban culture, art projects, and artistic creativity, the relationship of pandemic and infodemic as a special phenomenon of modern media reality, the interaction of cultural, artistic, and media communication factors, positive and negative scenarios of post-pandemic development. We substantiate the necessity of cultural policy re-shaping by strengthening the international solidarity and cooperation, consumer-orientated changes to ecological ones, human values restoration, and qualitative renewal of cultural and artistic institutions. It happens first of all due to the growth of their creative potential and the use of new media technology activities of the creative community aimed at transforming culture into a crucial factor of sustainable development in society.

Key words: *culture, art, media, pandemic, cultural policy, digitalization, cultural and creative industries.*

INTRODUCTION

The sacred saying often heard in the first months of the pandemic was “The world will never be the same again”. It can be regarded as the forecast of the total and global transformation of the entire social and cultural space of the modern world at different levels: from the individual, personal reality to the dimension of a particular state to deep civilization shifts. Carefully modelled and constructed, at the first sight, the order in various spheres of life turned out to be ruined, partly destroyed. It makes almost impossible to return to the post-quarantine world order. Moreover, as it was already mentioned, it is not about only macro indicators in the economics, domestic policy, and cultural areas. It is related to the psychological semantic microcosm of the average person, who has incurred not only material losses but got rid of the stable norms and institutions

of his or her immediate existence, social development, and social and cultural realization. Certainly, it can be noted that the pre-pandemic world can hardly be considered stable and comfortable. The term of J. Deleuze and F. Guattari “Chaosmic”, where the civilization has existed in recent decades, was quite adapted to changes and gave at least some confidence in the future, despite its unpredictability and explosiveness in the social, military, foreign policy sphere.

The Covid-19 pandemic has become a so-called trigger that directed the obvious and hidden anxiety, spread in the society and the feeling of abandonment in the existential dimension of life, where the issues of freedom, the meaning of life and death, responsibility, presence in the world, loneliness acquire not only psychological determined statuses but also deep metaphysical features. The pandemic has intensified many political, economic, social, and cultural problems. It urges us to rethink both the current situation and promising trajectories in culture in general and in art in particular. Human is on the brink of survival again. Moreover, life seems to have folded into a much-specified existence, though limited by many prohibitions. It turned out that the diversity of global events and processes can be muted by the micro-level of a little person. We observe the breakdown of certain systems in most countries (healthcare, education, transport, economy), which requires very fast, flexible and creative steps to optimize, transform, radically rethink the structural and functional properties and management philosophy.

We are witnessing an existential crisis of universal models of reality (comprehensive and branchy value systems, state management, the European Union, culture, world balance of power, business, social sphere, social development, cultural policy, etc.). The technologism of modern Western culture, its liberal and democratic values, the concept of multiculturalism, social standards turned up to be illusory, non-plastic, and non-humanistic, unable to adequately, productively, and effectively re-

spond to pandemic challenges in strict quarantine.

The 2020 pandemic has become a real challenge for all spheres of culture, especially for those based on live communication, direct contact, and active interaction among people. Quarantine restrictions have led to a crisis of traditional platforms and tools for the creation and transmission of cultural values, their presentation, and, consequently, their perception and assimilation. In case of the rapid spread of the virus and mortality increase, the crisis in culture has only deepened due to lack of reliable information (scientific, medical, environmental, and psychological) and lack of sufficient resources (social, communicative, psychological, and financial) for further implementation of various cultural initiatives. Covid-19 became a systemic crisis that brought modern culture to the point of bifurcation, where qualitatively new forms, tools, means of creating and disseminating a cultural product are born. And at this point, completely new, other spiritual and sensory dominants are born, under the influence of activated self-reflection of an existential nature changes the palette of moods-experiences, which are filled with modern culture. There are intensive developments and widespread use of new forms of remote cultural communication, including modern media technologies. Considering the historical experience of overcoming the crisis in a pandemic in previous cultural epochs and having our own experience of almost a year of living in a pandemic in 2020, we are outlining here the key trends of current and future cultural development. Highlighting the current state and prospects of socio-cultural processes transformations under the pandemic influence, we focus on the analysis of the relationship and interaction of cultural, artistic, and media-communication factors.

REFLECTIONS IN LITERATURE

The impact of the pandemic on humans and society was studied mainly by representatives of natural science (virologists, epide-

miologists, psychologists, etc.). The epidemic and pandemic of previous epochs were not a crucial point in philosophical, culturological, and historical research. Scientific concepts, ideas, and views used here as a source-base can be divided into several blocks: research that analyses the pandemics of previous cultural and historical epochs and determines their impact on the further cultural development; modern concepts and theories of philosophical and existential orientation, where social and personal sentiments in terms of the global crisis are analysed and change of world outlook-value paradigm is specified; the latest publications of historians and culturologists, futurologists in the media, online media, who attempts to identify the key trends in modern quarantine cultural and artistic space and outline the vectors for further development of the world community, culture, and art.

Thus, in the context of historical and cultural reflection on the outlined issues of our study, it is worth mentioning the works of French historian, one of the founders of the French historical school “Annales” - Fernand Braudel – “Civilization matérielle, économie et capitalisme, XV-XVIII siècle” (1979), “L’Identité de la France” (1986), where he paid considerable attention to the study of the effects of the plague epidemic in Europe in the fourteenth century, finding out how it affected French society, economy and culture, encouraging huge human losses by introducing technical innovations, renewal of forms of social and political life, etc.

The book “Pandemic: Tracking Contagions, from Cholera to Ebola and Beyond” (2016) by the modern American research journalist Sonia Shah, has become prophetic. The author reveals the causes, evolution, social, cultural, political, and economic conditions of various pandemics. Her work is a popular scientific publication, which collects significant informational and factual material. Thoroughly tracking the evolution of viruses in nature, analysing the outbreaks of epidemics of various vi-

ral diseases in previous years and centuries, the author warns humanity against a new epidemic of uncontrollable viruses that can kill much of humanity. The researcher deduces the main causes of the pandemic in the modern world - the transport system, overcrowding, urbanization, social interaction, mass character, and corruption. The author believes that the situation can be corrected if humanity recalls its true, natural, biological essence, the relationship of all systems in nature, and follow the road of ecological culture creation and itself in it.

Therefore, taken into consideration the globality and scale of the COVID-19 pandemic consequences, it can be concluded that the level of stress and risk, the threat to life, and the health of a huge number of people and pluralistic models and strategies of adaptation to the situation, its optimal solution. In the twentieth century, many thinkers turned to similar existential phenomena. In particular, S. Kierkegaard, by the way, completely unrecognized and unknown in his nineteenth century, wrote about the “sickness unto death”, the absurdity of faith, and the path to it through despair and deadlock [“The Sickness Unto Death: A Christian Psychological Exposition of Edification and Awakening by Anti-Climacus”(1989)]. Heidegger saw in the concept of “being-to-death” a special attitude of the individual to the fact and event of death, the inability to comprehend it, fear and indifference to it, and life as a stay until death, which gives it meaning [“Sein und Zeit” (2006)].

K. Yaspers analyzed the “interfacial situation”, which denotes special attitude of the individual to own existence in terms of existential crisis when the usual meanings lose in power, and situations (as death, terminal illness, severe psychological shock, natural disaster, catastrophe, loss of loved ones, etc.) provoke a radical revision of the constants of life [“Vvedeny`ev fy`losofy`yu” (2000)]. The apocalyptic paintings of A. Camus’s novel “La peste” (1947) come to mind, when “human, too human” (F. Nietzsche) animal fear of disease, inability to adhere to norms of coexis-

tence and internal prescriptions deprived of meaning and moral values. “L’Étranger” (1971) by A. Camus also shows us the man left in the world not only by his dead mother but also by anyone (morality, love, state, etc.) among the pandemic environment of indifference, loss, nonsense. “La Nausée” (1972) by J.-P. Sartre and his “Le mur” (2017) are no less impressive in the extreme absurdity of all movements, activities, reflections, emotions. The world is meaningless, deprived of any common, obligatory, and necessary meaning for all, and do not look for it or grieve for it. Perhaps similar agitations could be expected among the majority of those isolated due to the coronavirus pandemic.

The above-mentioned sentiments can be traced back in the latest scientific and popular articles that appeared at the beginning of the COVID 2019 pandemic (March-April 2020) and in which the authors tried to analyse the pandemic pre-crisis situation and outline the prospects for the near future. These publications were dominated by pessimistic forecasts with echoed despair and even panic. However, after the pandemic, when the moment of stress and rejection of the situation had passed, new quarantine norms, habits, and rules of coexistence in isolation began to develop, articles, speeches, analysts’ interviews and scientists with a more optimistic vision of future development scenarios gradually appeared in media of different formats and levels. French intellectuals B. Latour [“La crise sanitaire incite a se preparer a la mutation climatique” (2020)] and J.-L. Nancy [„Communovirus“ (2020)] believe that the pandemic will push people to realize the need for a fairer distribution of material and cultural goods. Johanna Suo Kouzmine Karavaïeff, an authoritative expert in cultural and creative industries (CCIs), predicts that cultural policy in the post-pandemic period will focus on a wider involvement of creative professionals, on creating conditions, under which CCIs will play a pivotal role in innovation processes, and the architecting of next-generation ecosystems [„The Role & Value of Culture and Creative Industries

During and Post the COVID 19 Pandemic“ (2020)]. Thus, the leading trends and scenarios emerge, in which the crisis and pandemic are seen as a reboot, as an opportunity to rethink their existence and reach their formation (social, personal, existential) to a qualitatively new level [Y.N. Harari „The world after coronavirus“ (2020)], [H. Opaschowski „Corona-Generation verändert Welt - Forscher erklärt Neue Glücksformel“ (2020)]. In addition, their cultural environment, including art, is recognized as a “lifeline” for the majority of people.

WAYS OF APPROACHING

Considering the multifaceted nature of the research, as the pandemic has once again demonstrated the relationship and interdependence of social, cultural, political, economic, environmental, medical, biological, psychological factors of social development, we use an interdisciplinary approach. Interdisciplinarity helps to overcome disciplinary constraints, enabling the conceptual and functional integration of methodologies, their focus on complex issues of common interest.

Since culture is a multifaceted phenomenon, the issues of the article were developed taking into account several related ideas of representatives of various philosophical and cultural areas - existentialism, media philosophy, social and political philosophy; the history of science, technology, and art, ethics, ecology. A systemic approach, principles of interdependence, and dialectical development allowed achieving a complementary combination of different positions and views throughout the whole study. To achieve and maintain integrity of considering the various aspects of the current development of culture, art, media, social connections, and interactions, the study used the principle of holism. The method of generalization of theoretical and practical experience in the field of actual cultural policy, and also the prognostic method in the definition of tendencies and prospects of the further social and cultural development are applied.

Application of a comprehensive methodological approach enables to avoid fragmentation in the current social and cultural situation and to identify the links between the development of cultural and artistic creativity, modern digital media communications, civic initiative, and political and economic management at a deeper level. A synergetic approach is used to consider the processes of cultural self-organization as a complex system. The study of transformations of the main structural elements of modern culture in their functional interaction has led to recourse the method of structural and functional analysis. Method of statistical analysis is applied here to determine the extent of the pandemic's impact, altogether with generalizations of several data, reports and studies by UNESCO, the Council of Europe, and expert reports of public organizations in the field of culture. Research problem, critical processing of theoretical and factual data, obtaining general conclusions, and forecasts were identified applying general scientific research methods and principles of cognition.

CONSEQUENCES FOR CULTURE

The pandemic, which has rapidly spread across the planet, has revealed several problematic and, at the same time, interesting phenomena in culture, the prospects for further development of which can be predicted today. In the near future, particular changes in quarantine restrictions should not be expected. Therefore, existing cultural trends can be relevant for a long time, generating thus new forms and meanings of cultural life. One of the direct and first consequence of the pandemic, perhaps the most traumatic, was the restriction of freedom of movement - one of the fundamental human rights. Any restriction of this right, even forced, is associated with the attack on liberal-democratic values, with the threat of authoritativeness. European intellectuals emphasize the danger of strengthening authoritarian and anti-democratic tendencies - restriction of democratic

freedoms, total control, and manipulation. In particular, Bruno Latour assesses the situation critically, the situation where people are forced to be isolated in their homes, while the expansion of the powers of the police and health services is unfolding outside. According to him, in the sanitary crisis, the administration plays a rather classic role of overseer and controller, and its power completely coincides with the old national borders - the archaism of returning to the European borders is an evidence of that [Latour 2020]. In this situation, the concepts of biopower and biopolitics developed by M. Foucault, who claimed that the health of citizens is an epicentre of modern political governance – a biopolitics. Medicine becomes a biopolitical strategy helping the government to manage, supervise, and control the population [Foucault 2004: 77]

Nevertheless, quarantine is blocking the ways for thoughts and creativity, it changes the ways of their implementation. In this context, the words of the famous political philosopher Hannah Arendt are to be mentioned “Of all the specific liberties which may come into our minds when we hear the word „freedom“, freedom of movement is historically the oldest and also the most elementary. Being able to depart for where we will is the prototypical gesture of being free, as limitation of freedom of movement has from time immemorial been the precondition for enslavement. Freedom of movement is also the indispensable condition for action and it is in action that men primarily experience freedom in the world. When men are deprived of the public space-which is constituted by acting together and then fills with its own accord with the events and stories that develop into history-they retreat into their freedom of thought” [Arendt 1968: 9]. Indeed, the pandemic, by imposing a regime of forced isolation, restricting freedom of movement and in-person communication, meanwhile, frees up more time for intellectual thinking and creativity. Moreover, modern media, and especially social networks, are becoming universal platforms for the ideas exchange, for the

presentation of creative ideas, cultural projects, and works of art online.]. The Art Newspaper released an Instagram post with a fragment of a song from the old famous musical “The Sound of Music” saying that “When the Lord closes a door, somewhere He opens a window” paraphrasing in this way in accordance with the current situation: “When God closes a gallery door, [somewhere] He opens a browser window” [Ankush 2020].

As museums and art galleries are open almost everywhere in a limited mode - from reducing the number of visitors and working hours - to comply a closure under strict quarantine - they got increasingly exploiting the virtual space of Internet platforms, especially video hosting such as (YouTube), Vimeo, social networks Pinterest, Facebook, Instagram, etc. Currently, the entire world’s famous museums and galleries offer a variety of virtual tours, exhibit a significant number of photos and videos on their websites, social media web pages, organize smart social media campaigns such as #museumfromhome, „virtual museum and art gallery tours“. Theatres present their productions via internet videos; auction houses hold online auctions, and so on. The ban on mass events encourages the searching for new forms of event technologies and ways of cultural communication.

Johanna Suo Kouzmine Karavaïeff, the founding partner and principal consultant in Culture and Creative at Artisans of Innovation, noticed that circumstances round COVID-19 have forced a change of situational context. This means that changes or novel behaviours have emerged in telepresence (especially the use of virtual reality technologies for apparent participation in distant events). It has become the norm when workplace dialogue is conducted remotely, and people work from home. This forced change of situational context can also result in innovative behaviours and new collaborations arisen to find new solutions [Kouzmine Karavaïeff 2020]. The important aspect of such collaboration is “the wide-scale intense forms of agile cross-sector collaborations that are emerging for problem resolution.

Collaborations that comprise a global community of scientists, government officials, journalists, programmers, and concerned citizens – all brought together by a shared conscience and technology & communications infrastructure that goes beyond spatial and temporal borders” [Kouzmine Karavaïeff 2020].

As generally known, UNESCO has also launched some initiatives in response to the pandemic- caused crisis. The organisation is involving creative professionals more, as well as provides greater access to cultural heritage, increasing thus importance of cultural and artistic creativity and innovations in solving social and economic problems and ensuring thus sustainable development. This also contributes in strengthening international solidarity based on universal values. According to a joint statement by the Ministers of Culture of Italy, Germany, and Spain, “In this emergency, a culture of solidarity is the best antidote... The coronavirus emergency is a stress test for the European community. Whether we choose the path of selfishness or solidarity will also decide the future of Europe. The fight against the virus will show whether another dangerous evil will once more spread in Europe: the disease of national selfishness that has already taken millions of victims in our continent’s history” [Franceschini et al. 2020].

The reality of quarantine has profoundly influenced urban culture, especially the life of metropolitan cities. During the strict quarantine, the population of some large cities decreased by almost a third. Unfortunately, generalized statistics is not yet publicly available, so we offer information concerning Moscow, presented already by the Carnegie Moscow Center: “Today there is no clear data on the loss figures, but it is possible to estimate them approximately. According to cellular operators, about five million people left Moscow during the quarantine. It means that the city has lost about five million people. It means that the city has lost about a third of its population. We can assume that it will become poorer by a third, the city budget will decrease in

the same proportion, as many cafes, shops, restaurants, hair-dressers, gyms, etc. will not be quarantined, the quality of the remaining ones will fall by a third” [Revzy`n 2020].

When quarantine started, an extensive and developed urban culture, creative and cultural industries, and event spaces became hostages of such depressive processes. Due to the dense population, air pollution, congestion of vehicles, lack of free space in public places, and private homes, a city proved to be a favourable environment for the spread of the virus. That, as the most common form of settlement, has become a place of residence, work, and self-realization with a high risk of infection with an invisible and still insurmountable usual virus algorithm. The outflow of residents took place in suburban areas, in rural areas, in places of individual development with a separate private space. And although the above-mentioned processes have lost their initial rate of migration, they have retained their focus on dispersed living around large urban centres.

Talking about more general forecasts at the beginning of the quarantine, they both were optimistic (everything will pass and we will live as before) and pessimistic (the city is declining in its traditional forms). Currently, when we are dealing with a hybrid quarantine regime, which does not mean, of course, a return to lockdown, not all this post-normality seem so horrible and abnormal. Meanwhile, ideas about the crisis, or at least the need to rethink the key trends, whether in the form of separate roundtable discussions, photo reports of empty avenues and parks, professional notes, expert posts, or blogs on social networks, are becoming more widespread.

For the global world and large cities order, quarantine pressure has become, indeed, an existential problem. Small settlements, both traditional and new cottage towns, where urban residents began to live, and where it was more comfortable to survive a pandemic (free, open space, no crowds and the need to keep distance, and thus reducing the risk of infection, etc. .), on the

contrary, are experiencing processes of revitalization and modernization. In such new self-isolating conditions, an interesting trend can be seen - remote work or, at least, the most distant from stationery offices and public- spaces ways to solve work and creative problems. We can assume that in the future, in the maximum possible cases, we will observe digitization of business activities and work contacts. Currently, it is possible to state the decline of public space and public contacts. It is difficult to predict how long this will last and strong this trend will be because online activity still cannot exhaust all forms and contents of the business world and personal communication. On the other hand, almost all private information becomes public, translated into registers, reports, online newsletters without observing "secrets" of various kinds, chipped, provoking opposition from part of Western society and violating, in fact, the right to privacy - one of the sacred pillars of the European democracy. Nowadays, a new paradigm is being created to separate the space "not for everyone", "own environment", where anti-epidemic measures can be facilitated. Such an old story can be interpreted in a new way: about "own natives" and "strangers", where the limit is the epidemiological perspective (literally and figuratively). The family has the greatest legitimacy in this context - the closest circle of "close-native" people who allegedly cannot "infect".

Modern urbanism, based on the announced objectives and strategies, is designed to adapt to new conditions and new needs, to respond to them technologically and systematically, to form innovative crisis management. It should be noted that most cities today have managed to adequately reorient their infrastructure in terms of adaptive quarantine. Although the question of a successful and complete solution of urban problems during a pandemic, the prospects of the metropolis as a social organism in this context remain open.

B. Brattan, a design theorist, professor at the University of Cal-

ifornia, San Diego, director of the „Strilky“ research program („The Terraforming“), identifies several new living conditions in the modern city, “epidemiological view of society“. Thus, one of the important moments, in his opinion, is the formation of a new unity of people based on “epidemiological proximity“ and the possibility of infection: the pandemic showed how interconnected and interdependent we are at the level of biology and chemistry not only in the city but also in the world in general. Statistics and directions for the spread of coronavirus show a “single and very deeply connected whole“ [Brattan 2020], and this feeling remains even after the crisis. Widespread introduction of virus tests and state management of testing systems and crisis response models should be used in the post-pandemic period. Sensorial city measurement, social control, the system of monitoring the population needs new explications without devastating libertarian criticism. Automated services in the quarantine city are not a “virtual layer“, but an important invention in public life. Ascetic urbanism means minimization of necessary needs and their satisfaction. Psychogenic alienation is the biggest challenge for culture emerging from isolation. Mask as a mean of protection and self-expression. We are the part of the planet’s metabolism; the necessity for “green“ strategies in the ecological and environmental management; the demand for a new narrative, new cultural forms and new geopolitical strategies based on a “well-thought-out coordination plan on a global scale“, otherwise the state of emergency will never end [Brattan 2020]. Certainly, not all of these recommendations can be considered indisputable. One of the important ideas of B. Brattan and other researchers in both the humanities and natural sciences is, in our opinion, the need for worldview de-anthropologization of many value systems and models, shifting the center of the world from human to world, to balanced relationships where the human being ceases to consider himself the absolute master, recognizes himself as part of a larger whole.

Another problem is that difficulty to predict the consequences and possible vectors of the future without knowing exactly what the world is dealing with (it is primarily a coronavirus). It is already possible to note the boundary polarization of society: both covid-sceptics and covid-optimists offer seemingly categorical arguments. Disputes over quarantine realities are fierce and often turn into street protests and demonstrations.

The narrative of the pandemic itself has formed very actively, almost every day, overgrown with new statistical reports, informative reasons for the vaccine, new symptoms, treatment, and special cases. Old and new mass media have become auspicious sites for the spread of panic and fakes. Anyone can become an expert in medicine and virology in such conditions of production and dissemination of information. Due to the new Internet configuration, having a personal resource - social networks, blogs, LiveJournal, etc. - the user becomes a carrier (author, consumer, commentator, interpreter) of information virus, information, and misinformation, between which it is very difficult to draw a clear line. The American researcher D. Rushkoff in his book "Mediavirus" called this phenomenon infodemic [Rushkoff 1996]. In terms of quarantine, people have been given more time and opportunities to stay online. The spread of the virus today can be observed almost online, according to maps of its distribution, its features and characteristics are explained in more or less accessible to the mass recipient language. The impression of universal accessibility and clarity of rather difficult problems for narrowly focused experts is created. At the beginning of the quarantine, in April, the Reuters Institute at Oxford University published a study on the types, sources, and claims of COVID-19. "Researchers verified 225 cases of misinformation between January and the end of March 2020. The English corpus included verified statements based on materials from the International Fact Checker Network (IFCN), which includes VoxCheck and the Google Fact Checking Tool. The au-

thors also looked at materials in the social media sample and collected data on the involvement of the social media audience. The majority of publications (88%) were found on social media platforms“ [Kryuchok 2020].

Pandemic mediatisation can be different: balanced and objective information materials, creative “immunization“ of the community, positive attitude, the formation of social unity, or installation of negative moods, demonstration of tragic stories, promotion of pessimistic scenarios of pandemic spread, and total quarantine. The complex consequences of the information virus are already visible today: on the Internet, along with qualified and professional materials, there is information with signs of hysteria, “moral panic“ (a concept developed by G. McLuhan and S. Cohen), the rhetoric of intolerance and rejection, violations of human rights and freedoms, corporate conflicts, psychological and emotional fatigue from a pandemic, etc. In a joint statement by WHO, UN, UNICEF, UNDP, UNESCO, UNAIDS, ITU, UN Global Pulse, and IFRC of 20 September 2020 it is mentioned that “The Coronavirus disease (COVID-19) is the first pandemic in history in which technology and social media are being used on a massive scale to keep people safe, informed, productive and connected. At the same time, the technology we rely on to keep connected and informed is enabling and amplifying an infodemic that continues to undermine the global response and jeopardizes measures to control the pandemic“ [Managing the COVID-19 infodemic 2020]. Dependence on the information “doping“ in the form of misinformation, fakes, not entirely truthful information, emotionally tense news and comments, can be cured with the help of collective immunity, critical thinking, high ethical standards accepted in society and the media community.

Meanwhile, the situation in the artistic environment inspires optimism. In the sphere of cultural industries, which were developed mainly in the form of live communication, real inter-

action between creators and consumers of cultural products, two trends are outlined in terms of pandemic. The first is predictable and inevitable for a crisis - the closure of traditional creative platforms and cultural institutions, the abolition of cultural events, the cessation of cultural practices of communities, the curtailment of cultural tourism, the stagnation of the art market, exacerbating the problem of earnings for artists. A similar situation took place in the museum sphere. A separate UNESCO report indicates that 90 percent of museums worldwide have temporarily closed in recent months. In 2020, there are 95,000 museums in the world, 60% more than in 2012. 90% of museums have closed their doors during the crisis. 10% of museums may never reopen [Museums around the world in the face of COVID-19, 2020]. Certainly, the museum sector responded very quickly to the crisis by increasing its online presence. However, statistics show a significant digital divide (the digital divide), as in poorer countries, most museums do not have access to modern media and communication technologies. Only 5% of museums in Africa and Small Island Developing States (SIDS) have been able to provide online content [Ibid.].

The second trend is the production of qualitatively new projects, services, products that would meet the needs of the “quarantine” person and would be available economically, in format, and spatially in a “closed” world. In this context, the example of cultural manager from Ukraine, Katya Taylor, can be illustrative, who was forced to close her favourite creation - Port creative hub, an art venue where about 600 events took place over 5 years, where 16 artists worked and where fifty exhibitions were taken. Large-scale projects and activities have been announced for future and significant investments. Covid-19 changed everything in its way, cancelling all plans. After the first stressful emotions, Katya’s team found a way out in constant communication (virtual) and quick “inclusion” in work, in creating completely new events and projects. They were among the first ones to use the

online Instagram platform for live broadcasts with representatives of various cultural institutions - the Ukrainian Cultural Foundation, the House of Europe, the Ukrainian Institute, and the Odesa International Film Festival. Possible formats of further work to get out of the complete deadlock due to the lack of orders and, accordingly, funding was discussed together with the Internet audience.

On the 100th day of the quarantine, an experimental project was implemented together with Vogue magazine. It was opening an online photo exhibition called “100 days of loneliness“. The exhibition demonstrated different degrees of sensory-psychological experience of the pandemic by photographers - from the depressive-apocalyptic through the nihilistic-naturalistic to the romantic-life-affirming, up to the ironically-grotesque. The organizers of the exhibition assured that “the crisis always stimulates growth. You just cannot do what you used to do before. Quarantine has created crisis circumstances for us, under which the processes have accelerated. Artists have the same situation, and if we have had an economic crisis, they have also had a crisis of growth or prosperity. Therefore, of course, we cannot say that they all unanimously created something ingenious“ [Merczalova 2020]. So, after the phase of not accepting the crisis, the phase of adaptation to it comes inevitably, and then - the phase of creating new qualities, connections, and products. In the summer, Katya Taylor’s team created a new co-working project called “Culture Hypermarket“, which offers a variety of unique services of existing cultural institutions. For example, a tour with the director of the Odessa Art Museum Alexander Roitburd. Another offer is a tour of the Vernadsky library roof. Part of the funds gained goes to the Book Institute and directly to the Vernadsky Library. The project is implemented with the grant support of the House of Europe. Recent artistic and cultural events in Ukraine show that the support by cultural foundations, patrons, and philanthropists is extreme-

ly necessary and important for the further development of the Ukrainian cultural space in a pandemic, as the state has significantly reduced budget expenditures on culture and art.

The next vector that can rise the cultural industry in quarantine to a qualitatively new effective level - the use of other, non-traditional, unintentionally created locations for organizing various events and promotions. We do not consider only concerts, film shows, open-air theatre performances (open-air, open space), but also various projects and events in public places, public space - in railway stations, subways, public transport, banks, clinics, educational institutions, parks, and gardens. Street art, in particular graffiti, organically fits to this vector, which in the conditions of quarantine continues to impress with rebellion, impulsiveness, protest, and also - depth and sincerity. And in general, pandemic- influenced urbanism is becoming more environmentally friendly, tolerant to human format.

Another vector that became a real “lifeline“ for culture, art, and cultural industries at the beginning of the pandemic and the introduction of quarantine restrictions was digitalization. The main idea of the digitalization of culture is that people who create a cultural product and cultural institutions, which preserve artistic monuments, become more famous, respected, and wealthy. However, it requires a significant transformation of artists, institutions, and resources that promote them. The policy of digitalization in world culture began to be introduced with the era of digital media. Due to this, at the beginning of the quarantine, Internet users were able to visit online well-known theatres and museums, galleries, and libraries. However, after some time of isolation and mostly online communication, most consumers of the virtual cultural product have re-evaluated the meaning and role of “living“ real art, the need for mutual exchange, co-experience, co-participation, and real communication without the screen.

And there are still such genres of art, which are not subject to

digitization that can be presented only in analogue format. Art reacted with the emergence of new, hybrid forms of self-presentation, in which virtual and first reality are as close as possible to each other and the viewer is allowed to join the creative action, to become an artist himself. Cinema is a virtual place combined with computer games, where the viewer can join the action, intervene in the plot; the virtual - theatre productions with 3D effects and elements of interactive, immersive theatre, psychodrama in combination with performance in open virtual theatre areas, where everyone without exception can present own work, etc. [Medvedev 2020].

As for painting, an interesting project called “Anticipation + Immunity“ was implemented at the Museum of Contemporary Ukrainian Art in Lutsk in August-September 2020. The project was an attempt to present the latest ideas, moods, and hopes of 180 artists from six countries in original formats. Anticipation means foreboding, so the initiators of the art project sought to show the artists as personalities with prophetic qualities. And also to understand what people who perceive the world and themselves in it more sensitively feel and anticipate during a pandemic. The initiator of the project, the founder of MCUA, Victor Korsak spoke about the idea and special embodiment of the exhibition: “... Creating and starting this project, we wanted every artist to be able to express himself when he is pressed by not only political, economic, technological but also biological factors. Surprisingly, the works are not depressing; they are not full of problems. Most artists are optimistic, which means that everything will be fine!“ [U Muzeyi suchasnogo ukrayins`kogo my`stecztva Korsakiv vidkry`ly` mizhnarodnu „vy`stavku-xromosomu 2020]

The exposition has an original construction: if you look at it from above, you can see the shape of the chromosome. That is, the authors are convinced that culture is the genetic code of a nation. Art has directions and chromosomes have genes. Each

gene performs certain functions in the body, as well as each of the areas, affects us differently. As part of the Anticipation project, an online platform was created for communication between artists, art critics, and spectators to develop the ability to level uncertainty, which contributed to the formation of forecasting skills. Thus, all participants in the project were allowed to experience catharsis through the reflection of pre-apocalyptic feelings. We can claim about the existence of the dialogue between the contemporary artist and his audience in terms of highly psychological and emotional arousal, which had an extraordinary mutual influence. There was communication between artists from different regions in terms of inner isolation that stimulates futurological hypotheses formation possibly verified in the short-term perspective.

The project “Immunity” aimed to develop a person’s ability to prepare for a reaction to a certain event before it occurs. The authors of the project stimulated artists to the process of creation, as well as significantly increased the audience of fans of contemporary Ukrainian art, influenced the improvement of the psychological and emotional state of society, proving that “... art is a pharmacy to strengthen the spirit; the artist is the spiritual pharmacist of the people; art objects - social medicine... We foresaw the future and changed the present, and these changes are for the better, these changes transformed each of us, as well as our connoisseurs, contributed to the formation of collective spiritual immunity. Immunity from anger, envy, sadness, fear, hate....” [Korsak 2020].

CONCLUSIONS

The pandemic highlighted the interdependence of human communities and all spheres of human activity - political, economic, social, cultural, and informational. The world and human, nature and culture – an integral whole, one living organism in continuous dynamic interaction and interdependence. And these

are not utopian models or romantic metaphors, this is a direct reality that confirms its deep essence at all times, in every inseparable moment of its process. The pandemic has once again demonstrated that positivist anthropocentrism needs a radical revision, and the integrity of the cultural (human) and natural environment implies great responsibility, especially in making both short-term and global decisions, including overcoming the pandemic and its consequences. The process of human healing is not just about universal vaccination programs, improving the quality of life, fighting poverty, solving the problems of big cities, and so on. The main objective of the modern human is a change of the conscious and cultural paradigm. Reorientation to the world, nature, living environment, respect for the environment, respect for natural laws, rather than their consumer and aggressive use from a dominant and authoritative position. In a pandemic, role of qualitative education in the humanities, adequate cultural policy, conditions for individuals' creative development in order to increase the status of artistic and intellectual community acquire thus a special significance.

Certainly, the issue of more or less articulated predictions about post-quarantine culture is quite problematic and risky. After all, meanwhile, both negative and positive factors interact. The negative trends and current threats comprise also deepening of the economic, social, and cultural crisis, the spread of panic and pessimism; increased centralized state control; restrictions on democratic freedoms; devaluation of liberal democratic values (including neoliberal doctrines of multiculturalism); the revival of nationalism and authoritarianism; reduction of cultural and artistic institutions and forced restrictions on their activities; decrease in the consumption of cultural and tourist services. Positive trends that deserve to be disseminated and supported include strengthening of the international solidarity and cooperation; shift of the consumer development paradigm to an ecological one; intensification of the struggle to overcome poverty;

ensuring the decent living and working conditions; restoring humanistic values, and qualitatively renewing cultural and artistic institutions. It happens, first of all, due to the growth of their creative potential and the use of new media technology activities of the creative community aimed at transforming culture into a crucial factor of sustainable development in society.

The diverse and sometimes contradictory tendencies have already been actively manifested in our modern life. The processes of mediatisation and virtualization of cultural and artistic creativity and human life, in general, are accelerating. Culture is at the bifurcation point, at the point of choice, when qualitative transformations in different directions are possible. Which scenario is implemented depends on how quickly and effectively we can join forces collectively at the regional, national, and international levels to ensure a more humane, just, and ecological world. In a crisis society, culture is the guarantor of the preservation of human potential as a subject of creative activity, the guarantor of the stable development of society. Its role and significance are growing due to the need to reorient the entire value system from mercantile and consumer orientations to spiritual and ecological ones, which is an essential condition for sustainable development at the modern stage. The level of stress and risks, the threat to life and health of a huge number of people are forcing us to reconsider the meaning of life and perspectives, to build new dynamic and pluralistic models and strategies of adaptation to the situation, optimal and timely solution of urgent problems.

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THE WORLD AFTER THE PANDEMIC WILL BE DIFFERENT. WILL EDUCATION CHANGE?

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Abstract

The aim of the paper is to present possible scenarios occurring in education after the coronavirus pandemic ends. The starting point for their depiction is a description of a remote education drawn up on the basis of experiences of people participating in it, mostly teachers and students. It enables recognition of several visions of future education: (1) capable of transformation, expanding the fields of freedom and crossing boundaries; (2) concentrated on the solution of burning problems in dialogue and interaction with the world; (3) complacent with simulation of changes to retain stagnation, forming a passive and reticent man.

Key words: *education, teachers and students, coronavirus pandemic*

The changes occurring in the sphere of education in the times of the coronavirus pandemic is an ongoing process bound to last even after canceling the state of threat. Thus, questions concerning the possible scenarios of the development of future events inevitably occur here, and I render their depiction the essence of

this paper. In my prediction, I start with a short description of the current state, which I drawn up on the basis of experiences of: (a) pedagogy students who shared their reflection on studies in the era of coronavirus with us in; (b their essaya) teachers describing various educational situations with their students' participation; (c) the author who has derived competences from remote didactic work; (d) participants of the social discourse that was carried out in media (cited utterances are marked with *italics*). The recognition of their experience does not only intend to provide credible data, but also to raise the validity of anticipation in drawing up scenarios [Smith2009: 160-161].

An analysis of thus obtains research data, and thus enables recognition of meanings given the education in the period of social isolation by participants of education (Rapley 2013, Kozinets 2012). Their experience is grouped and in the groups the name of category should match the domain of the phenomenon described. Thus such category- domain based grouping enables to depict various ways of understanding this phenomenon by different subjects (Jurgiel-Aleksander 2013: 125). In this case, three aspects of changes have been identified as experienced with regard to: (1) the place of education, (2) its course, and (3) the teacher's role. Their interpretation consists in outlining the future possible scenarios of educational practices.

1. EDUCATION TODAY

The analysis of statements made by the participants of education has shown that the most significant and most influential change is the education as being moved from school to homes.

1.1. Changing the place of education

In education- oriented talks the most frequently discussed issues relate to the aims, content and methods applied in the process of education. Currently, however, these talks focus predominantly on the place where the education is performed. The

place is no longer associated with the school- building (i.e. the building with its infrastructure), but with the house or flat of a student, his/her friends, and the teacher's home. This change is evaluated differently. Opponents with negative attitudes concern mostly the occurred **social isolation**. Others, however, believe that it is seen as an exemption from a duty to be personally present in the establishment. Independently of how participants of the education sense it, it needs to come to terms with the formally established order to separate from others, especially that it has been shown as the proper way leading to the preservation of good health, a particularly precious value in the times of the risk of its loss. Although in the hierarchy of values it has always placed on a high position, currently it is on its top [Ostrowska 2006]. It has been assigned the meaning of an undisputed argument behind the decision to (temporarily) suspend the functioning of the educational establishments and higher education and to move education to the residence addresses of learners and teachers. For them this change is a breakthrough as home, thus far associated with the place of rest after lessons, becomes converted into ersatz school, whilst the school becomes an empty place. Possibly only "empty signifier", that is as construed by Ernesto Laclau [2004: 76], a presentation of what is present as not being present; what is still significant but with the signifier. It is hard to unequivocally specify what such a **place** like home or school is for particular learners and teachers. It may be not what the others see it as, but what they make of it (Mendel 2006: 29). Principally, home is shown as a synonym of safety, but also of relative seclusion, yet with the option of opening to **space**, associated with liberty and encouragement to act [Szczyński 2003: 139].

Whilst in the first days of March the pandemic first enforced the closing of learners in one location, later it opened that place to space by means of **invisible bridges of remote education, cast over multifarious barriers**. Some of these barriers had

existed for long, others – became revealed, and still others – are perceived reluctantly or not at all. The former group encompass, *inter alia*, students' local difficulties, problems with equipment enabling remote education, such as insufficient technical parameters, too low a number of computers or complete lack of them: *When there are several children who need to take part in lessons at the same time, then a problem arises. It happens that kids have access to the Internet only on their mobile phones. It is even worse in teachers' families, where at the same time the parents leading classes and e.g. two children need to use a computer simultaneously. In many homes there are also no spatial conditions. Because in a small flat in which a few children need to study and the parents work remotely, it is hard to get peace and quiet necessary to participate in lessons* [Ziomek 2020]. A bold thesis on remote education, shown as the solution of the future, falls subject to verification by everyday life – as the real **deficiency of technical backup** renders learning impossible [Pyżalski 2020]. Moreover, it disrupts or substantially limits mutual contacts between friends, with home gradually becoming a place of isolation experienced by some as prison.

There are, however, situations, in which students – despite the lack of technical obstacles – resign from building educational bridges and making contacts. As the reason for their reluctance to open up to space the respondents show the conflict-branded relations between the participants of remote education and also their fear of their residential conditions in which they live being disclosed on the screen – for online lessons also show the decoration of flats, thus sending a clear message on the **economic status** of family: *At some places you can see walls groaning under the burden of valuable bric-a-brac, at others – windows seamed with tape* [Zaborski 2020]. The learning environment visible on the monitor does not only show the problem of social stratification, but it also solidifies or reconstructs the hierarchy of a peer group, favours alienation and marginalization of some.

As one of the teachers says: *Children can be cruel. Once they notice that it's ugly at someone's place, they can make a [print] screen and laugh at it later. It is similar when a person happens not to look good or makes a silly face* [ibidem]. Unexpectedly, the social dimension of remote education for many a student gains greater significance than learning itself.

1.2. What is changing in education?

The answer to this question is also formulated on the basis of everyday experience of participants of education. Their statements are dominated by the issues of: role of media in remote education, the course of teaching, assessment (especially matriculation) and symbolic violence. For this reason, I address this matter.

Media in (superficial) action

The inclusion of new media into education has in fact not changed it. The interlocutors congruently state that only on the first days of pandemic, that is in a situation of substantial chaos, creative teachers could spread their wings in the sphere of unconventional work with students and thanks to remote education instantly implement innovations into it. Soon, however, they received from the headmasters guidelines for teaching: the duty to cover the curriculum, work with the textbook and task sheets, and even to strictly comply with a methodological manual. Thus, the flashes of teacher creativity were sifted out by the tradition of the transmissive teaching well grounded in the tradition of Polish education. At the same time the possibilities of learning meeting the needs of “digital aboriginal” learners, generated by new media, became annexed by head teachers – “digital immigrants” [Prensky 2001]. Contrary to the “immigrants” attached to the traditional place of teaching, for “aboriginals” learning proceeds in digital space treated as a source of unlimited resources of knowledge, in which they capably function

thanks to networking. Unfortunately, the possibility of breaking the stereotypical teaching which arose in the era of coronavirus has not been taken advantage of. School headmasters failed to allow learning “in the search of trace” by students, as the only proper way of learning imposed has been the traditional learning “following the trace” set by the teacher and the curriculum [Klus-Stańska 2002].

Still “following the trace” of the teacher

Despite changes to many dimensions of life caused by the pandemic, education has not subjected itself to them and has retained teaching consisting in **conveying content**, the only difference being that the **teacher’s voice** echoes not from in front of the blackboard but from the screen. The student invariably in silence listens to the transmission coming from the monitor, fulfils the teacher’s orders and solves problems posed in such a way that they meet the a-priori-formulated curriculum requirements. And, in the parents’ opinion, there are many tasks: *Most work is done by children themselves, who cover issues assigned by the teachers* [Ziomek 2020]. And yet in the teachers’ opinion: *We need to do so owing to health and safety regulations. Children from younger classes can spend in front of a computer not more than one hour daily. Older kids, in turn – up to 90 minutes, that is two lessons daily. The other issues or exercises children need to do by themselves* [ibidem]. Finally then *we give twice as much homework as earlier. Because now, in order to cover the material, after each lesson I need to give some homework. And later to check it. Because whilst the time of children’s work at online lessons must be strictly observed, the time of teacher’s real work is not paid attention to by anyone* [ibidem]. As can be seen, harnessing new media for education on an unprecedented scale has essentially not changed teaching-learning, for still its goal is the teacher’s transmission and the learner’s acquisition of curriculum content, work with the textbook and task cards,

and mandatory assessment.

Irremovability of assessment

The imminent end of school year motivates teachers to intensify assessment of students' **achievements**. They traditionally focus on the assessment of results of students' work and not on the progress made in learning in the educational environment modified by the pandemic. In this respect remote assessment does not differ from that conducted at school, that is the unchangeable covers oral testing, checking homework, holding written tests [Stabach 2020]. Apparently, the school grade and assessment prove resistant to the coronavirus. The irremovability of assessment from education is indicative of students, teachers and parents being deeply attached to it and convinced that a little digit reflects learner competences.

Numbers acquire a particular significance in the case of result of the **matriculation exam**. It has been assigned a high-stake character due to not only it being grounded in tradition, but also in relation to the educational policy in which external examinations serve an important function in steering the system. Unfortunately, in the era of coronavirus high-school graduates have been treated instrumentally, because, as a teacher says: *they are played with by the government. They have become a bargaining chip, because if the matriculation exams are held, why shouldn't elections take place? (...)they feel abused and neglected; they're frustrated and disappointed by it* [Zaborski 2020]. To which she adds: *Online education has made students realise how painfully disappointing faith in institutions is. The greatest lesson they will derive from this will be a conviction as old as the world that one should only rely on oneself, and they will enter their age of maturity with a weakened faith in the system which can no longer be rebuilt* [ibidem].

Problem of violence

In the light of multiple and diversified problems experienced by education in relation to the pandemic, there arise a number of superficially banal questions, such as: Why does a curriculum need to be unconditionally covered? What is learning – activity for the sake of a learner’s development ou rationally unjustified “covering of the textbook”? Why do teachers and students subject themselves to those educational orders which they view as improper? The answers of critically-approached pedagogues [e.g. P. Bourdieu, Z. Melosik, T. Szkudlarek and others] suggest that acting in breach of rational premises is related to the violence-based character of education. In online education the symptoms of violence recognised by the people expressing themselves are statements such as: the obligation to teach in accordance with the curriculum and textbook, students’ duty to perform work assigned, conducting external examinations, holding teachers to account for the classes held, etc. Unfortunately, the experiencing of the above forms of symbolic violence has been so deeply rooted in educational everyday reality that it is not noticed within the senselessness of “mandatory” didactic actions carried out inappropriately to social and medical realia. Remote education has not only failed to solve the problem of violence in education, but it has disclosed its helplessness to violence experienced by students at home, as there – apart from the symbolic edge – it also takes the physical and mental forms. One of the teachers explains why this problem has not intensified: *Before the pandemic I had the possibility of talking to students during the break. If children trust someone, then they at least gain a person they can speak their mind to. Thanks to this, I was able to control the situation on the ongoing basis: I knew if the child was meeting the school psychologist, whether it is under any risk. Now kids with problems at home have lost their confidants. I don’t even wish to think what a regress will happen in the situation of those who had been seeing the school psy-*

chologist on a regular basis [Zaborski 2020]. Another one adds: Dislexia [with reference to a computer] completely covers the issue of those most harmed in the times of pandemic: children from a children's home, the disabled, kids from pathological families and victims of domestic abuse, who are now imprisoned with their torturers 24 hours a day [Zaborski 2020].

1.3. The teacher under review

Remote education has imposed on teachers new tasks, frequently contradictory and mutually exclusive, as e.g. (a) expectation that students will cover the curriculum a shorter time than that spent at school; (b) maintaining self-sufficiency in learning (without parents' assistance) and at the same time meeting curriculum and teacher requirements; (c) devoting to each child as much time as s/he needs, which is postulated particularly by parents following the course of online lessons. How do teachers cope with thus complex requirements? The statements point to several dominating matters, namely:

1. Prolongation of class preparation time. As a history teacher from a primary school says: *I spend about 10 hours a day in front of a computer. Meetings with the students are half this. The rest is bureaucracy, of which there is twice as much. (Ziomek 2020).* The aspect of time devoted to remote work is also reflected by another statement: *I have 5 classes, each with about 30 people. That makes 150 students. Say, half their parents will ask me something else. I need to answer everyone, give homework, check, enter everything into proper rubrics and fill in piles of documents [ibidem].*
2. Expanded bureaucracy. It is a symptom of distrust to the teacher, who needs to be held to account for remote work somehow. And because it is not really clear how to do it, they are held to account even in greater detail than previously "just in case": *I put down the subject of the lesson as I did. Later I do the same in messages to parents and to the child,*

where I inform what the student is to do. Then I enter the same to the schedule. I need to do the same work four times. If there is something that might aid us in this work, then definitely reducing bureaucracy (ibidem).

3. Incongruent opinions on the quality of teachers' remote work. Most often they are formulated by parents, teachers about other pedagogues, and journalists. Praise interchanges with criticism, with negative comments being generally formulated on the basis of colloquial knowledge and personal experiences of respondents, which they derived from learning in a transmissive school. They do not know any other approach to education and cannot envisage school different from that which they themselves attended. This is why, from their perspective good teaching consists in work with a textbook and such teaching they expect for learners.

Summing up: The part of the study consisting in the identification of situations on the basis of dominants differentiated from the statements of participants of education enables recognition of experiences derived from education in the era of coronavirus. Furthermore, it enables recognition of undisclosed so far potentialities in people, but also disfunctionalities of the educational system. This draft of the pandemic-branded "landscape of education" will make it possible to draw up scenarios of education realised in the future.

2. CROSSING BOUNDARIES – SOLVING PROBLEMS – FAKING CHANGES, THAT IS ON EDUCATION IN THE FUTURE

Probably, future changes will occur evolutionarily (although revolutionary modifications cannot be excluded), because both statements obtained from the cited sources as well as the source literature show that education demonstrate "resistance" to sudden changes. Its example is the functioning of education in the period of isolation owing to the pandemic, when the initial shock and chaos were swiftly handled and teaching started to proceed

in accordance with the plan: the core curriculum is being covered, the examinations will be held, and the school year will not be prolonged. If, however, we were to assume the bottom-up – i.e. education participants’ – perspective, then everyday reality will prove complex, inhomogeneous and not fully clear future, which is depicted by three possible scenarios.

2.1. The potential of grassroots transformation. Towards educational freedom

Forced isolation and the confinement of the range of education to one place paradoxically opened up – especially for teachers – a window with a view of the space of innovativeness in work with students: space thus far known rather from theory and not explored in didactic practices. Symptomatic is the admiration of innovators over the causality discovered: *Till March 25 these had been largely experiments, artistic work, drawing lessons, as I paint a little. But also conversations about nature, about what is around, or fun with English. I tried to conduct everything in a light, loose fashion, without coercion, without orders. (...) The joy with work is unimaginable. To do what I love. That is to work with children. But on one's own rules* [Sergot 2020]. For teachers who came to stand on the “new ground” of innovativeness and creativity in work with children and experienced its unlimitedness the return to the traditional transmissive teaching will be difficult and rather not of their own will. For the first time they managed to cross top-down norms of education and boundaries set, they discovered the pointlessness of numerous didactic activities undertaken so far, such as: attachment to the textbook and the methodological guidebook, the “privilege” to convey knowledge leading to the dominance of the teacher’s voice instead of it being taken away from the student, the duty to assess, etc. They became convinced that it is not so much educational management but they themselves that can impact the shape of teaching and learning. Very soon it is not going to be very easy for those

making very first steps – both teachers and students – on the recently discovered land of creative education to implement the ideas of transformative education into everyday school reality, although this task is not impossible. The “remuneration” for the effort undertaken will be the experience of joy out of joint (student’s and teacher’s) learning, mutuality of trust and good interpersonal relationships.

For teachers, the decision on crossing the boundary of stereotype in education relates to new comprehension of their own role, which occurred first during the period of isolation on the national scale. The teacher presented themselves as a person who (1) is also learning and using new media, deriving satisfaction from it; (2) is not ashamed to admit ignorance (not a lot time ago it had been quite unthinkable); (3) is creative and, e.g. modifies content and teaching methods; (4) introduces innovations, thinking mostly about the students’ sake. One woman teacher writes: *I did not expect that the coronavirus pandemic might have any positive influence on education, which needed a peculiar “wave” of freshness. Teachers who had been working conventionally earlier, only with the textbook, had to change their methods of work and put aside their fixed schemata. I only hope that when we return to normality and the educational establishments are open again, teachers, parents and students will remember this lesson and draw their conclusions from it* [Fontasiewicz 2020].

Networking has contributed to the deconstruction of fossilised school society. One may thus expect that soon new relations will be built, with a substantial contribution of parents – more increasingly involved in school reality. We cannot exclude a scenario in which the wall of misunderstanding parting parents and teachers will be meticulously rebuilt, yet the opposite possibility – its final and irreversible disassembling seems as real as never before. What renders it even more likely is that the bond of the relationship between parents and teachers is their agreement for the sake of the child and awareness that without

real undertaking of joining actions, their sake will become just canting talk.

It also appears that the educational experiences of parents derived from supporting children in distant learning will be an excellent starting point for wider opening to home education. It needs to be clarified that it was not education conducted In the era of coronavirus, as then only the place of learning changed – it was shifted from school to home. Then education was led by a teacher realising the curriculum and assessing the effects of students' work. Yet, In home education learning is organised by parents (together with children), they specify aims, select issues, methods and time of their realisation in concordance with needs, possibilities and interests of learners [Stebnicki 2009]. They also bear complete responsibility for its quality and progress. So far on the national scale home education had been conducted on a very small scale. It is possible that currently the circle of families interested in it will enlarge.

Summing up, there exist real premises speaking in favour of assigning to future education features of transformative education: open to space pulsating with multiplicity of events realised by creative teachers, who together with students undertake issues important for them and experience partnership support from parents. It needs to be noted, however, that an analysis of educational experiences from the era of coronavirus makes it possible to draw up this scenario with moderate optimism. It has its source in these statements which present attachment to traditional transmissive education.

2.2. Solving burning problems of everyday educational reality

One might to prompted to say that after difficult experiences of education outside school the approach to it has changed enough for the areas of stagnation to constitute solely islands on the ocean of transmissive teaching. Today, however, this vi-

sion seems to be too far-fetched, and more real – a scenario of activities focused on solving more burning problems of contemporary school. Their spectrum is wide, and this is why I refer only to these identified by teachers speaking about the issue of work in the era of coronavirus.

There still remains deep in teachers fear of being ridiculed by students, parents or anyone else. Constantly assessing students, they imagine that they also fall subject to assessment, received as a tool of rewarding and punishing for mistakes. And in the transmissive approach to education (dominant in Polish school) mistakes are not admitted and are subject to penalty, which with a painful stigma becomes imprinted on numerous educational biographies, hence common tendency to their avoidance. In spite of this, mistakes happen, even to teachers as well as those conducting lessons on television. They were instantly criticised and ridiculed, there occurred a talk on the sigma with which they *will return to everyday life, to schools in which they study. This will be a painful return with such damaged reputation* [Kutrzeba 2020]. The fear of being ridiculed has long lineage as it is instilled in the course of socialisation from as early as childhood, when shaming and ridiculing people are applied as an effective tool of upbringing. People are ridiculed not because of being amusing, but different from patterns of behaviour commonly adopted as “proper” [Kłoczowski 2014: 118]. This is why it is becoming challenging for education to liberating learners from the fear of errors, failures, or being alienating “others”.

Intolerance of disparity is not alien to Polish society, with its symptoms also occurring at school. The isolation caused by the pandemic has highlighted this feature. Olga Tokarczuk even believes that “old egoisms” and categories “ours” and “strangers’” have returned: “*The fear of virus has awoken the simplest atavistic conviction that “strangers” are to blame and always bring risks. The virus came to Europe “from outside”, it is not ours, it is others’. We are reminded: the boundaries still exist and work*

well [Tokarczuk 2020]. Hence, being closed at home, apart from protection against the crisis, makes it possible to hide one from the unfriendly social environment. Yet, home treated as a hide-out [Tischner 2006], becomes a testament of the **defectiveness of relations between members of school societies**. The issue of interpersonal relations evades school reality, in which education is treated as more important – whilst conflicts between students, the teacher and the alumni, tend to be a source of deep problems, also those related to learning. This phenomenon is still waiting for its solution to be undertaken.

For students, teachers and parents it is something obvious that in a centrally-steered education, also in the era of coronavirus, it is institutions that are shown as **“guilty” of all failures**, shortcomings, information chaos, etc. Yet, Leszek Kołakowski [2014: 120] claims that such reasoning is a form of self-justification for not undertaking actions oneself. It sends to sleep the moral sense of individuals incapable of seeing their **supiness**, whilst the sources of disfunctionality are sought in institutions. The time of pandemic indeed highlighted many weaknesses of the educational system but did not discover them as they had been stuck in it “for ages” as elements of educational and school everyday reality. It’s not the right place to make their full list, this is why I shall refer to some of the cited pedagogues pointing to: noncriticality to the core curriculum, symbolic violence and dominance of the teacher’s voice, education addressed at the result (not the process) particularly the matriculation result. The solidification of these symptoms of traditional education is also supported by – apart from institutional conditioning – teachers’ reluctance to introduce changes, and fear of the consequences of breaking free from the stereotype. Desistence reminds us that not only the institution, but also the student and the teacher bear **responsibility for the real course of education**. Being able to bear responsibility for one’s own education is becoming one more task for the future.

Summing up. In the scenario above I only draft the most burning problems concerning: (1) man's position in transmissive education and (2) his institutional implication accounting for malaise. It is a scenario in which two directions of actions are possible. The first is undertaking measures meant to solve the most acute maladies of education, rebuilding the weakened condition of people implicated in it, particularly raising the teacher's status, equipping the teacher with soft competencies and subjectification of student. Modifications in this regard occur slowly and they are neither measurable nor spectacular, and this is why the virtue of long-termedness, generally addressed first of all to teachers, needs to be restored. It is manifested as: (a) persistence in everyday work with students, (b) taking control of discouragement occurring during long-lasting combat against difficulties and impossibility to reach a goal, (c) the ability to anticipate the effects of decisions and actions, and to bear responsibility for them in the future [Gałkowski 2018: 12; Woroniecki 2008: 248]. The second direction seems more likely than the previous one owing to the sense of the statements cited. For they present attachment to traditional teaching, opt for supineness of learners, show the need to be managed by a centralised educational system, bureaucracy and being subject to control. In accordance with this scenario education is ahead of stagnation.

2.3. Education on the path to pretence. Towards hopelessness and stagnation

And finally the scenario filled with conscious faking of changes in the sphere of education, that is such that in fact do not take place and, despite the actions undertaken, all remains the same. Jan Lutyński [1990] includes among essential **superficial changes**: (a) their common acceptance due to "significant" social aims, (b) fragmentary or fake realisation, (c) following from the common but hidden from others conviction about their useless-

ness, (d) in connection with which this type of actions are still deceptively undertaken by “principle”, to “pull wool over somebody’s eyes”. What is unavoidably interwoven with them is an element of fiction concerning the aim, course or the anticipated result. In the case of Polish schooling, the scenario of superficial changes appears even more real owing to the fact that for many years fictitiousness has been one element of educational everyday reality; I shall illustrate this phenomenon with several examples. The first one is naming between the 70s of the 20th century and 1989 common alphabetisation and equation of opportunities a success of the Polish educational system, although in fact it was characterized by an increase in illiteracy and semi-illiteracy reaching in 1986 22.6% [Kostyło 2013:99; Kwieciński 2002]. The second example of reforming education only superficially is rooted in the old mode of legitimation and in the directly-undisclosed goal of changes addressed mainly at the maximisation of economic gains; savings are obtained through, *inter alia*, education: extra classes, the state of teachers’ employment, auxiliary services in education. “Reforms” also favour the strengthening of the centralisation of the educational system and control over it [Śliwerski 2013: 127]. The third example points to the presence of pretence in the activity of many non-public establishments (kindergartens, schools), in which the economic dimension of activity dominates over humanitarian, whilst the business character of these micro-enterprises loses out of sight a child and his/her educational needs [Sajdera 2014: 147]. In multi-year educational practices there became established a peculiar paradox consisting in that although humanism is declared and ensuing support of individual development, *de facto* there occurs subjecting education to universal norms common to all, “measuring” quality and effectiveness assessment [Żytko 2014: 112].

The symptoms of educational pretence came forward also in the era of coronavirus, but, tamed in the social mentalist, they

passed unnoticed. Evicting fictitiousness may prove difficult, so changing education at schools is going to take the form of advanced rhetoric, leaving it in fact unchanged. Thus, the changes awaited by some in the era of isolation will – to the satisfaction of many – will be introduced in such a way that they will retain education in the well-known and tamed condition. **It will be as it was**, therefore the ontologically impossible overlap of disparate dimensions of being will prove in the space of pretence real by all means.

Summing up: Difficulties in the struggle against educational pretence cause:

1. education being organisation- and decision-wise implicated in the structure of the educational system, in which institutions (e.g. schools) and people employed in them have the duty to subordinate education to the orders of superiors;
2. the prescription to observe regulations of educational law;
3. the supposedly pragmatic requirement to perform actions doomed from the start to being superficial due to the impossibility of being executed in reality;
4. the imperative of pseudo-moral conduct, that is based on commonly recognised values, but for many reasons not incorporated into life [Lutyński 1990: 115. Groenwald 2013: 47].

In the light of fossilised, infrangible educational structures disinclined to decentralisation, home rule and subsidiarity [Śliwerski 2013: 130], there arises in man, especially in teachers, hope for real changes. Especially with regard to those to which pretence, currently and in the future, will have no access.

TO OVERCOME BARRIERS, TO CROSS BOUNDARIES. CONCLUSIONS

The difficult time of social isolation has strengthened the conviction about the need of changes in education. Their realization is undoubtedly a process which will, however, frequently face obstacles and boundaries. Possibly, as Olga Tokarczuk [2020]

predicts: *soon a battle for the new reality begin, as **life after the pandemic will be different***. For education it will be significant what type of dialogue it will embark on with this changing world. From the data collected its three variants emerge. The first one is **education in silence and for its preservation**, that is resignation from dialogue for the benefit of silent subordination, acquiescence to symbolic violence and stagnation. It is also resignation from participation in the process of changing education and acceptance of educational stagnation.

Yet, a different course of events is possible, understood as **education in dialogue and interaction with the world**, consisting in listening to and impacting on one another, in concern for harmonious co-existence. In the practical realization of thus understood education the models of humanistic and constructivistic didactics prove helpful.

The third possibility arising is **education of crossing boundaries**. Thanks to it, man can handle **borderline situations**, key to his existence and identity [Abriszewski 2010: 168 - 169], such as the experience of: failure, harm, fault, fear, rejection – prompting search for support. In education is initiated at grass-roots by teachers, students, parents, local communities and organisations (not by governmental establishments).

The statements collected on the issue of experiencing the current situation in the context of thinking about the future of education point to the educational entities being now in a borderline situation, at the point of “moving” from tamed everyday reality experienced in the surroundings of a tamed place to a space yet unknown and waiting to be reconstructed. This state of transition can be a type of suspension, or the experience of excess requiring choices between possible scenarios of changes in education. These which I have outlined are just a brief presentation of the diversity of future events; despite this brevity, they refer our attention to the oppositionality of mutual positioning, generating unavoidable tension between them. The

uncomfortability of this dissonance may prove a catalyst of educational changes.

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GLOBAL CHRISTIAN RESPONSIBILITY IN THE ACTIVITY OF THE LUTHERAN WORLD FEDERATION IN THE TIME OF CORONAVIRUS PANDEMIC

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Abstract

The terrorist attacks on the World Trade Center, the climate-crisis and Coronavirus-pandemic are the 3 most important events that are milestones of orientation for modern people. The year 2020 has been dominated on all possible levels by the first pandemic in almost a hundred years. COVID-19 has changed the economic, social, academic, political, and everyday lives of billions of people. The lockdown phenomenon, i.e. the order for citizens to stay in a certain place, the prohibition of performing certain activities, for example temporary closing of churches in some countries, caused various reactions from authorities, leaders, individual persons, and public organisations. In the dialogue they built up the common identity of humanity. The voices of the Christian churches still play an important role in this multidimensional exchange of thoughts. One of the most significant activities of the global Christian communities on the front of pandemic belongs to the Lutheran World Federation. This community of Lutherans worldwide has published a number of statements and, what is much more important, creates a space for building a global community of faith of people suffering during the pandemic.

Key words: *protestantism, coronavirus pandemic, Lutheran World Federation, Lutheranism, Globalism, Covid-19.*

INTRODUCTION – THE MILESTONES OF THE 21ST CENTURY GLOBAL IDENTITY

The beginning of the 21st century was marked by the tragic event of the series of terrorist attacks on the World Trade Center, which took place on September 11, 2001, in New York. This event entered the scientific and journalistic debate as to the world after 9/11, and it also started a discussion about the concept of the “Axis of evil” and the so-called global war on terrorism. The 9/11 was described as a turning point in history, in which terrorism showed a new global face: the use of various means to intimidate on a global scale. An important, global consequence of the defence actions undertaken by the governments of many countries was the restriction of a large number of civil liberties in many countries, which was particularly visible and felt in air travel. A permanent consequence of 9/11 was also the increased surveillance on the Internet, the feeling of a lasting feeling of control from various types of services. It also created new challenges for various authorities, civic organisations as well as ordinary people [Grabek 2018]. For example, the English documentary film from 2011: “9/11: Day That Changed the World” directed by Leslie Woodhead, expresses common belief in the uniqueness of this event for the present identity of the human being.

The attack of September 11, 2001, was reflected in the lively activities of the Christian Churches and increased interreligious activities. In most cases, 9/11 led to prayers for peace, but in the US situation, it led to different, often extreme, views expressed by various confessional churches, from endorsing the war effort of the George W. Bush administration to their complete negation. One of the very clear voices in this discussion was the Statement of the executive committee of the Lutheran World Federation (LWF), announced on 15th of March 2003, where we find the condemnation of the Bush Administration for seeking war without United Nations approval. “The ‘just war’

criteria ... were designed to constrain – not justify – the resort to war. Indeed, they stand in clear opposition to a preemptive war for the purpose of `regime change.’” [Religious Groups Issue Statements on War with Iraq 2003].

The person of Greta Thunberg is a symbol of the most exciting phenomena in socio-political life in the European and later on a global context of the second decade of the 21st century. Since August 2018, a 15-year-old Greta Thunberg in Sweden has begun a school strike for climate. We have to notice that for example, the Lutheran World Federation already at General Assembly in 2017 confessed that the goal to be carbon neutral by 2050 is one of the most important aims of the humanity [Lutheran World Federation 2017].

The activity of the young Swedish woman and millions of others, especially young people, was a reaction to hurricanes, tornadoes, floods on the one hand, and droughts, dust blasts, heat waves, and wars for water, resulting in the movement of hundreds of millions of refugees, on the other hand. The phenomenon of global warming has been treated by entire societies and governments of many developed countries as not an abstract problem, but as an unprecedented phenomenon: the challenge of the climate crisis. Fridays for climate, called later as Fridays for future were the most significant and most global youth actions in the last decade. The Christian Churches were from the very beginning one of the most important supporters of this movement and the global care for climate. Since the 70-ties of the 20th century the Lutheran World Federation has been one of the most active public and international subject in the climate discussion [https://www.lutheranworld.org/climate-justice/resolutions-statements-climate accessed 2020.11.12].

Less than 20 years after the 9/11 world-shaking event, people across the globe have been confronted with a new global challenge. The first media information about strange illnesses in the Chinese city of Wuhan with a population of more than 10 mil-

ion people appeared in November 2019, when in mid-January 2020, a previously unknown virus spread throughout China. In the following weeks, SARS-CoV-2 infections broke out in South Korea, Italy, and Iran. In Poland, the borderline day is March 4, 2020, since infections with previously unknown viruses have been recorded. The global date for Europe is March 13, 2020, when the WHO announced that the centre of the coronavirus pandemic has become the Old Continent and that cases of infection have covered all continents except Antarctica [Berlinger 2020]. For the Polish context, it is also the day of March 13th – a beginning of the lockdown.

CHRISTIAN REACTIONS TO PANDEMIC AND THEOLOGICAL PATTERNS OF INTERPRETATION

The outbreak of the coronavirus pandemic was completely unexpected. The reaction to the news about the spread of the pandemic was extreme: panic on the one hand and denialism on the other. A very common phenomenon was the paradigm of thinking that pandemic is an international conspiracy to limit civil liberties in the name of protecting public health. Denialism was a typical position for very conservative, fundamentalist circles of Christians all over the world.

In the context of COVID-19 pandemic, the most known is the reaction of the roman-catholic church. The head of this Church, Pope Francis recognized from the very beginning the enormity of the threat and its social consequences. The Vatican Seed supported the medical personnel and appeal for the attitude of isolation.

The prayer of Pope Francis in the empty St. Peter's Square on March 27, 2020, was widely echoed. In the meditation prayer for the end of the pandemic, the Pope reflected on the essence of the disease and pointed out that the world did not wake up in the face of wars and planetary injustices [[https://www.vatican-news.va/en/pope/news/2020-03/pope-francis-prayer-our-la-](https://www.vatican-news.va/en/pope/news/2020-03/pope-francis-prayer-our-la)

dy-protection-coronavirus.html accessed 2020.10.21].

Later on, the Pope Francis formulated several prayers for the end of pandemic, especially famous was the episode when the Pope asked members of the catholic Church to make a special effort in May to pray the rosary, to be united with other believers around the world asking for St. Mary's intercession in stopping the coronavirus pandemic [<https://www.osvnews.com/2020/04/25/pope-composes-prayers-for-end-of-pandemic-to-be-recited-after-rosary/> accessed 2020.10.21]. This call had non ecumenical character because of its direct reference to the Mariological tradition. Anyhow, the voice of Francis in the year 2020 was one of the most noticeable among all authorities in the time discussion of the pandemic. He very quickly recognized global consequences of the present health status.

The Orthodox churches are not formally subordinated to any supreme organ, they have an autocephalic structure. The Patriarch of Constantinople is the first of the equals among the heads of the national churches (patriarchs, metropolitans and archbishops) and is the honorary leadership of all Orthodoxy, but his statements are not binding.

In some countries, the Orthodox Church appeared to be split. For example, in Greek context, several bishops opposing restrictions to mass attendance and accusing the government of persecuting Christianity. In this meaning, the so-called heroic statements of some hierarchs of the Orthodox Church who are not afraid of the virus call people to take part in ecclesiastical gathering of worship despite the legislative prohibitions of freedom of the movement. By the other groups they are considered irresponsible and somehow selfish. The attitude of many Orthodox Christians in Russia and Belarus was in line with the denialist trend and the preaching of the belief that nothing bad could happen to the faithful during the holy liturgy. This thinking is deeply rooted in the belief that is present in the Orthodox

faith also in the time of the Coronavirus pandemic: the Holy things in the Holy place cannot hurt you. In many quoted statements of Orthodox clergy leaders, one could hear that the pandemic is a punishment for the sins consuming Western Europe, including primarily homosexuality. Instead of isolating people, fight the blight with a sprinkler and an icon.

In the beginning of the pandemic the Polish Autocephalic Orthodox Church has also called their believers to continue taking part in the liturgical life of the communion. The Council of Bishops of the Orthodox Church in Poland on March 17, 2020 issued a communication on the coronavirus epidemic. The message reads: "The Holy Eucharist is the source of life, health of soul and body, against which no disease has power". [<https://www.orthodox.pl/komunikat-kancelarii-sw-soboru-biskupow-11/> accessed 2020.10.13]. On the other hand, in the bishops' appeal, we find concern about the situation: "For the duration of the epidemic emergency, you should refrain from meetings in parish rooms. Only strong faith, prayer, broadly understood abstinence, penance - as it was in the history of our Church - will help us and today overcome the epidemic that is affecting our generation".

Generally, the reaction to the pandemic in the Orthodox world has been that of scepticism and is connected with the faith that in the sacral sphere the virus could not be dangerous to faithful people.

In the End of March 2020, the Ecumenical Patriarch Bartholomew took the initiative and framed the incipient debate. He fully endorsed social distancing measures and framed his position on a sound theological basis: "Observing social distancing measures was not a violation but a realisation of God's will. Science and faith were not juxtaposed but stood on the same side of the struggle against the Covid-19" [Grigoriadis 2020]. This voice was later supported by several hierarchs in the Orthodox World. There was also quite an influential movement within Or-

thodox Christianity which denies the dangers of COVID-19. For example, Eugenia Constantinou, in a polemic expressing typical view of this time, emphasises: “Orthodoxy has always been flexible, but it has also been uncompromising in certain areas, including our core belief about Communion and our Orthodox phronema, our mindset, which is distinct from all other Christian groups” [Constantinou 2020].

The Greek theologian Petros Vassiliadis summarised the activities of the Orthodox Church during the Sars-CoV2 pandemic. He recognized the complicity of problem of pandemic and formulated in this context a question: “Can the Present Pandemic Crisis Become a Meaningful Storm for Renewal in our Churches?” [Vassiliadis 2020a]. The COVIC is seen as a sign of time and should be impulse to renewal in the Orthodox Church: “The Biblical renewal in this pandemic crisis is the *sine-qua-non*, both in correctly understanding the real meaning of the communion event, seemingly threatened by the social distancing precautionary measures, and the profound theological meaning of the Divine Eucharist, the mystery par excellence of the Church” [Vassiliadis 2020b: 6]. This example shows the mystical thinking of the Orthodox Tradition.

A completely different path was adopted by the Churches associated with the Lutheran World Federation. For Church communion of Lutherans since the General Assembly in French Evian, 1970, the social and political problem of the current time are recognized as a special subject of the faith [Schjorring, Kumari, Hjelm, 1997: 284]. There is a certain number of fields of the human activity prior for the Church of Christ in the end of the 20th and beginning of the 21st century: human rights, gender politics, East-West conflict, social justice, climate responsibility. In the beginning of 2020, the authority of the Federation put a special accent on the problem of pandemic. In materials of the LWF of the whole year 2020, it is the problem of Coronavirus–pandemic certainly of the highest priority. The problems

is described as a theological, political, ecumenical and global subject of the Christian and all-human care. That is the reason why the position of LWF in pandemic situation in this article is an object of detailed analysis.

Besides the confessional initiatives in the field of faith with pandemic, we can recall local activities that are beyond confessional character such as a textbook written by Christians in Malaysia [Guidance for Churches in the Coronavirus Era 2020].

THE ACTUAL STATUS OF THE LUTHERAN WORLD FEDERATION

The Evangelical-Lutheran churches founded in the 16th century followed by the reforms begun by Martin Luther and his contributors. They drew their theological thought from the confessional, so-called symbolic books of Lutheranism. These books, among which the most important are the *Small* and *Large Catechism* of Martin Luther and the *Augsburg Confession*, which were included in the *Book of Concord* published in 1580 - they contained the entirety of Lutheran theology and spirituality. An important element of this identity was the Evangelical understanding of the Church as well. Lutheran churches founded in the 16th century understood themselves as local communities that were part of the universal Church [Abromeit 2017: 111]. The heads of these national Churches were bishops, superintendents general, who had no supranational authority over them. The locality of the Church was one of the hallmarks of Lutheran ecclesiology, that is, teaching about the Church. Until the 19th century, there were no organized actions to build the unity of the Lutheran churches in the world.

First, in 1868 in German city of Hanover, the *Universal Evangelical-Lutheran Conference* was established, which, however, had a very limited scope: it was addressed only to German local churches (*Landeskirchen*). In 1901 this organisation was transformed into the Lutheran Work for Unity during the Inter-

national Conference which took place in Lund, Sweden. Since that time the *Conference* had international character and covered other countries with its activities. This event started a new chapter in the history of rapprochement and cooperation in European Lutheranism. Since then, representatives of the Lutheran Churches of Scandinavia began to officially participate in the work of the Conference [Gaßmann 1991: 141].

After World War I, in the circles of American Lutherans, associated with the National Lutheran Council in the USA, the idea arose to create an organization uniting Evangelical Churches around the world. The result of the actions taken by American Lutherans at that time was the establishment of the *World Lutheran Convention* in 1923. The event was organized for Lutherans from August 19 to 24, 1923, in the historic city of Eisenach. Rev. John Morehead from USA was elected the first president of the Convention. The Convention, however, was not a thriving organization, it only gathered in two conventions: in 1929 in Copenhagen and in 1935 in Paris. This organization covered only Europe and the United States, excluding the Lutheran churches in Asia and Africa with its influence. The World War II, and especially the crisis of German Protestantism, led to the spontaneous cessation of this structure [Schjorring, Kumari, Hjelm, 1997: 16].

Immediately after World War II, various Christian churches, among the Lutheran ones, also became involved in the humanitarian aid operation for countries that were particularly affected by the effects of the war. American churches joined the organization of humanitarian aid transports, meeting locally? members of other Lutheran churches. It should therefore be emphasized that the foundation of the *Lutheran World Federation* (LWF) was not based on theological considerations, but those of a practical nature. Actions were taken, mainly on the axis of Scandinavian - Germany - United States, aimed at convening the first General Assembly of Lutherans, at which the World Federation would

be established. After the war, the first meeting of the *World Lutheran Convention* was held in December 1945 in Copenhagen, and the next in 1946 in Uppsala. At those meetings, it was decided that the existing Convention would be transformed into a global union. At the end of June 1947, representatives of the 47 future member churches from six continents met in Lund. The Federation at the founding assembly defined itself as an international, voluntary organization associating Lutheran or Augsburg churches from all parts of the world. The rules and goals of the Federation are contained in the Statute. The doctrinal basis is the Holy Scriptures, 3 old Church Symbols of Faith and the unchanged *Augsburg Confession* and the *Small Catechism* [Wentz 1965: 1427].

The LWF has indicated the goal of its action to bring Christians closer and to understand it, thus inscribing ecumenism in the foundations of its activities. An expression of this ecumenical commitment is the fact that the headquarters of the LWF is still located in Geneva in a joint building with the World Council of Churches (WCC). It should be noted that the greatest changes in the self-understanding of the LWF took place during the General Assembly in 1984 in Budapest, where the formula of “altar and pulpit community” was adopted, understood as the principle of membership and mutual relations among LWF churches. This event also confirmed the unity of faith, motivating the national churches to enter a new dimension of cooperation and to abandon thinking of separateness and independence. The development of the Federation’s self-awareness can be described as a description of the breakthrough points formulated during the General Assemblies. With time, more and more emphasis in the activities and reflection of the Federation was placed on social issues and ethical questions.

In the actual declaration on the LWF’s Website we can see: “We are a global communion of churches in the Lutheran tradition on a common journey of renewal. We strive to put our faith

into action within and beyond the communion, and seek God's Word and Spirit to guide us" [<https://www.lutheranworld.org/content/about-lwf> accessed 2020.10.14]. The collegiality of the LWF is a typical attribute of the Lutheran ecclesiology practiced in the life of the global organisation as well as on the level of local Churches, dioceses and congregations.

Since the 5th General Assembly in Evian, 1970, which occurred in the atmosphere of students' revolt in 1968 and under the influence of theological schools' revolution theology, the social ethics problem rests in the middle point of debate. The motto of the Assembly was *Sent into the World* which described the way of the Church. It was a turn from dogmatics towards dealing with the problems of Christian existence in the modern world which was connected with the reinterpretation of the doctrine of two powers/kingdom modern world which was connected with the reinterpretation of the doctrine of two powers/kingdom [Schjorring, Kumari, Hjelm, 1997: 286]. Subsequent assemblies continued the thematic scope set out at the landmark Evian meeting: 6th Assembly gathered in 1977, first time outside Europe and America i.e. in Dar-es-Salaam, Tanzania under the topic: *In Christ – A New Community*, 1984, 7th Assembly, Budapest, Hungary, topic: *In Christ – Hope for the World*. In 1990, the 8th Assembly took place for the first time in Latin America, exactly in Brazilian Curitiba. The problem was focused on social justice, the topic was: *I Have Heard the Cry of My People*.

The 9th Assembly 1997 occurred for the first time in Asia. It was in Hong Kong, China under the title: *In Christ – Called to Witness*. The Assembly reaffirmed the communion's commitment to women's ordination, but acknowledged member churches' varying views on the practice by urging reflection and dialogue. For the 10th time the Assembly worked in 2003 in Winnipeg, Canada, the topic: *For the Healing of the World*. The Assembly theme led to commitments to transform economic globalization; strengthen ministries addressing HIV and AIDS, violence

and poverty; and defend the rights of indigenous peoples [<https://2003.lwfassembly.org/lwf-assembly/htdocs/index.html> accessed 2020.10.15].

In 2010, the 11th Assembly gathered in Stuttgart, Germany under the motive: *Give Us Today Our Daily Bread*. They resolved to work for gender and intergenerational justice, food and climate justice, and fairness toward those affected by HIV and AIDS. Emphasis was made on promoting justice for migrants and relief for those who suffer under the severe conditions imposed by illegitimate debt. Assembly delegates affirmed that churches would speak out boldly and prophetically across ecumenical lines and with communities of other faiths [<https://2010.lwfassembly.org/> accessed 2020.10.15]. The last Assembly, signed with the number 12th took place in 2017 – the Jubilee year of 500th year of Reformation focused on: *Liberated by God's Grace*. “Taking the central theme as the starting point, the Assembly will structure its work around three sub-themes: 1. Salvation - Not for sale, 2. Human beings - Not for sale, 3. Creation - Not for sale. These three sub-themes address the contextual challenges the Christian community faces in today's world. They help to identify certain concepts, attitudes and global policies that people “liberated by God's grace” reject since they are incompatible with the gospel” [<https://www.lutheranworld.org/content/assembly>]. Especially, the 3rd point of the Assembly program was connected with the bride understanding ecotheological problem. The Assembly formulated the program for the next 7 years of theological work in the member Churches which was expressed in 3 Public Statement and 25 Resolutions, among them one is about climate change [<https://2017.lwfassembly.org/en/assembly/assembly-outcomes> accessed 2020.10.15]. At that time, no one could have imagined that the problems of disease, pandemic and restrictions on freedom would become the central topic of public and church debate only three years later.

THE RESPONSE OF LUTHERAN WORLD FEDERATION TO THE PANDEMIC SITUATION

The Lutheran World Federation is a global communion of the independent, local, mainly national 148 member Churches in 99 countries representing over 77 millions of Christians. The member churches work in seven regions and delegate representatives to the highest governing body, the Assembly. The Assembly elects the President, the Council consists of 48 persons, elected by Assembly and the General Secretary. The Office of the LWF works in Geneva, it has 3 Departments: Department for Planning and Coordination, Department for Theology, Mission and Justice, Department for World Service and the Office of the General Secretary. Altogether 65 staff members work there. For the theological, social and ethical problem responsible are: Department for Theology, Mission and Justice currently under the management of Rev. Eva Christina Nilsson from Sweden. This unit was highly involved in the formulation of theological statements of the time of the pandemic. Already on February 20th, 2020, the Office of LWF sent a statement of Lutheran Churches in Asia to all members: *Churches in Asia advise prudence in COVID19 outbreak* and organise a solidarity help for suffering people in Indonesia [<https://www.lutheranworld.org/news/churches-asia-advise-prudence-covid19-outbreak> accessed 2020.11.04]. The first official theological voice from LWF is formulated on March, 11, 2020 in the letter of President of LWF Archbishop Dr Musa Panti Filibus and General Secretary Rev. Dr Martin Junge. Both hierarchs gave the comprehensive theological and ethical interpretation of the pandemic situation and called to the moral attitude:

“This is a time to continue trusting in God’s compassionate presence among humankind. We take courage in the knowledge that God never abandons us, even if it means going through the experience of the cross. We see the cross of Christ as the sign of our strength and hope. The call for self-disci-

pline, stated in the Bible verse above, is paired with the call to love our neighbour. Love and self-discipline belong together, even more these days. By holding back from unnecessary contact, we are able to show our love and concern for those who are most vulnerable. We call upon you to uphold self-discipline as a gift of God” [Filibus, Junge 11.03.2020].

They call to follow instructions from the public health structures of your Countries and warn about the fact that much false information is circulating. The letter indicates that the WHO messages should become the source of factual knowledge about Coronavirus and pandemic.

This pastoral letter was an impulse for the national Lutheran Churches all over the World to take the responsibility on the local level and it is fitted in the theological model; think globally, act locally presented on the Assemblies since Dar el Salam.

As a consequence of global responsibility the Office of LWF in Geneva organized a several aid action and solidarity transport which was a realisation of solidarity with one another, to practice love and self-discipline, to hold back from unnecessary physical contact yet remain connected in different ways. Through that we are able to show our love and concern for those who are most vulnerable. As a sign of global solidarity a chain of prayer was organised in every member Church. The Office created a special Website dedicated to the Covid-19 problem with all important information and ways of support [<https://www.lutheranworld.org/content/lwf-responds-coronavirus-disease-covid-19-pandemic> accessed 2020.11.07]. The www subpage has 6 sections: News, Intercessory Prayers, World Service Response – Press Kit, Rapid Response Fund, Donate Now, Members Churches Response. The working of LWF was led in 3 directions: theological reflection, common prayer and financial support.

The first global Prayer in the time of pandemic was held worldwide in the Lutheran Churches on March 19th. The LWF prepared a special liturgy which was translated into the languages

of local congregations. On March 24th, at noon, the member Churches reacted to the call of the Pope Francis for a common, ecumenical prayer in the Churches with the Word of the Lord's Prayer: Our Father. The position of the Leaders of the LWF from the very beginning of the pandemic was that the Christian Churches should be in this dramatic time gathered in prayer. Global pandemic calls us to global, ecumenical action.

Afterwards, almost each week information, statement or solidarity action is formulated by Office in Geneva which underlines that the pandemic is not only a global experience but a problem of individual people. One of the symbols of this activity was the action conducted since July, 2020: *COVID-19: Wear it, share it*. It was a production chain of pandemic face masks with the LWF logo in several poor countries and the global distribution of them [<https://www.lutheranworld.org/news/covid-19-wear-it-share-it>].

Very characteristic theological analysis came from the President of LWF in June, 2020. Musa reflects on redefining churches' role in post-COVID19 world. He said that "Lutherans must learn to redefine their role in society as they continue to be advocate and to ensure that no-one is left behind". He underlined that the role of the Church in the crisis time is serving the most vulnerable [<https://www.lutheranworld.org/news/redefining-churches-role-post-covid19-world> accessed 2020.11.17]. The last important voice from Geneva is the information from November 19th, 2020 that the Lutheran World Federation (LWF) is joining the ecumenical partners to call on leaders of the G20 nations to urgently provide needed debt relief for countries struggling to cope with the consequences of the COVID-19 pandemic <https://www.lutheranworld.org/news/appeal-g20-address-debt-crisis-and-save-lives> accessed 2020.11.19].

Generally, the Lutheran member Churches of LWF keep the line of global responsibilities on the local level and that is why they did not protest against closing the Churches in the time of the

first wave of pandemic in the spring of 2020. The *signum temporis pandemiae* – the sign of the times of COVID-19 is that the life of huge number of Churches, not only Lutherans automatically moved from temples and chapels to the virtual reality.

CONCLUSIONS

The pandemic crisis of 2020 has generated very different reactions of individual and social groups. Also in Christendom, there has not been the same position and action against COVID-19. The conviction of denialism and scepticism versus the reality of common disease caused by the Sars-CoV-2 virus were not seldom in the first phase of its occurrence. One of the most comprehensive attitudes toward the pandemic of 2020 has from the beginning of this global phenomenon been demonstrated by the Lutheran World Federation and by its member Churches all over the World. The reaction of this global religious organisation has not only shown a theoretical character. The long-lasting practice of the LWF has led to the development of an adequate model of action in a crisis: theological reflection and motivation, the spiritual response in the form of liturgical and prayer activities, humanitarian aid for the neediest. This model had theoretically been constructed in many assemblies and meetings in the last 40 years and has been currently brought up to the global level of Office in Geneva clear frame of the solution and it has been performed by local member Churches in every part of the Globe.

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EPIDEMICS IN THE HISTORY OF HUMANITY AND THEIR CONSEQUENCES

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Abstract

Human development has always been accompanied by pandemics and epidemics. This essay focuses on those that have significantly influenced the course of history, and try to predict how the world will change after the COVID-19. And while the economic implications are relatively clear, the political effects of the pandemic are less clear.

Key words: *epidemic, pandemic, plague, cholera, flu, Covid-19.*

The COVID-19 pandemic has posed questions to the world politicians not only about the effectiveness of the healthcare systems, but also about the criteria for assessing the quality of the work of the governments of different countries. In recent months, political scientists and economists have been actively discussing what the world will be like after the end of the pandemic and who will emerge victorious. And while the economic implications are relatively clear: national economies are expect-

ed to shrink, production and consumption may decline significantly, and small and medium businesses will suffer the most - the political effects of the pandemic are less clear.

There is no doubt that the world will not be the same after the victory over the pandemic and the return to normal life.

One of the first epidemics dates back to 430 BC. Then virtually the entire population of Athens died. There were several versions of the origin of the plague. One of them testified that the merchant ships brought the disease from the Far East; another hypothesis accused the Spartans of poisoning a source of water during the Peloponnesian War. For the period up to 426 BC (with short breaks), the disease took about a quarter of the city's population (about 30 thousand people). One of the the victims of the epidemic was Pericles, the founder of the Athenian democracy, who was a military leader, and before the epidemic he skilfully resisted the onslaught of the Spartans. The fear of the disease was so great that even the Spartans cancelled the invasion of Attica. Pericles' death radicalized the policies of Athens, and at the same time halted the then prosperity of Greece. His successors preferred to follow an unstable policy, endeavouring to be popular rather than useful.

The disease lost a third of the population of Athens, which changed the balance of power in the ancient Greece and moved the political centre to Sparta. The infectious agent of the epidemic was not known until 2006, when the analysis of teeth found in the excavations of a mass grave near the Acropolis of Athens showed the presence of typhoid bacteria [Papagrigrakis 2006: 213].

The most painful blow to the welfare of Roman society of "Golden Age" was by the epidemic of Antonine Plague (165-180). The ancients themselves considered it a plague, but in reality, it was most likely smallpox. The emergence and spread of the plague is associated with the events of the Parthian War of 161-166. The first cases of infection were noted during the conquest and plun-

der by the Romans of Seleucia on the Tigris in winter of 165-166. In the spring, the losses in the ranks of the Roman army were such that the successful start of the offensive in Media had to be cancelled, and the troops returned to their bases. This decision of the command was fatal: the soldiers returning from the campaign became spreaders of the infection. The disease soon spread from Syria to Asia Minor, and from there spread to Greece and other provinces through densely populated cities such as Smyrna, Ephesus and Athens. Due to a developed network of roads and sea routes, the epidemic soon reached the most distant and remote areas of the empire. Antonine Plague devastated the army and possibly killed more than 5 million people in the Roman Empire.

The epidemic contributed to the end of Pax Romana, a period from 27 BC - 180 AD, when Rome was at the peak of its power. After 180 AD, instability grew throughout the Roman Empire due to civil wars and invasions by “barbarian” tribes. The price of manual labour rose sharply. Slavery became ineffective. There were not enough resources to restrain the onslaught of the barbarians. The empire was collapsing. The horror before the epidemic and widespread panic led to a weakening the people’s faith in the old gods. Against this background, there was a innate spread of Christianity, which became the “religion of salvation” in this large region. The Christians were not afraid of death, performed charitable deeds, cared for the dying, built hospitals. This was an important factor for the further official recognition of Christianity as the official religion in the Mediterranean world. The same situation occurred at the same time in China, where Buddhism, another “religion of salvation”, spread. An even more terrible catastrophe was the Justinian plague, the first recorded bubonic plague pandemic in history, which brought unparalleled devastation. The first cases of infection were recorded in Pelusia in Egypt in 541, during the reign of Emperor Justinian I. The disease-bearing rats arrived in Con-

stantinople on grain ships. From the capital of the Empire, the plague spread rapidly along all the shores of the Mediterranean, including Italy, Africa and Spain. Through the Alps, the disease penetrated into Gaul, from there to Germany, and then, crossing the English Channel, appeared in British Isles and Ireland. It spread just as rapidly to the east, ravaging Syria and Mesopotamia in a few years. In the Byzantine Empire, the epidemic reached its apogee around 544, when in Constantinople it killed up to 5000 people a day. For half a century of lasting of the disease, the entire cities and villages disappeared. Agriculture regressed to the subsistence level. Taxes ceased to pay, reducing once the full treasury. Large estates were distributed as salaries to soldiers, establishing a new social order. The plague became the highest manifestation of the crisis of the Byzantine Empire. It was preceded by many years of war between Byzantium and Persia and famine. Both empires suffered from the plague. The dream of the Byzantine emperor was to revive the failed Rome. Vast areas in the Eastern Mediterranean, Asia Minor and North Africa were depopulated. A political and demographic vacuum was created, and this was filled by Islam. The historical consequence of the plague was the emergence of the Arab state and Islam as a future world religion.

The plague devastated Europe for more than 200 years, between 541 and about 767, rolling in 20 successive waves with an interval of 9-13 years. The routes of transmission of the disease mainly related to the sea and land trade routes, population migrations or military campaigns. In the West, after the first few waves, the expansion of the disease by land was recorded within certain limits - in contrast to the Black Death in Europe in the 14th century. In fact, the area of the epidemic in the 6-7th centuries was limited to an area with a high level of urbanization and intensive trade, i.e. the Mediterranean coastal zone and transport arteries such as the river Po in northern Italy or the Rhone-Saone axis in southern France. In the north, the

border of the plague was the Loire Valley and the Upper Rhine region. It is not yet possible to explain why the pandemic ended two centuries it broke out or how it disappeared from Europe. Depopulation of the disease-devastated areas or reduced virulence of the pathogen are plausible, but explanations stay rather insufficient.

The second plague pandemic struck in the 14th century. It is possible that the disease was brought from China in 1331. The social conditions again contributed to the spread of the disease. Trade and delivery increased significantly for several reasons. The Western naval forces recaptured the Strait of Gibraltar from Muslim forces braking Christian ships. New designs on ships made them safer to travel. Then the disease was brought by the traders through the Silk Road to the Greek settlements of the Crimea. The Mongols took advantage of this, during the military assault on the fortress of Kafa (now Theodosia), through catapults threw the bodies of their dead and spread the disease among the defenders of the city and its inhabitants.

Given the logistical importance of Kafa at the time, the virus quickly spread to old Europe. The epidemic ended in 1352, and the number of victims reached 25 million, which at that time was 5% of the total population of the Earth. This time the pandemic actually caused the fall of the feudal system, because the disease took away a large amount of labour that served the knights.

Between 1536 and 1670, the frequency of epidemics dropped to one every 15 years, claiming about 2 million lives in France only in 70 years (1600-1670). Among them, 35000 fell on the “Great Plague of Lyons” of 1629-1632. In addition to the above, late plague epidemics are known: the Italian epidemic of 1629-1631, the “Great Epidemic of London” (1665-1666), the “Great Epidemic of Vienna” (1679), the “Great Epidemic of Marseilles” in 1720-1722 and the plague in Moscow in 1771 [Porter 2009: 24]. What changed the plague? Scientists believe that the “black

death”, which in the middle of the 14th century took the lives of a third of Europe’s population, was part of the economic downturn of this century. Other researchers believe that the plague helped free the medieval economy from the constraints of the feudal system, and contributed to the economic growth of the European countries. There is evidence that plague mortality has helped stimulate new capital-intensive agriculture and created new family structures that have limited birth rates.

If before the plague the Renaissance was a kind of whim of the northern Italian cities, then after it, apparently, it becomes inevitable for all of Europe. After all, once Europe was deeply religious, very patriarchal. The epidemic claimed the lives of most men, and as there was a shortage of male labour to work in manufacturing, women began to master this activity and their role in the European society began to change. The value of labour rose then sharply, especially of those more or less skilled. Many shops (craft or trade communities), that were previously relatively closed organizations, now had to actively accept everyone into their ranks. Since there was a shortage of labour, attempts to mechanize the production began, primitive engineering and science developed. Apparently, the peasants benefited from the plague, so to speak, most of all. Serfdom in Western Europe in the pre-epidemic times gradually gave way to a new system of class relations, and a sharp decline in population intensified this trend: the feudal lords had to enter into a dialogue with people working on the land. As a result, the rights of peasants expanded soon throughout almost all Western Europe, and extortion of various kinds decreased. Of course, many feudal lords tried to counteract this, so that soon the villagers again had reasons to revolt. However, it had also become much more difficult for the exhausted states to suppress their riots.

The anatomy of the human body, which was “taboo” and medicine was practically in its infancy, has entered a new stage of development. There began a process of studying all sorts of

diseases and finding the ways to cure for them. The self-consciousness of the population, which did not want to blindly obey the government, grew at a tremendous rate. This resulted in various riots and revolutions. And of course, it is worth noting that the influence of the church on the population significantly weakened. People saw the helplessness of the priests in the fight against the plague, they stopped to trust them. And the clergy themselves also became very thin during the epidemic, which, unfortunately, was greatly facilitated by the monks' concern for the sick - sometimes monasteries simply died out from the plague. And to solve personnel problems here was much more difficult than in the ranks of peasants and workers.

Thus, none of the subsequent outbreaks of plague or any other disease was such a shock to the European civilization. We can safely say that the black death hardened the Old World and contributed to its progress and its further prosperity, made it new, progressive, which dictates the conditions to the whole world.

The European infections also played a role in conquest of America. The discovery of the New World was accompanied by bringing diseases into America, where the people of Mexico and Peru had no immunity to them. These were new diseases for America. As a result, 95% of the indigenous population of Mexico and Peru became extinct. There is a case when the low immunity of the Aztecs and Incas to foreign pathogens accelerated the fall of their empires and the European conquest of the New World in 1521. Then there diseases such as smallpox or measles out broke here.

Two centuries later, a similar story repeated in Australia and Oceania, where Europeans' contacts with the native people led to their mass extinction.

The spread of smallpox in America led to the rapid conquest of this continent by Europeans. America's wealth flowed into Europe. The import of capital contributed to the development of capitalism.

At the beginning of the 19th century, against the background of active industrialization, the number of working settlements and poor neighbourhoods grew, where an epidemic of another terrible disease, cholera, spread rapidly. It has been known to humankind since the time of the “father of medicine” Hippocrates, who died between 377 and 356 BC. He described the disease long before the first pandemic, which began in 1816. Pandemics often spread from the Ganges Valley. Heat, water pollution and mass crowds near rivers contributed to the spread. In India, cholera was considered a common seasonal infection. With the arrival of the British in the region, everything changed. The British colonial policy disrupted the local communal way of life. Fiscal laws imposed by the British forced millions of Indians to stay in the same places for a long time. The residents were not allowed to lead a nomadic lifestyle, which was the traditional way to avoid dangerous cholera. It was no longer possible for ordinary Indians to avoid cholera. It developed rapidly, and the reasons for its spread have long been unclear.

Cholera in the 19th century Europe was the result of an industrial revolution. New types of transport (railways, steamships) emerged, which made movement of people and goods was fast and efficient. On the other hand, rapid urbanization and unsatisfactory sanitation of large cities, especially their poor areas, created a favourable environment for *Vibrio cholerae*. As the epidemic was due to “bad air”, appropriate measures were not taken in a timely manner. The powerful development of epidemiology in the 19th century allowed one English doctor, John Snow, to conclude that the disease is in the water, although the bacterium was isolated many years after. It is unknown what consequences the disease could have had if it had not been for technical progress. Then it quickly helped defeat the epidemic by building an extensive drainage infrastructure and the use of antibiotics.

At the end of the 19th century, humanity faced a plague pan-

demic again. The epidemic broke out in 1855 in the Chinese province of Yunnan, from where it spread to all inhabited continents: from Australia to Cuba, from the Russian Empire to South America - there were no obstacles or borders for the plague. In India and China more than 12 million people died from plague, and the total number of victims is difficult to estimate, as there is no clear time frame for the pandemic: according to one of the assumptions it ended in 1911, when was the last major outbreak of the disease in history - the plague in Manchuria (1910-1911). The aftermath of these pandemic outbreaks could not but affect changes in history: such as the Xinhai Revolution and the overthrow of the Qing dynasty, the overthrow of the monarchy in Russia and the October coup, the rise of the national liberation movement in India against the British colonial rule [Abitaeva 2020: 24].

At the end of the First World War, humanity encountered a new pandemic. This time it was the Spanish flu, which in just two years took up to 50 million lives, much more than the number of victims of the First World War.

The disease was first discovered in the American military camps in Kansas, where tens of thousands of recruits were trained to land on the European continent. Then the lack of proper hygiene, many exhausted and weakened people, as well as limited space contributed to the spread of the pathogen.

As early as the beginning of March 1918, American military doctors recorded a sharp increase in the number of flu cases among the personnel. At the same time, it was not possible to reduce the spread of the infection at the initial stage, because thousands of patients were already on their way across the Atlantic. At the end of March 1918, the first cases of the disease with unusual symptoms were discovered on the west coast of Europe, where tens of thousands of American soldiers landed. From here, the virus began to spread to Paris and further to the south of France, across the English Channel to Great Britain,

and, of course, via the front line- to the west of Belgium and the east of France.

The virus also got to Spain. And since the local newspapers enjoyed freedom of speech and were the first to publish information about the mysterious epidemic, soon the “Spanish disease” became known in Germany. At the same time, German troops during the spring offensive, succeeded on the Western Front and, in particular, they captured many British, French and American soldiers. Among them were, of course, those infected with the Spanish flu. Thus, the epidemic affected the German army, and soon tens and even hundreds of thousands of soldiers fell ill.

The disease may affected the course of the World War I, killing soldiers lacking any proper medical care. Some believe that the course of negotiations US President W. Wilson during the Treaty of Versailles was influenced by the flu infection he was infected by at that time.

The main lesson of the Spanish flu pandemic is that people need to rethink their approach to healthcare globally. In the early 20th century, most doctors practiced privately and served primarily the elite, protecting it from epidemics. And the lower classes often could not get to the doctor at all.

But if before the mass diseases affected mostly the poor, from the “Spanish flu” was already suffering everyone (for example, King Alfonso XIII of Spain, British Prime Minister and military leader D. Lloyd George, and as above, the US President W. Wilson fell ill). And doctors could not oppose the new virus. They had no reliable diagnostic testing, no effective vaccine, no antiviral drugs, and no antibiotics to fight complications.

In the 1920s, many governments developed concepts of public medicine accessible to all segments of the population. Separate ministries of healthcare appeared, which had previously been part of other departments and had neither their own funds, nor powers. In the European countries free medical care appeared

for the wide population, funded by the state. And in the USA, a system of healthcare insurance paid by the employer was introduced.

Countries recognized that healthcare practices need to be coordinated at the international level. After all, it was impossible for them to isolate from the epidemic by the state border. Therefore, in 1919, the first international bureau for the fight against epidemics appeared in Vienna. And in the first interstate organization - the League of Nations a healthcare department was created. They became the forerunners of the modern World Health Organization.

Most countries have begun to worry about protectionism and close borders. Close borders both for the movement of goods and for the movement of people. First of all America that was open to emigration for many years, closed its borders to many people around the world. In general, many countries had to abandon the lifestyle and business practices that characterised them in the past.

In the 20th century, humanity experienced a number of epidemics, but they did not significantly changed the world as those described above.

Today, hundred years after the Spanish flu, humanity has encountered a new pandemic. There is no doubt that the disease will be defeated and the history will continue. The main question is - when will this happen, at what cost and what lessons will humanity learn from the geopolitics of the pandemic?

What awaits us after the end of the COVID-19? In the fight against COVID-19, the trend against globalization will resume. Interstate alliances and associations may be reformatted. The EU is likely to be transformed into certain local groups. For example, Poland may be implementing the “Mediterranean” project of the Central European unity. The pandemic will strengthen the state and strengthen nationalism. Governments, however they are formed, will take emergency measures to overcome the

crisis, and many will not want to give up their new powers after the crisis gets over. Many countries will be experiencing difficulties, recovering from the crisis will increase the number of weak or failed states. The number of states on the verge of default will increase. Unfortunately, we will feel the narrowing of the rights and freedoms of the citizens. The number of authoritarian leaders will increase against the backdrop of the final approval of power, which was granted to them just temporarily for the period required for overcoming the effects of the pandemic and economic recession. The focus of the international community on medium-term challenges (such as global warming) to overcome the effects of the economic crisis will temporarily shift. The relocation of the centre of the world economy from the USA to China is not ruled out. After all, in the fight against the pandemic, the USA, Great Britain and the EU show insufficient leadership and cohesion, which cannot be said about the countries of the Asia-Pacific region.

Among the market countries, the countries with a developed domestic markets, and those relying on it as the United States, India, Japan, partly China, etc., will have a better chance of rapidly recovering and strengthening their positions in the world. There will also be a reset of the economic strategies: localized and shunting production, as well as the maximum simplification of the complex logistics chains for the supply of resources and sales of goods. The development of robotics, bioengineering and IT-technologies will definitely contribute to this. Developed countries will increase the strategic reserves of essential raw materials; gradually increase their own production against the background of simplification of the technological cycles, as well as in anticipation of new global challenges.

The world will never be the same after the coronavirus.

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INTERNATIONAL RELATIONS IN THE TIME OF CORONA

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Abstract

The consequences of the Covid-19 pandemic vary with level of analysis: on the lower level of individual transactions, consequences may be severe; on the intermediate level the pandemic will affect trade and disrupt commodity chains; on the level of the international system, consequences will be minimal – the pandemic may speed up changes that are already under way, but hardly alter the direction of major trajectories. To explore the likely impact of the Covid-19 pandemic on international relations, this essay takes as its vantage point Joseph Nye's image of the three-boarded chess-game.

Key words: *Covid-19, pandemic, international change, international relations, international political economy, commodity chains, bipolarity*

And then the music ceased, as I have told; and the evolutions of the waltzers were quieted; and there was an uneasy cessation of things as before.

Poe (1994 [1842])

Pandemics have washed across the world before – at least eight big influenza pandemics have swept the world since the birth of the modern world system. None of them significantly changed the game of interstate politics. Not even the so-called Spanish Flu of 1918, which caused the death of some 50 million people – many times more than the losses in the war which preceded it. So, although the Covid-19 virus may deeply affect peoples' lives and the pandemic may paralyze nations and affect interstate relations, the "Corona crisis" is unlikely to change the international system.

How will the virus affect nations? What changes will the Covid-19 pandemic trigger in interstate relations? And what will stay the same? Joseph Nye may offer some help to answer questions like these. Over a decade ago he made the useful observation that international politics resembled a complex game of three-boarded chess:

On the top chessboard, military power is largely unipolar, and the United States is likely to retain primacy for quite some time. But on the middle chessboard, economic power has been multipolar for more than a decade, with the United States, Europe, Japan, China as major players, and other gaining importance. The bottom chessboard is the realm of transnational relations that cross borders outside of government control. It includes non-state actors as diverse as bankers electronically transferring funds, terrorists transferring weapons, hackers threatening cyber-security, and threats such as pandemics and climate change [Nye 2012:215].

PANDEMICS AND TRANSNATIONAL RELATIONS

Joseph Nye locates pandemics at the bottom chessboard. Pandemics are part of the game of ‘transnational relations’ – a complex game with many players; diverse and located in many parts of the world. Power and influence are widely diffused among them and the game is largely out of government control.

Games at this level were disrupted during the first quarter of 2020, when the Covid-19 virus triggered an epidemic in China. The virus then spread to one country after the other, quickly reaching pandemic proportions. Its effects were immediately apparent on the business pages of newspapers throughout the world. The Frankfurt Stock Exchange index (the DAX) fell by nearly 35 % from the middle of February to the middle of March. The stock index of London’s Financial Times (FTSE) fell by 30 %. New York’s Dow Jones’ business index fell by about 25% during the first three weeks of March.

The effect of the Corona-crisis was also reflected in a fall in green-house gas emissions. In China, the world’s largest emitter of climate gases, emissions fell by 28 % in February 2020. In Europe emissions fell by an estimate of over 20% during March. The fall was slightly less in the USA, yet, in April the Los Angeles skyline was pristine and clear over a virtually traffic-free city.

The stock indexes and the emissions reports all testify to a substantial contraction of business transactions and warn of an economic crisis that will ripple through societies. People lose their jobs and their income. Families can no longer pay their loans. In some countries default rates will rise. Poor families will be thrown out on the street, increasing the rate of homelessness and boost misery and social problems. Wealthy families may be hit indirectly, for example by a wobbling housing market that spell trouble for banks and financial institutions.

But every cloud has a silver lining. Emissions indexes bring good news for the environmental movement. It is a gift on a silver platter. The pandemic has done for them what they could not do

for themselves: it has reduced air-travel and provided a unique chance for humankind to reverse the trend of climate-changing greenhouse-gases. What all the environmental movement has to do, is to keep emissions low and prevent them from climbing. Chances are slim, however, that they will not be able to prevent emissions from rising in the longer run. Because environmentalists are likely to face dogged opposition both from governments that want to get the economic wheels moving again, and from people who want to get back their jobs. Environmentalists have traditionally faced opposition from groups that want secure employment and economic growth. The pandemic may strengthen the opponents of environmentalism, because large segments of society will suffer from unemployment, economic crisis and material distress.

Besides, many governments are likely to soft-pedal the green shift. They have softened the economic blows of the crisis by bailing out collapsing companies and by sustaining unemployed workers. Their budgets are deeply in the red as a result. And they have strong incentives to get the economy up to speed again, convert unemployment recipients into salaried workers so that they can tax them and use the taxes to get their budgets back in the black.

The environmentalists' agenda will be further pressured by the fact that the Corona crisis hits different groups unequally. It has caused some occupations to work overtime – like health workers. Some have worked from home – like most government employees. But others have lost their jobs and their incomes – especially people in the retail, service, performance and tourist sectors. The pandemic is likely to hit hardest those who already struggle to make ends meet, thus increasing the pace of the rising inequalities in Western societies [Piketty 2020]. This will increase the dissatisfaction of the disadvantaged and the poor, who in turn may clamor louder for more equality and fairness. Cities will experience riots and rebellions.

Governments will find it hard to tackle demands for greater social justice while also maintaining environmental regulations. The Corona crisis has placed them in unenviable dilemmas. One dilemma is protecting the population (by lockdown that will depress the economy) while keeping the economy going (which will increase the risk of spreading the virus). As national governments make different calculations, their national economies will be affected in different ways.

The countries that have handled the Corona-crisis well have expended much government resources. Testing, tracking, virus control, and containment have been costly. Citizens are exhausted and budgets are in the red. However, it is to be expected that those governments that tackled the Corona-crisis with efficiency and skill, are likely to also skillfully handle the economic recovery. Their success will gain citizens' trust at home and respect abroad. They are likely to convert recipients of government benefits into taxpaying citizens, balance their books, and see their economies recover. The effects of this is more easily observed in a different game on a different chessboard: That of international economics.

INTERNATIONAL POLITICAL ECONOMY

The actors of the middle chessboard are the economies of the world – not just the national economies like the USA, China and Germany (the three largest economic entities in the world), but also great corporations, such as Walmart, Exxon, Toyota, Sinopec, and China National Petroleum. Relations at this chessboard are economic in nature and based on open, international capitalist markets.

High levels of trade and foreign investment maximize the efficiency of this world market. A complex international division of labour increases overall economic growth and reduces prices on products [Smith 1976 [1776]]. The division of labour also pulls the participating nations into webs of interdependence, thus

producing a distinct political order. It increases the costs of conflict and reduces the likelihood of war – because states do not want to jeopardize the economic ties, on which their prosperity depends.¹ To avoid costly conflicts, industrialized states build international regimes – they negotiate norms of conduct, and establish international organizations such as the World Bank and the UN – to facilitate cooperation, maintain order and discourage violent disputes and escalations.²

The institutions that underpin the international economy were largely US-built. In the wake of World War II, the Americans designed the Bretton-Woods institutions together with their war-time allies. First, they consolidated the World Bank, the IMF, and the WTO. Later, after the collapse of the USSR, this system expanded to include the old members of the Soviet Bloc. This expansion, together with the digital communications revolution and the introduction of a neo-liberal ideology, greatly strengthened the position of the United States in world affairs.

However, at this time, Asia entered the game of international economics in earnest. China in particular adopted market dynamics, boosted its rate of industrialization, quickly learnt the rules of international capitalism, and found new and lucrative roles to play in the international division of labour. Industries pioneered by the West were increasingly taken over by Asia – the production of textiles and steel disappeared from the economies along the North-Atlantic rim and relocated to Asia whose industries skyrocketed.

The international division of labour changed as a result. Asian industries supplied steadily more of the world's consumer durables. Long-distance trade, transport and communication in-

1 The idea that economic interdependence will reduce conflict and prevent war goes back to the eighteenth century [Knutson 2016]. More recent discussions of the argument include Rosecrance (1986) and Copeland (2014).

2 An important formulation of this argument is found in Keohane (1984).

creased. Commodity chains grew longer and more plentiful. The world economy was spun into crisscrossing webs of steadily more complicated transactions [ibid.].

This development produced “globalization” of the 1990s. It made many Asian countries modern and wealthy. Japan was the nestor of this development. However, China became its primary beneficiary. China profited immensely by globalization, her economy expanding greatly, lifting hundreds of millions of Chinese citizens out of poverty.

FLAWED DEMOCRACIES?

Western economies have traditionally placed their trust in the free market and in an open, rights-based liberal democracy. The Corona crisis has shaken that trust. First, the old democracies – the original members of the Bretton-Woods system – have handled the crisis badly. When the Covid-19 virus reached the West, the USA, Great Britain and several Western democracies failed at containing the virus efficiently. When measured in terms of recorded deaths per million inhabitants, Belgium was at the top of the list of badly-hit countries by August 2020. Britain, Spain, Italy, Sweden, France, and the USA followed Belgium.³ It is a deeply disturbing fact that liberal democracies with free-market economies are at the top of the victims’ list of the Covid-19 pandemic.

The high death rates may be explained by non-political factors. For example, that these countries were hit very early when the illness was unknown and that their doctors were initially at a loss of what to do. In addition, these are the countries with busy metropolises, commuting citizens and high population density, all of which have allowed for rapid contamination of the virus. Besides this, these countries are highly developed and trans-

³ This ranking list is of course prone to change as the pandemic spreads and the virus mutates.

parent societies, in which a virus can be identified and tracked back, and health statistics are made available for analysis. Democracies may, in other words, be overrepresented in the statistics because they are open, able and willing to debate the true extent of the pandemic, whereas dictatorships are closed and unwilling to publish their statistics, and poor countries may not be able to collect them.

Nevertheless, it is a disturbing fact that so many market-based, liberal democracies have been handling the Corona crisis badly, whereas dictatorships like China seem to be tackle it better. It is tempting to conclude that one reason for this bungling lies in democratic “liberty” – the one factor that democracies tend to flaunt as their primary virtue: citizen’s rights to individual freedom. This is a powerful explanation for the inability of the USA to stem the spread of the virus: The USA has a political culture that emphasizes individual liberty and is highly distrustful of political authority and the state. Many Americans have reacted to lockdown-laws and rules for facemasks and social distance with disobedience, scorn and public protests.

America’s inability to tackle the pandemic has come as a great surprise. Several countries have handled the crisis much better. Some of these are autocracies. Others are democracies. The bigger picture suggests that the ability to tackle the crisis is not directly related to the system of government: there as successes and failures among democracies and autocracies, both.

One factor that distinguishes the most successful states is their robust institutions. Countries with healthy financial systems and effective central banks have weathered the crisis better. Wealthy countries with strong states, generous systems of unemployment compensation and governments that enjoys a high degree of popular trust, have tended to handle the crisis well. In Denmark, Norway, Finland, and Germany for example, the leaders reacted fast. They quickly distributed large funds to support businesses, guaranteeing citizens continued income

during the lockdown. They laid down rules of confinement and social distancing, and the population complied with those rules. Democratic states that handled the crisis well, share three factors: high state capacity, public trust, and competent leadership. The same three factors appear in non-democratic states that have weathered the Corona-crisis well. Including China. Although the crisis originated in China, where the autocratic authorities initially covered it up and carelessly allowed it to spread, the Chinese authorities later regained control through draconian measures of lockdown and social control.

Low state capacity, polarized politics, and incompetent leadership mark countries that have handled the crisis badly. The USA scores low on all three. First, the US political culture does not trust the government (in contrast to the Nordic countries, Germany and countries in Asia, where the government is looked upon as benign). The capacity of the US state has, since the days of Ronald Reagan, been systematically peeled back – undermined by the spread of the libertarian gospel and by conspiracy theories. Second, the US politics has been filled with quarrels, rancour and increasing polarization over the years. This has disturbed the system of checks and balances and paralyzed federal decision-making. It has further undermined citizens' trust in government. It has also undermined citizens' trust in each other. Finally, the USA has a president that even on his best days must be considered incompetent as a national leader. Since the crisis erupted, Donald Trump has stoked division rather than promoting unity. He has attacked international institutions rather than called on them for coordination and constructive efforts (Fukuyama 2020:28). He has blamed the WHO and announced that the USA is withdrawing from the Organization.

When the Covid-19 pandemic hit the USA, a concatenation of factors produced a perfect storm. The pandemic has left the USA in a poor shape.

STRENGTHS, VULNERABILITIES AND EXCESSIVE GLOBALIZATION

State capacity, trust and competent leadership - these three factors help explain the relative success of democracies and autocracies alike. There are signs to indicate that successful countries – China, Denmark, Finland, Germany, and Norway – may benefit from a positive political feedback: that a competent government that successfully keeps the Covid-19 virus at bay, gains greater public trust.

The absence of these three factors helps explain the relative failure of countries like the USA, Britain, Belgium and France. There are signs to indicate that these countries are suffering a negative political feedback. From a democratic point of view, the American case is particularly disturbing, because the USA established the Bretton-Woods system in the 1940s, and has been its main support ever since. The USA has also been the keystone of the Atlantic alliance and a leading defender of the institutions of order of the liberal world.

The Corona crisis has highlighted the importance of state capacity in running a modern, well-functioning country. But has also suggested that state capacity may be undermined by the division of labour of the international economy. It has shown that the division of labour – which admittedly may increase the efficiency of the overall economy – may also reduce the self-sufficiency of individual member states. The Covid-19 pandemic brought this point painfully home to many national leaders, as they suddenly needed facemasks, respirators, and a variety of pharmaceuticals: They discovered that these items were unavailable. They were not produced at home but had to be imported from China.

This has become a new and weighty argument among sceptics of globalization. They point out that the world has grown too dependent on a few, far-away manufacturers of pharmaceutical supplies. Globalization has undermined the self-sufficiency

of states and made them dependent on a few, busy suppliers. About 80 % of the basic components used in US drugs come from India and China.

Global commodity-chains are, in other words, vulnerable to pandemic-related lockdowns.

THE STATE IS BACK

The Covid-19 pandemic has alerted the West to the vulnerabilities of globalization. This has in turn produced political reactions, three of which are particularly important. The first is the swelling sentiment that division of international labour, economic integration and globalization has gone too far. The idea that states ought to reduce their dependence of other states and of the international division of labour was massively strengthened by the self-protective reactions that followed in the wake of the pandemic wave. Fearing the spread of the Covid-19 virus, one European country after the other called their citizens home and closed their borders.

The second reaction is a new fear of China. Not only because the virus originated in China, but the emerging realization that China has defined for itself a powerful position in the international division of labour, that it is exerting a formidable power in the world economy and that it is willing to use that power for its own political purposes.

A third, related sentiment boosted by the pandemic is that states or regions need to regain control over necessary commodities and strategic resources. This implies a resurfacing of arguments and policies that will slow down or stem twenty years of neo-liberal progress.

Thus, the Corona-crisis is likely to stymie the neo-liberal phase in world-economic history. It has opened the eyes of many leaders to the vulnerabilities of an interdependent world and exposed the limits of international cooperation.

International transport and travel did not grind to halt as the

result of a coordinated reaction made by international agencies; rather, it was the outcome of spontaneous decisions made by egotistical states. International institutions were obviated. The EU was paralyzed by the sudden flare-up of state sovereignty and unilateral state actions. Designed to produce cooperation, wealth, interdependence and peace, the EU was not prepared for pandemic emergencies. Individual member states bypassed EU institutions and unilaterally closed their borders to protect themselves from the spread of the pandemic.

The long-term effects of these developments are unclear. On the one hand, they may spark an effort to add institutions to control and contain infectious diseases. This would mean expanding the traditional concepts of cooperation and national security by adding a principle of international social security. On the other hand, the Corona pandemic may boost the old ideals of sovereignty, self-reliance and self-sufficiency. If the Covid-19 virus is spreading by careless nations and weak states, if it is mutating and returning in steadily new waves, the pandemic may last for many years. Societies with strong states, trust and a competent leadership will blame states that are weaker and more corrupt.

Such infighting will undermine the EU from within. It will undermine the entire West. It will erode the liberal ideals of comparative advantage and complex interdependence upon which the international order and wealth have been built. It will erode the institutions of international order that evolved during the course of the 20th century. It may weaken the solidarity that has kept the democratic nations together, divide the West, and ultimately erode democracy itself.

INTERSTATE RELATIONS

Nye's top-board game is played by sovereign states. Whereas the middle-board game is economic in nature, based on an international division of labour and interdependence, the top board

concerns power and is based on principles of competition and balance among self-serving and sovereign states. The most important states are the Great Powers. They define the rules of the international game.

The relative capabilities of the Great Powers change over time. During the 17th century, France was the leading player. During the 18th, England and half a dozen other contenders in a dynamic balance-of-power contest challenged France. After the Napoleonic wars, Great Britain emerged as a dominant power. After the two world wars of the 20th century, the USA emerged as the greatest of the Great Powers. For half a century, the world order was dominated by a global contest between the USA and the USSR. The Covid-19 pandemic suggests that a similar bipolar order is just around the corner.

AMERICA'S DECLINE

During the 1980s, the USA sparked a communication revolution based on a new, digital technology. The Americans worked for a more open world economy with unhindered transactions and introduced new technologies for digital communication and international regimes to govern cyber space. These new technologies boosted America's pre-eminence. The closed Soviet system could neither adapt nor keep up with this development. It exhausted itself and collapsed in 1991. As the only surviving superpower, the USA entered the 1990s as greater than Great. American ideals of popular sovereignty spread to include new parts of the globe. As did America's optimistic notion that all good things – reason, rights, freedom, democracy, wealth and peace – all go together.

Through the 1990s, the world was, for all practical purposes, a unipolar system, led by the American hegemon. Quarter of a century later, the US pre-eminence is no longer assured. The US is still militarily superior. But hegemony involves more than that. It depends on political authority – on the ability to make

military power legitimate. Moreover, since wealth and generosity are reliable sources of legitimacy, hegemony depends on a vibrant economy. America's problem is that this vibrancy has long been eroding by changes in the international division of labour – by redistributions of basic industries and global disseminations of technology and patents. The US economy has become increasingly based on retail, entertainment and services, whereas the political economy of other states have developed heavy industries that are more energy efficient and even based on new sources of energy. During the spring of 2020, the US economy was pushed into a severe crisis due to the Covid-19 pandemic. Within a few months, the US economy contracted by an unprecedented 30 % as a result of Corona-related close-downs.

Also, the Americans are exercising their individual rights at the expense of the greater civil society. Liberty has become self-destructive. American ideals are no longer as appealing as they once were. The stability of the political system and the competence of US leaders are in question – they have bullied allies and weakened the unique network of worldwide alliances that helped legitimize the US hegemony during the Cold War. President Trump has withdrawn the USA from one international organization after the other, allowing other states to pick up the leadership role that the US used to have. The USA is, for example, no longer active in the UN Human Rights Council; its policies are now under domination of China and Russia – who are working to bury the liberal idea of rights rather than praise them.⁴

The Covid-19 pandemic is not the cause of America's decline. But it has hastened a long-term trend and pushed the country

4 President Trump behaves in ways reminiscent of Germany's Wilhelm II who discontinued the alliance system that Otto von Bismarck had so painstakingly forged and upon which German security depended. The effect was turbulence and uncertainty in international affairs. It intensified the competition of Joseph Nye's upper boardgame.

over the edge. The pandemic came at a time when the US political system was faltering. A few years prior to the pandemic, the *Economist* began to classify the USA as a “flawed democracy”, falling short of the threshold of a fully democratic society. The American state has been weakened by deregulations over the last 20 years or so. The system is in serious gridlock.

While other countries acted decisively to bend the curve of infections downward, the USA achieved merely a plateau in May and June, which changed to an upward slope in July. By August 2020, the USA, which has 4 % of the world’s population, had about 25% of its Corona-virus cases and Corona-related deaths. Millions of US citizens have slid into poverty and homelessness in the wake of the Covid-19 pandemic. It is an open question whether the state may be able to help them. The USA may no longer have a state that can effectively organize its populations and control the pandemic – short of draconian means that can be drawn upon in extreme cases of natural disasters and war.

CONTOURS OF NEW ORDER

The Covid-19 pandemic has not only demonstrated America’s weakness it has done so at a time when China has expanded and demonstrated its strength. As the US economy suffers an unprecedented contraction, its size (measured in GDP) may drop below that of China. This sudden contraction, together with America’s surprising inability to both protect its own citizens and to maintain the institutions of a liberal world order, spells a change in international history. It spells a transition to a new world order in which China is challenging the USA for regional – perhaps global – leadership.

China’s economy has expanded greatly over the last half century. It has lifted millions of Chinese out of poverty and furnished the Chinese government with domestic support of robust trust and legitimacy. In the outside world, however, China has been viewed with increasing suspicion. China has not only expanded

and entered the capitalist world economy, China has challenged its US-made institutions rather than played by the rules. China has, in fact, established a parallel set of ordering institutions (AIIB, EAEU, OBOR and others) and is laying down rules designed to suit its own imperial interests.⁵

The Covid-19 pandemic has hastened the decline of the USA. And it has done this at a time when China is on the rise. The result is an acceleration of the arrival of a bipolar world order. It is an open question whether this order will be played according to old, familiar rules. For in the old order, the rules were Western. For the last three or four centuries, the international game was largely Western and it was played by Great European Powers. The 21st century world order will be global in scope and shaped by non-Western states – first and foremost by China, a Great Power that may not play the international game by Western rules.

CONCLUSIONS

The Covid-19 virus is a medical phenomenon. But the pandemic that it has sparked is a social phenomenon. And of global scope. It is, as this essay has argued, an object of discussion for International Relations (IR) scholars because it affects the relative power and the interrelations of states. It is, however, unlikely to change the international system.

This essay has tried to assess some of the long-term effects of the Corona-crisis. It has avoided any discussion of the nature of the virus – even though such a discussion is important to assess its effects fully. The essay has tried to maintain a steady

5 In addition to Organization for Economic Cooperation – such as the Asian Infrastructure Investment Bank (AIIB), the Eurasian Economic Union (EAEU), the One-Belt-One-Road initiative (OBOR) – China has also initiated organizations for political cooperation, such as the Collective Security Treaty Organization (CSTO), the Quadrilateral Cooperation and Coordination Mechanism (QCCM), the Shanghai Cooperation Organization (SCO). The idea to arrange regular conferences among the BRICS-countries was also a Chinese initiative.

course between the psychotic and the neurotic approaches [Lévy 2020].⁶ It has argued that the Covid-19 pandemic is real and that it has real effects, but that the consequences will depend on the level of analysis that an analyst chooses to investigate.

The more noticeable consequences are found on the lower levels of analysis. Thus, millions of individuals are affected by the Corona-crisis in their daily lives. Some are directly affected and fall very ill, others are affected indirectly by being hit by bankruptcies, close-downs and other adverse socio-economic effects. By drawing on Adam Smith and his classical political-economy theories, this essay has for example noted how global commodity-chains have been disrupted by the Covid-19 pandemic – how stores may no longer be well stocked because the supply of goods have been stopped by lockdowns among far-away producers. Such disruptions may cause health hazards because products from far-away pharmaceutical factories are no longer made or no longer shipped. Air-traffic, shipping and other supply chains have been hit, and the Covid-19 pandemic has caused commodity scarcities in several markets, from pharmaceuticals, foodstuffs, fashions and electronics.

Some countries have tackled the crisis well. Others have handled it badly. This essay has suggested that whether a country is democratic or autocratic is of little significance for how they tackle the crisis. It has argued that countries that have tackled

6 As Lévy (2020) makes clear, the Covid-19 virus is uncertain and unpredictable and lends itself to extreme arguments. It is unclear whether the human body reacts to the virus by producing antibodies that give immunity. This is bad news, because it renders the prospect of an effective vaccine uncertain. Also, some people who catch the virus are asymptomatic carriers; they notice no ill effects whatsoever. Others become seriously ill – some mortally so. Because of our uncertainty and the unpredictable effects of the virus, most discussions about the Covid-19 pandemic straddles two types of madness: neurosis and psychosis. On the one hand, the neurotic is a reaction of avoidance or denial: it is to refuse to wear face masks and to brush the pandemic aside as a huge hoax. On the other is the psychotic reaction, which is to retreat and close down all normal activities.

the crisis best have strong states, trusted governments and capable leaders. It has also indicated that democratic countries with libertarian governments tend to be weak on all three and therefore particularly vulnerable to the pandemic. It has noted how the USA has been particularly hard hit and has explained this by a surprisingly weak US state, deep political divisions in the nation, and by leaders that are incompetent to the point of neurosis.

From the IR point of view, this American ineptitude has adverse implications for the stability of the international system. For it has hastened America's decline at a time when China is rising. The result is that the unipolar world order of the 1990s has been rapidly replaced by a bipolar constellation. The Covid-19 pandemic is not the cause of this shift in polarity; however, the pandemic has hastened the shift.

This essay has argued that the Covid-19 pandemic disrupted the commodity chains of the world economy, reduced international cooperation and stymied international organizations. The net effect of all this is a slide-back towards a more traditional game of Great-Power politics. The pre-Corona game has been disturbed and the post-Corona game is more uncertain. The fall of the USA and the speedy rise of China produced change, and the change itself is a cause of uncertainty.

In addition, the system is changing in particular ways. For three or four centuries, Europe's Great Powers played the international game. The post-Corona world order may offer a new feature or two. First, because the Euro-centred orders were largely multipolar, whereas the 20th and the 21st century orders have tended towards bipolarity. Second, the old orders were composed of sovereign states that played a multi-state game according to rules founded on the Western concept of sovereignty. The new order involves China. China is not a sovereign state but an empire. Over the last generation or so, China has systematically expanded its empire. And there is no indication in the recent

Chinese behaviour to suggest that China recognizes the Western concept of sovereignty.

The Corona-crisis hastens the transition to a new bipolar world order. On the one hand is the declining interstate system of the liberal West. On the other is the growing empire of the autocratic China. The West is composed of the old, sovereign territorial states strung along the north-Atlantic rim. The East is an expanding empire with China as its metropolis.

The contest between the two is sharpened by the self-realization among Western leaders that they have seriously misjudged China. They have long perceived China as a big state. They have complained about China entering the international division of labour and using its comparative advantage to become a keen competitor in the international economy. But they have missed the fact that China is not just a big state; China is an empire. And as an empire, it has used its domestic resources to subvert or subsume the sovereignty of its neighbours – e.g. by drawing on its enormous reserve of cheap labour to win global competitions in labour-intensive industries like textiles. China has not looked for a special niche in the international division of labour; instead of entering the web of interdependence, China has harnessed its domestic resources to advance on a broad economic front to achieve independence from the system. Over time, China has developed its own technologies and moved into steadily more advanced industries like steel, cars and computers. Today, China is developing new products that compete favourably with the West in steadily new fields – among them are intelligent electric cars and excellent wines.⁷

The US - China competition in communications technology is more than an indication of things to come. It is a strategic com-

⁷ The Chinese «Xpeng P7» can compete with any Western-made Tesla. Chinese wines now challenge traditional wine-producing countries such as France, Italy, Spain, and Portugal.

petition for cyber-space. The state that can dominate the new G5 technology will have a central position in the communications network of the 21st century and a huge strategic advantage over the other.

Western observers increasingly wonder whether Beijing has played the Great Powers of the West for fools over several decades. Chinese leaders have taken advantage of the international division of labour and the liberal world market to enhance its own economic influence. Western leaders will have to decide whether to join China or try to contain her expansion by joining the USA.

Containing China is a tall agenda. To redress the growing imbalance in Asia, the USA has to pivot towards the Pacific and draw resources away from Europe and the Atlantic. The Covid-19 virus may weaken the two countries, but it will not affect the basic rules of this competition. Neither will it alter the fact that the bipolar competition is more than a simple matter of mustering material resources and military strength. It also involves intangibles such as justice and legitimacy [Kissinger 2014]. If the Chinese one-party metropolis retains its state capacity, builds trust, and demonstrates more competent leadership than the USA, it will be impossible to beat. Corona-crisis or not, the USA cannot contain China for long. The result is either a peaceful division of the world into spheres of influence. Or it is a war [Allison 2017]. In which case the Corona crisis is dwarfed by far more serious business.

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THE COVID-19 PANDEMIC IN ITALY: REGIONAL COMPARISONS

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Abstract

In this short report we will try to fully clarify from the numerical point of view what has been, and is today, the emergency from Coronavirus in Italy. Therefore, we will attempt to estimate the effectiveness of restrictive measures implemented by the Italian government and to analyze the results amid regions and the differences between regions. The data originate from the Italian Civil Protection based on which they were transmitted by each Italian region that give only an idea of the real national contagion.

Key words: *Coronavirus, Italy, effectiveness, emergency, government measures.*

INTRODUCTION

On 10 March 2020, with a decree of the Prime Minister, Italy stops. Only essential services remain in operation. The day after the World Health Organization ruled: it is a pandemic. The first known cases are recorded in the second half of February in two small Lombard municipalities: Codogno and Vo Euganeo. From

that moment on, each of the Italian regions activated uncoordinated and inhomogeneous policies that influenced territories with very different effects, sometimes mild, and sometimes, as in the well-known case of Lombardy, disastrous.

Analysing the data in numerical terms is the first step for a full understanding of a critic event such as Covid-19. The objective of this section is to understand, starting from the trend of the curve of the coronavirus epidemic, the effectiveness of restrictive measures implemented by the Italian government and analysing the results amid the regions and the differences between regions.

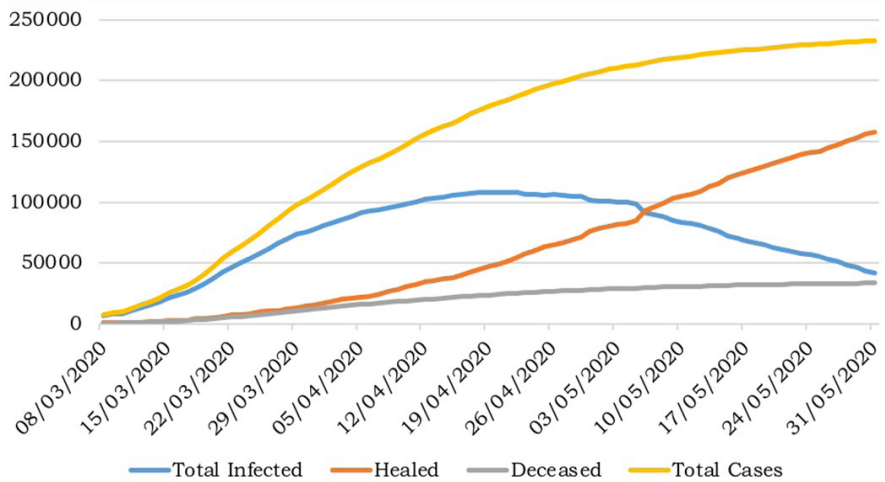
The analysis has been done on data reported by the Civil Protection on the basis of data received from each Italian region that only give an idea of the real national contagion, since the spread was certainly wider (just consider the high number of asymptomatic people detected during the emergency). In this short essay, we will try to fully clarify from the numerical point of view what has been and is today the emergency from Coronavirus in Italy.

Almost all the data analysed in this paper focus on the time span from March 8th to May 31st.

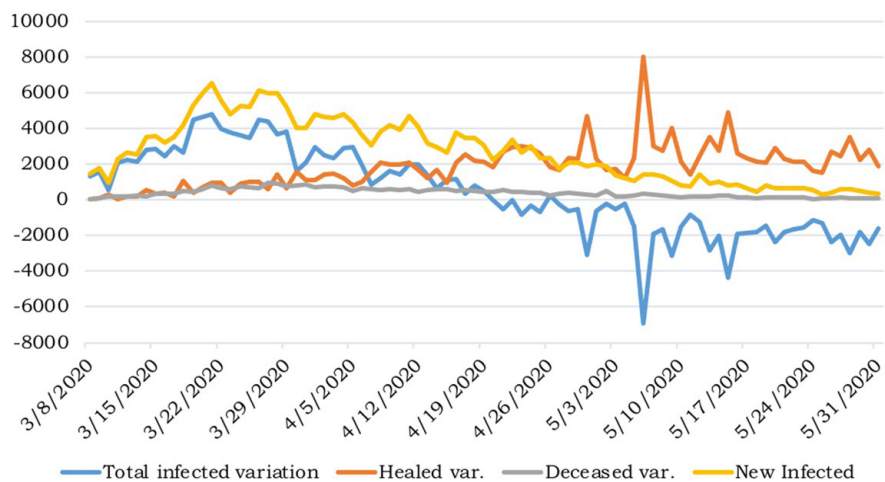
1. THE SPREAD OF CONTAGION

In order to introduce this analysis by giving a clear and comprehensive idea of the trend of epidemic, it is necessary to start from the main numbers of infections, healed, deceased and new positives. It is interesting to note that the slope of the cured/discharged curve and the number of daily contagions arched positively in the last weeks analysed, and how the value of positives (current and total) has reached its peak on April 19 (108,253 contagions) and is in sharp decrease (Graph 1 and Graph 2).

Graph 1. Total data of positive, healed, dead and total cases from 8th March to 31st May. Processing of data confirmed by the Department of Civil Protection.



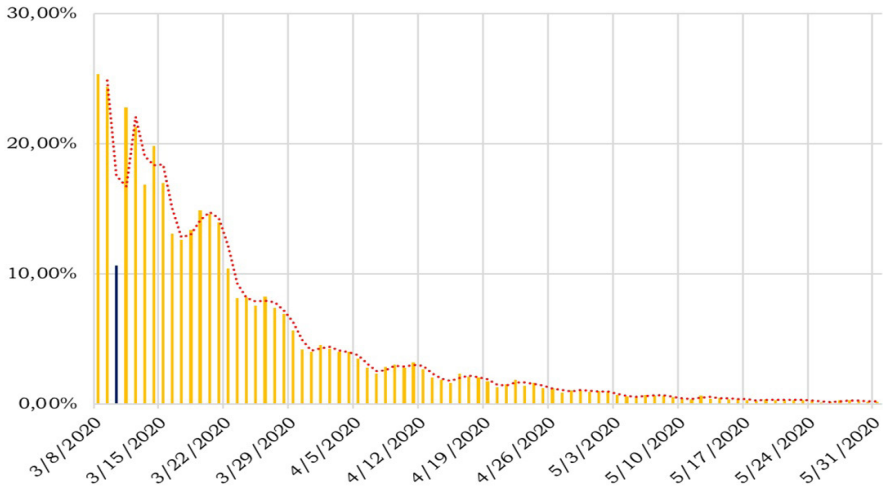
Graph 2. New day-to-day cases of the positive, healed, dead and total cases from 8th March to 31st May. Processing of data confirmed by the Department of Civil Protection.



To illustrate the trend of new positives and of the results of implemented restrictive policies, the percentage increase of new positives compared to the previous day was graphed (Graph 3). This graph, since it analyses how the growth in percentage of

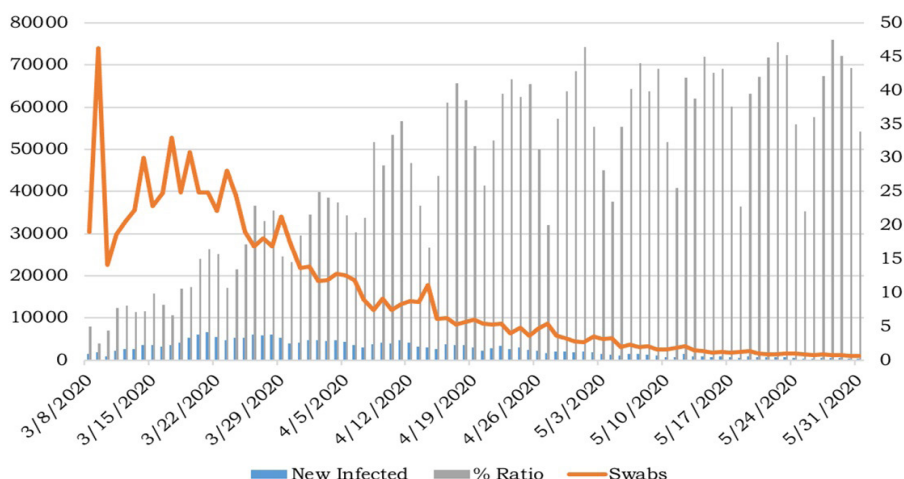
the total cases day by day, is extremely explanatory: looking at the moving average (red line) it is clear how much the epidemiological trend had been clearly decreasing just few days after beginning of the lockdown (the blue bar).

Graph 3. Daily percentage variation of cases from 8th March to 31st May. Processing of data confirmed by the Department of Civil Protection.



The positive effects of the restrictive measures are also recorded when the trend of the infection, measured with the number of new positives, is assessed with respect to the swabs carried out. Also in this case, even if the trend is less linear in consideration of the lower number of swabs carried out on Sunday, from the strong decrease in the percentage values, the improvement of the Covid-19 infection is highlighted once again considering that on 31st May, the percentage of positives on the total swabs carried out was around 0.65%, against 46.20% on 9th March. (Graph 4).

Graph 4. Daily swabs and infected from 8th March to 31st May. Processing of data confirmed by the Department of Civil Protection.



Although the number of positives is a value often criticized and replaced by the number of deceased due to higher reliability, research and insights enables to demonstrate how, on different time scales, the two values are closely interconnected and therefore with relatively equal reliability.

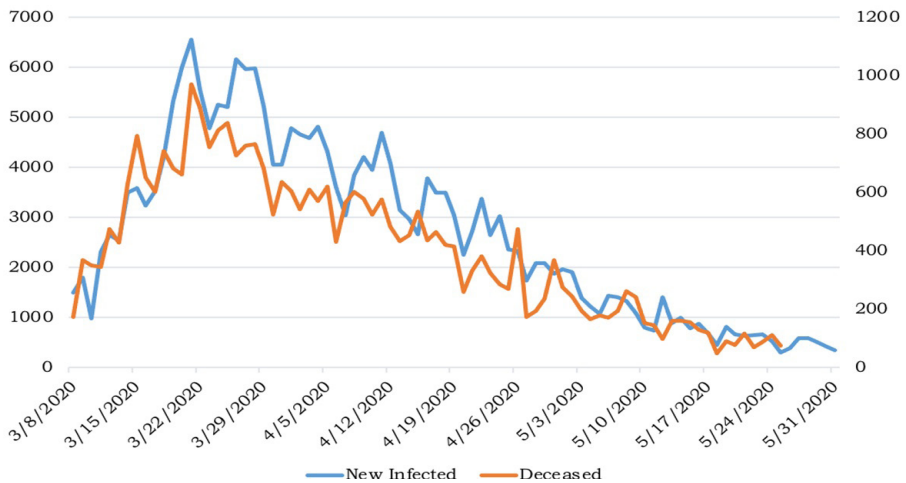
In the following graph (Graph 5), the positive values were plotted starting from 8th March 2020 and the numbers of deaths that occurred six days later (14th March 2020). In this regard, the deceased of a given day are a seventh of the new cases occurred six days before. The perfect correlation of the two curves is constant for the entire duration of the lockdown, demonstrating the value of this index.

In addition to the number of positive and deceased, an even more reliable indicator is that of hospitalizations and intensive care units. This is because the number of victims, while being highly indicative, in many cases concerns people hospitalized days or weeks before, and therefore a time lag must be considered compared to the time they contracted the virus.

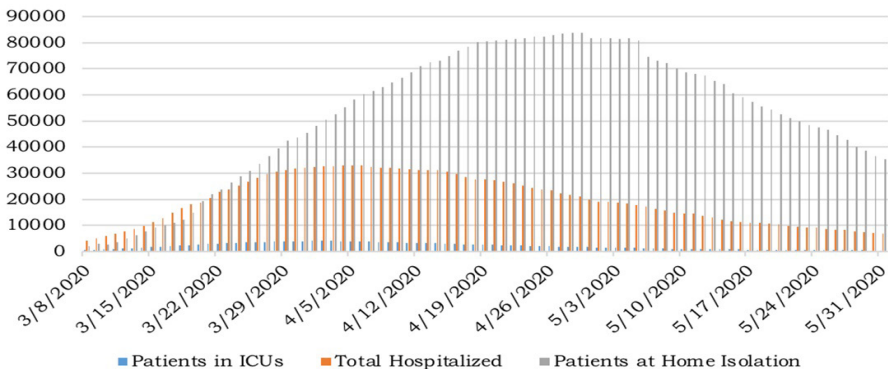
In this regard, therefore, the following two graphs in numerical

terms represent the patients admitted to intensive care units, the hospitalized and those in home isolation since the beginning of the epidemic. Although in Graph 6 the general trend of the load on the Italian healthcare system is clearly more explanatory, the curve in Graph 7 allows to clearly observe the exact moment when the trend changed, more or less a month after the beginning of lockdown (negative values of inpatients and admitted to therapies in intensive care units).

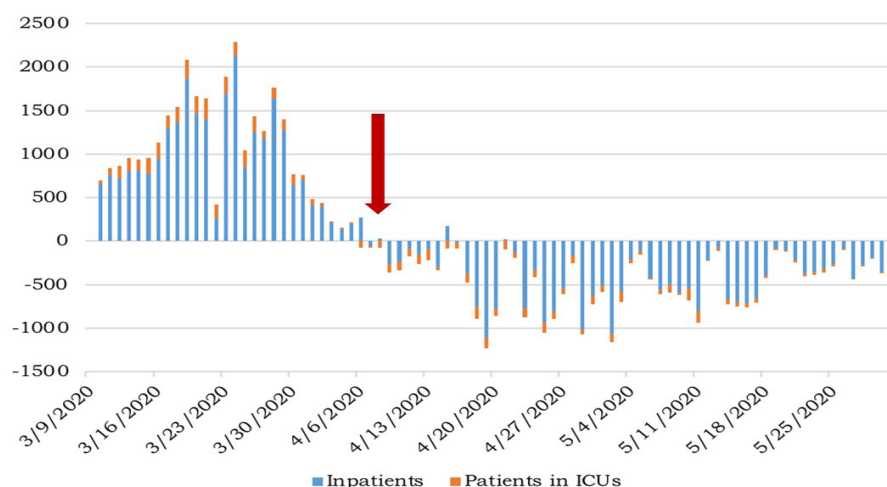
Graph 5. Comparison between the new positives and the deceased seven days after the day referred to the new positives. Processing of data confirmed by the Department of Civil Protection.



Graph 6. The trend of patients in intensive care units, hospitalizations and home isolation. Processing of data confirmed by the Department of Civil Protection.



Graph 7. Inpatient values and day-to-day admitted to intensive care units. Processing of data confirmed by the Department of Civil Protection.



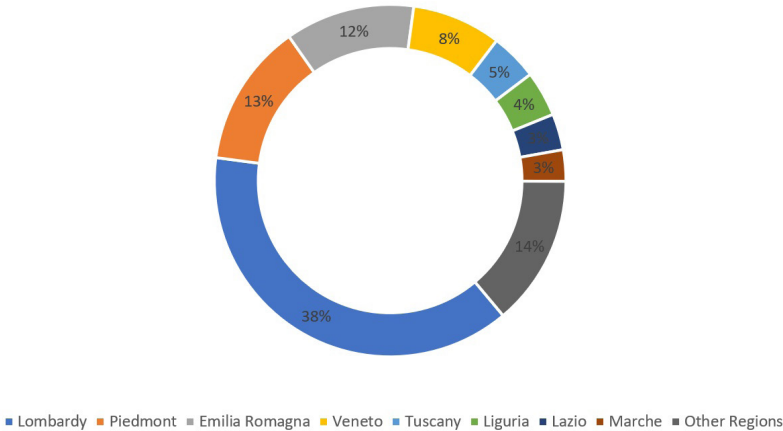
2. WEAKNESS AND TERRITORIAL RESILIENCE TO THE VIRUS: REGIONS AND PROVINCES COMPARED

Deepening of the survey on a regional scale enriches the reflection with additional cognitive elements. The Italian public health service, established in 1978 based on the English and Swedish model, has a decentralized configuration in favour of regional government bodies. Following the constitutional dictate, and with its subsequent amendments accentuating the aspects of federalism, the Italian public health service is based on the division of powers between the State and the Regions. The State in particular since 2001, has the responsibility of defining health essential services that all the Regions must offer to citizens, wherever they reside, while the Regions that have almost exclusive responsibility for the organization and management of the health service. Financing of the essential levels of health care has remained the task of the State, which allocates financial resources from its budget to the Regions, according to capita needs and equalization criteria.

The choices and investments of the national and regional system are not harmless and the divergence of regional policies has emerged in all its gravity in the different reaction capacity between the various regions of northern Italy, those most affected by the pandemic.

Analysing the regional distribution of the pandemic indicators, it is clear how much the northern regions have been affected: Lombardy, Emilia-Romagna, Piedmont, Tuscany and Veneto.

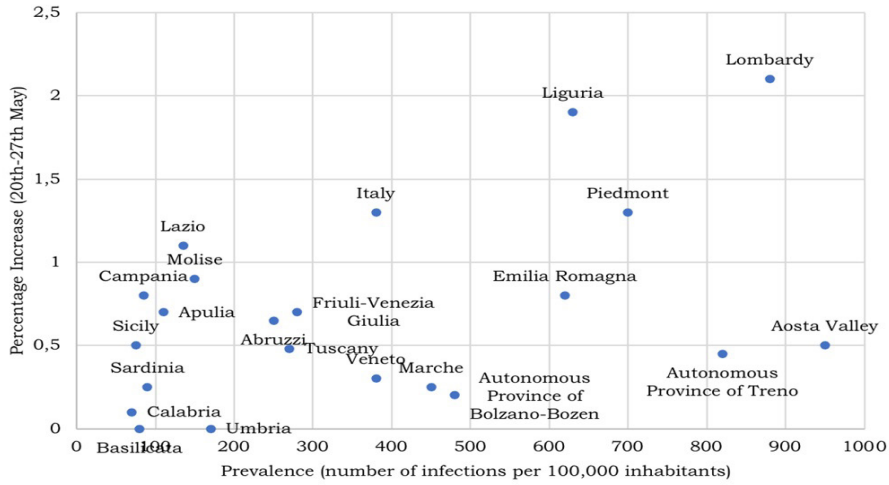
Graph 8. Geographical distribution of COVID-19 cases nationwide, update on June 3rd, 2020. Processing of data confirmed by the Department of Civil Protection.



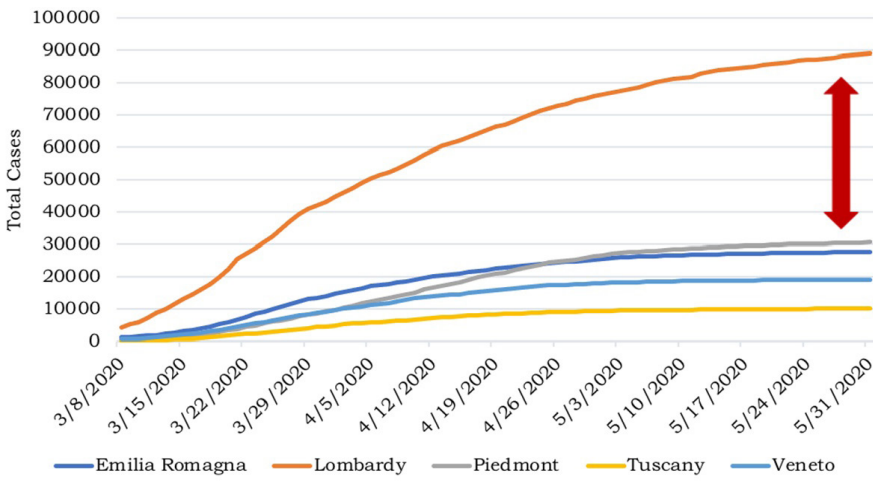
The virus, on the other hand, less affected the central and southern regions. This trend is also visible if comparing the data relating to the prevalence values (number of infections per 100,000 inhabitants) with the percentage increase in COVID-19 cases.

Also, in this case Lombardy represents a clear outlier with respect to the epidemiological trend both in the national scenario and amid the northern regions. This terrible trend has significantly contributed to the Italian positioning in world rankings (Graphs 9 and 10).

Graph 9. Prevalence and percentage increase of COVID-19 cases, updated on June 3rd, 2020. Processing of data confirmed by the Department of Civil Protection.

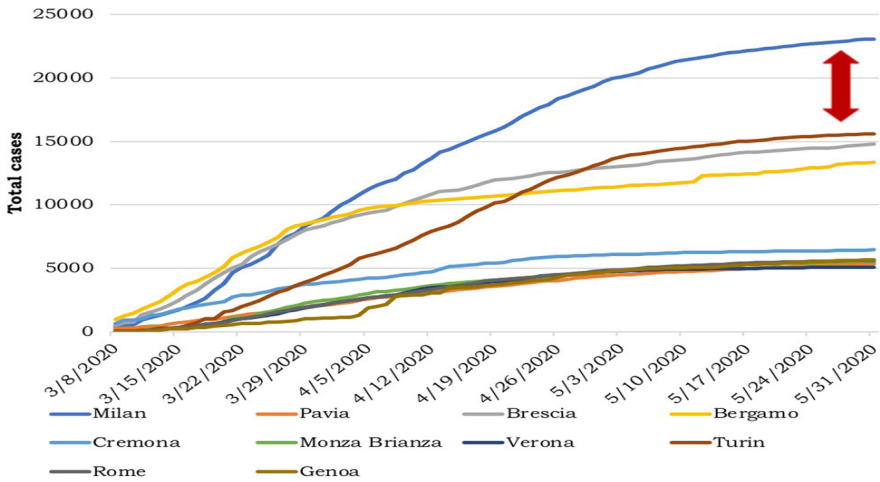


Graph 10. The trend of the five regions with the most infections in Italy. Processing of data confirmed by the Department of Civil Protection.



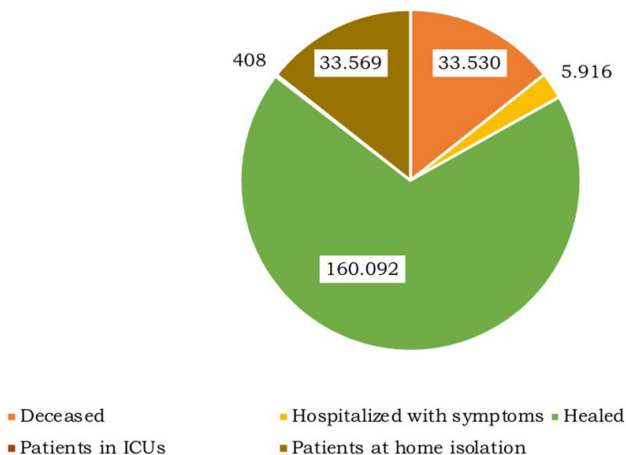
Analysing only the 10 most affected Italian provinces, the contribution of the Lombardy region (and of the northern area) emerges once again with six provinces out of the 10 analysed (Graph 11).

Graph 11. The trend in the provinces with the most contagions. Processing of data confirmed by the Department of Civil Protection.



In conclusion, we wanted to report the current situation updated on June 3rd in order to better understand what the emergency situation was in Italy at that day (Graph 12) (died: 33,530; admitted to intensive care units: 408; hospitalized with symptoms: 5,916; in isolation at home: 33,569; healed: 160,092).

Graph 12. COVID-19 cases as of June 3rd, 2020: isolated, hospitalized patients recovered and deceased. Processing of data confirmed by the Department of Civil Protection.



Analysing the data in numerical terms, after almost 3 months of the lockdown, the critical phase of the Covid-19 epidemic has passed. However, given the clear difference that remains between the north and south of the country in terms of contagions, and the ease with which the virus is contracted and is spread, it is necessary to continue to constantly monitor the virus permanence index, while keeping in place the control measures for the spread of the infection.

3. ITALIAN MOBILITY DURING THE EMERGENCY

One of the human behaviours most penalized by the closure of all activities, in addition to the social and emotional dimension, was the freedom of movement. The impact on travel was a consequence of the interruption of all unnecessary activities but it was also dictated by the necessity to contain the contagion that more easily spreads in crowded public environments.

Mobility in Italy has undergone major changes since the lockdown was launched by the government.

The analysis of the data relating to lockdown mobility, helps to understand the different level of restrictions adopted by the regional governments, and enriches the research with the reasons that have caused such a different reaction to the pandemic by the Italian regions. The survey was made with Geo-referenced information taken from Enel X's City Analytics. Data were analysed and cross-referenced, thus enabling also to explore the flows in certain places of interest taken then as a sample.

From the geographical representation (Map 1), it is clear that the region with the highest moving user rate, at the time of the first Prime Minister Decree (hereinafter referred to as "DPCM"), is Lombardy with 54.80%, followed by Lazio (52.0%), Puglia (48.20%) and Trentino-Alto Adige (38.8%). It is physiological that most of the people in Lombardy did not stay at home, given the high concentration of productive activities in that region, as well as there were numerous permissions to exit. Such a

Users on the move %

0 100



different level of mobility in the region can be so traced back to the region's economic structure, which largely contributes the country's GDP and the consequent power of pressure exerted on politicians by the business system, which not only influenced the delay in adopting the restrictive measures, but which also contributed to continuing with some production activities. In the capital, on the other hand, the mobility recorded on the closing days is attributable to the presence of the governance offices with a minimum level of activity maintained - unlike the other regions, such as Trentino which, ipso facto, was moving towards internal closure.

Looking at mobility data more in detail, average percentage of people who stayed at home from March 18th to 25th is 34.45%. The regions with the highest number of users left at home are Trentino Alto-Adige (39.10%), Molise (37.80%), Sardinia (35.90%), and Calabria (35.80%). The lowest index is with the Regions of Lombardy, Lazio and Apulia.

Lombardy reduced its mobility by 53.9%, while 77.2% of Lombard workers did not go to the work taking advantage of online working with staying at home. Only 19.3% were in offices or factories in the area.

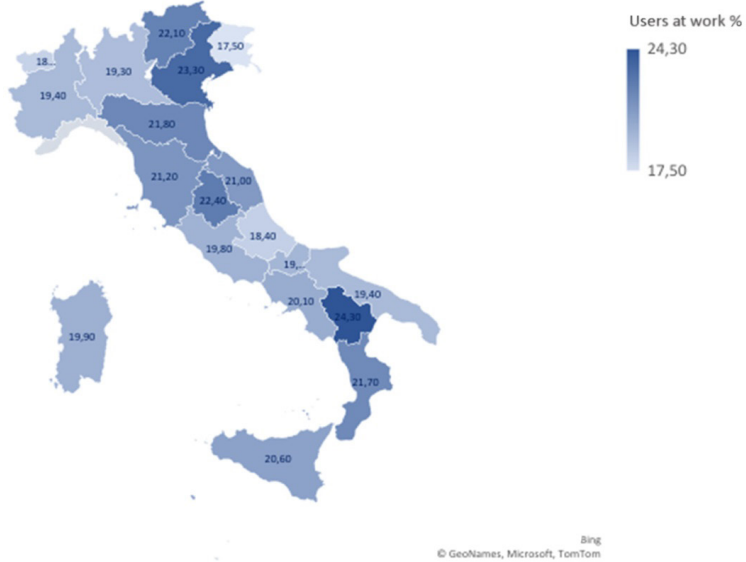
Therefore, if we consider only the workers and not the entire region's population, 55% have no longer returned to work in the office (Map 3). If 19.8% of Lazio workers still went to work during the period under consideration, in Rome this percentage rose to 20%, while 30% of Roman users stopped, 50% of workers in the capital did not return to their work, a percentage like that of Milan.

Therefore, concisely, from the period taken into analysis, 68% of Italian workers no longer went to work. On average, only 21% continued to go to work due to conditions of necessity.

This was the only possible with the Joint Action of the Minister of Health and the Minister of the Interior through a new ordinance to make all natural persons forbidden from moving by

public or private means of transport outside the Municipality of their residence as at the time of the Decree, except of proven work necessity, absolute urgency or for health reasons.

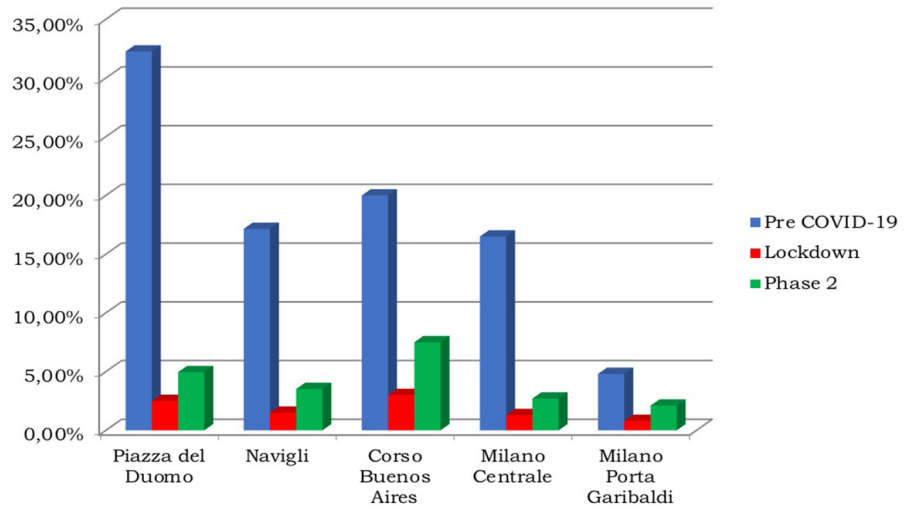
Map 3. Regional mobility COVID-19 analysis carried out during 5 working days up to 25th March, the lockdown moment - users at work (percentage values). Elaboration of the data: City Analytics Enel X, 2020.



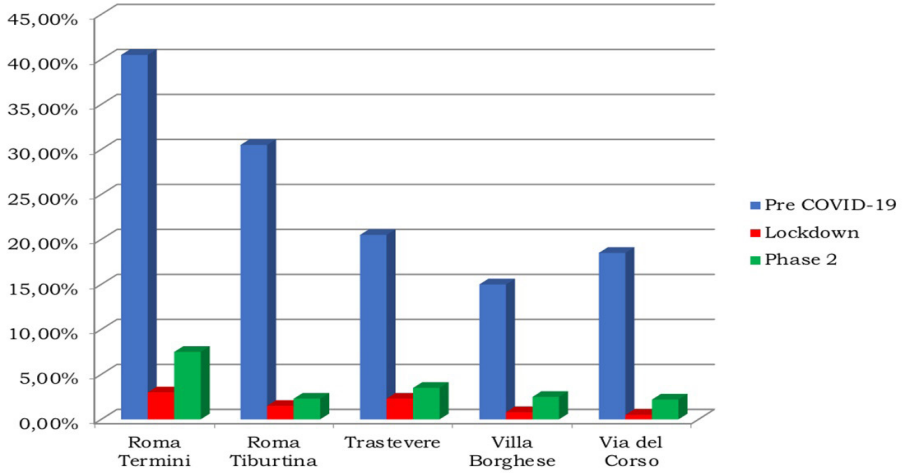
3.1. The three phases of the emergency and the movement flows in the main city centres

Focusing on the three main phases that marked the emergency (Pre-Covid19, Lockdown, Phase 2) in relation to the mobility towards the Points Of common Interest (hereinafter referred to as POIs) of different types, in the main Italian cities of Milan, Rome and Naples on a basis of 10,000 inhabitants, it makes clear the number of users who went to the selected POIs and the exact day. The phases can be divided as follows: Pre-Covid 19 (8th February – 24th February), the last week of lockdown (26th March – 3rd May) and the first week of Phase 2 (4th May – 17th May); they are compared to an average daily percentage of visitors to Milan, Rome and Naples (Graphs 13, 14 and 15).

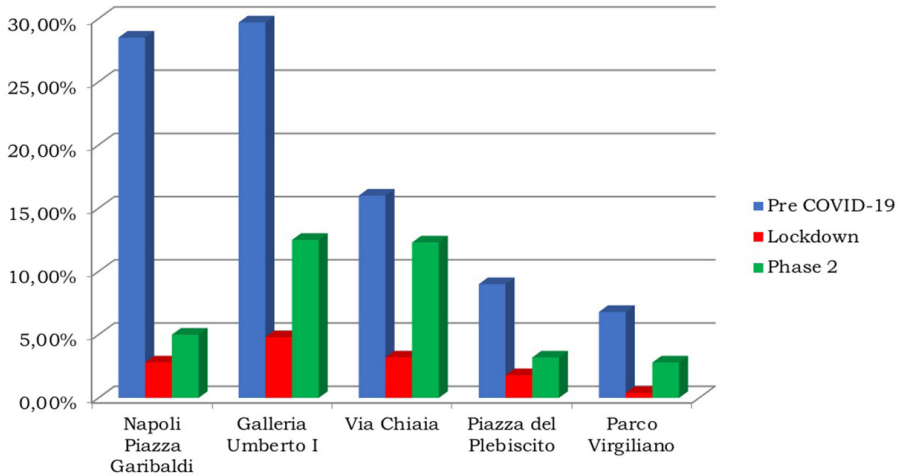
Graph 13. Milan - daily average of POI visitors compared to an average daily percentage of visitors. Elaboration of the data: City Analytics Enel X, 2020.



Graph 14. Rome - daily average of POI visitors compared to an average daily percentage of visitors. Elaboration of the data: City Analytics Enel X, 2020.



Graph 15. Naples - daily average POI visitors compared to an average daily percentage of visitors. Elaboration of the data: City Analytics Enel X, 2020.



What do the data tell us? In the graphs above, it is possible to distinguish on the abscissa axis the five main points of interest for each city examined and on the ordinate axis, the average percentage of daily visitors to the POIs mentioned. It is understandable to note that, in the Pre-Covid19 phase (in blue in the Graphs), all values are in the normal range, in the cities of Milan and Naples higher than 30%, respectively in Piazza Duomo and Piazza Garibaldi, and 40% at the Roma Termini station in the Eternal City. In red (Lockdown), the values drop to the minimum, with percentages of visitors that nearly touch zero.

Surely, the points of interest examined suffered heavily from the lockdown imposed by the Government.

The recovery starts from May 4th and enters Phase 2. In green, the 10% peak is registered in Naples, an extremely high percentage of users on the move in the POI Galleria Umberto and Via Chiaia. The Neapolitan city is, therefore, the only one to recover in a more determined way.

Before the pandemic (pre-covid19, February 8th – February 24th)

Before the pandemic (Pre-Covid19, February 8th – February 24th), the POIs in Milan and Naples were visited daily by a high percentage of citizens. Roma Termini is the POI with the highest percentage: an average of 40% of the Roman sample passed through the station every day, with peaks of almost 60% during the week. Less significant, albeit high, the values recorded in other places, such as Trastevere, a privileged destination for nightlife (20.2%) and Villa Borghese that counted for a daily average of 1,520 visitors on a basis of 10,000.

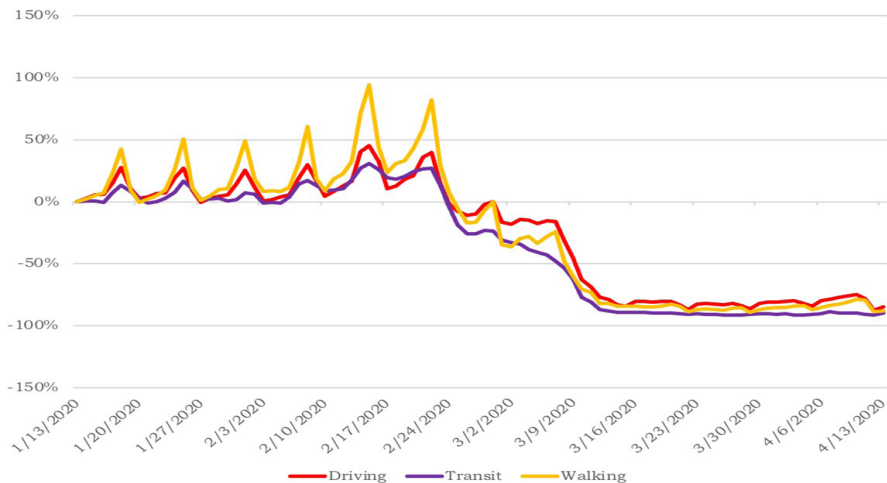
The second POI with the highest “traffic” among those examined, is Piazza Duomo in Milan, the centre of the city: 31.2% of the inhabitants of Milan walked beside the cathedral and the Galleria Vittorio Emanuele II every day. If the gap registered between visitors during the week for Roma Termini (44.8% on average) and weekend visitors (30.5% on average) is important, the place preferred by the Milanese does not follow exactly the same dynamics: 35.3% during the weekend and 29.3% during the week. Milano Centrale is only the third most visited POI in Milan: only 16.8% of the sample crossed daily the station. Corso Buenos Aires reached 1.9%. Then 11% of the 10,000 Milan citizens also lived their nightlife of the Navigli on weekends, with peaks of over 17%. In Naples, the Galleria Umberto I and the Naples Garibaldi station were frequented by 28% of the sample. Chiaia, the wealthy district of the city, with boutiques, restaurants and elegant bars, was another place that never remained deserted in Naples (15.7%).

From lockdown to Phase 2 (March 26th – May 3rd)

The percentage of POIs visitors inevitably dropped significantly during the lockdown, with students and most workers forced at home. The average percentage of people passing through the POI areas dropped to 4.9% in Milan, to 7.3% in Rome, and to 11.8% in Naples. None of the POIs alone reach-

es a percentage higher than 5% of the sample, a level almost touched only by the Galleria Umberto I in Naples. In Milan, the liveliest POI during the lockdown was Corso Buenos Aires with an average of 2.2%. Roma Termini dropped by over 37 percentage points, Piazza Duomo in Milan by 30 points. In light of the data collected, it is clear that the mobility trend practically stopped in the second half of April, recording -85% of car journeys, -88% of pedestrian movements and -90% of journeys with vehicles of public transport (Graph 16).

Graph 16. Mobility Trends in Italy from 13th January to 13th April 2020. Data collected by Apple, apple.com/covid19/mobility, (accessed 25th September 2020).



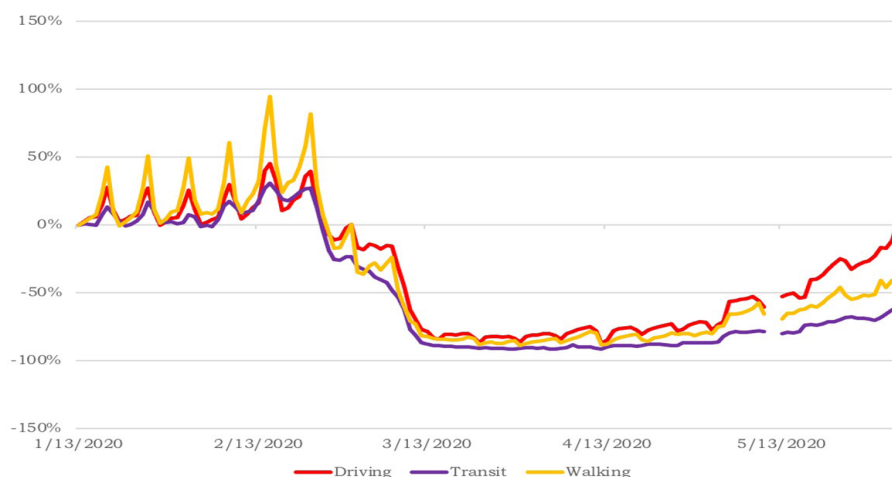
The recovery: Phase 2 (4th May – 17th May)

During the first week of Phase 2, offices and factories reopened for 4.4 million workers. But also, families reunited again. An attempt to return to normal life, with facemasks, sanitation and social distancing.

In Milan, only 17.9% of the sample returned to attend the POI examined. Rome notices the rhythms of Milan, with the difference of Roma Termini, which on the contrary to the station of Milano Porta Nuova, returned to be a hub of the Roman mobility: 8.4% of the Romans began to frequent the area again.

Naples restarted more decisively. From 87.4% Pre-Covid to 12% of the lockdown phase, in the post May 4, over 3,000 citizens started to move around the capital. More than 20% of the citizens returned to be frequent in the areas of Chiaia and the Galleria Umberto I.

Graph 17. Mobility Trends in Italy from 13th January to 2nd June 2020. Data collected by Apple, apple.com/covid19/mobility, (accessed 25th September 2020).



The lockdown data meant significant improvements on the contagion front. These data (Graph 17) testify how obligatory the confinement was but also how much the citizens respected the provisions.

Although not all Italian regions had shown such improvements, the restrictions began to ease starting from the relaunch phase and the mobility trend curve begins to soar, recording an increase in car travel of + 3%.

The Italian government had foreseen a gradual recovery in the various sectors of social, economic and productive activities, also through the identification of new organizational and relational models, which consider the need to contain and prevent

emergencies¹.

In this regard, as soon as the Government started talking about the *Phase 2*, the monitoring of people on the move immediately registered an increase. A matter of a few percentage points more, but sufficient to cause concern. Rightly or wrongly seen as an example in contagion containment measures, the indicators showed the signs of possible new outbreaks.

In the light of the macroscopic analysis conducted on the Italian regions and microscopic ones on the cities, it is found that the effects of the lockdown were severe in several sectors and led Italy to close in a vice. We see that, in the phase prior to Covid19, there were daily mobility trends with peaks of over 60%, until then they dropped at around -85% at the time of the lockdown decree.

Companies, activities, interpersonal relationships were stopped. And, according to what the IMF declared, the effects of the new Coronavirus will have a major impact on the economic aspect of Italy with a drop in GDP of -9,1%, recording a loss of 3% globally.

It is certainly touching to see how the life of Italians has changed, how the economy has been distorted, rediscovering, even in an emergency, new forms of adaptation, such as *smart working* and *smart studying*, especially where it was not yet foreseen, as in the regions of southern Italy. The road to a real recovery will be arduous, but now confinement is the safest solution for those realities still in high risk. The so-called *red areas* such as Milan, Bergamo, Lodi, will still have to keep the emergency plans active not to fall in new possible outbreaks.

Analyzing the data offered by the three Italian cities (Milan, Rome and Naples), which trace the geographical tripartite division of the entire Peninsula, a precise analysis emerged of how

1 D.P.C.M. of 14th April 2020, source: <http://www.governo.it/it/coronavirus-misure-del-governo>, (accessed 25th September 2020.)

the emergency has affected some areas more than others. Nevertheless, during the lockdown phase, the points of interest of the sample cities, which under normal conditions record very significant percentages of movements on a daily basis, have seen a significant reduction in the mobility of citizens. And exactly because mobility is the core business of the country's economy, seeing Italian cities deserted as they were never seen before, both in workplaces and near places of entertainment and social life, it makes clear how much the different phases of the pandemic have changed movements of the Italians, and how the dynamics and socio-demographic relationships within the cities have changed and will be on the agenda even next months.

4. THE GOVERNANCE OF THE EMERGENCY

This paragraph will examine the ordinances issued by the Italian regions following the health emergency caused by COVID-19 in the period from 9th March 2020 to 4th May 2020 (the so-called Phase 1). Therefore, an analysis and a comparison will be done with the aim of understanding whether more or less restrictive measures, with respect to the various Decrees of the President of the Council of Ministers (DPCM), could have affected the number of contagions at regional level.

Ministerial Decrees

The Decree of the President of the Council of Ministers of 9th March 2020 extends nationally the measures provided for by Art. 1 of the Prime Ministerial Decree of 8th March 2020 (with urgent measures to contain the contagion in the Lombardy region and in the provinces of Modena, Parma Piacenza, Reggio Emilia, Rimini, Pesaro and Urbino, Alessandria, Asti, Novara, Verbano-Cusio-Ossola, Vercelli, Padua, Treviso, and Venice). According to the provisions of the Decree of 9th March 2020, any form of gathering of people in public places or in spaces open to the public was prohibited, and sporting events of all orders

and disciplines, in public or private places, were suspended. The movement of people was prohibited except for the proven reasons of health, necessity or work and each citizen had to fill in a special self-certification form. In addition, the DPCM of 11th March 2020 prepared the closure of retail commercial activities, markets, catering activities (excluding the delivery service as well as the food and beverage administration exercises located in the service and refuelling areas located along the road, motorway and railway, airport, lake and hospital stations), activities relating to personal services were suspended, banking, financial, insurance services as well as the activities in the agricultural, zootechnical and agro-food processing sector, including the supply chains that supply goods and services. In addition, the Presidents of the Regions can order that the service provided by local public transport companies are reprogrammed in order to reduce and/or eliminate services in relation to the health interventions necessary to contain the coronavirus emergency based on the actual needs and with only the specification of ensuring the minimum essential services.

Comparing decisions taken at ministerial level and the measures decided at regional level, it is possible to grasp the differences and the different impact they had on the number of positives to the virus. The differences between the ordinances of the various regions can be understood in relation to factors such as delivery, re-opening of weekly markets (in covered places or in streets and squares), of the service areas (hospital, airport, motorways, refuelling, lakes and railways), as well as places of worship, the minor or major reduction in scheduled or non-scheduled public transport services and finally individual motor activity.

Proceeding a more detailed analysis of the ordinances, it can certainly be noted, as for example in the delivery sector, that the decisions taken by the regions were not homogeneous. In fact, while in the regions such as Piedmont, Lombardy, Trentino Alto

Adige, Friuli-Venezia Giulia, Emilia-Romagna, Tuscany, Basilicata, Puglia, Molise, Calabria and Sicily, the delivery service remained operational, in line with the ministerial decision, the remaining regions chose not to grant it and therefore opting for more restrictive measures than those being established at the Government level. For example, Umbria and Sardinia chose to resume the service on 3rd April and 4th respectively, therefore, during the so-called Phase 1, while the other regions decided to make the service operational at the end of April with the approach of Phase 2 and therefore in relation to a lower number of infections. It can be well imaged how the delivery sector can have an important impact on the increase of infections as it involves direct contact between a large number of people: those who work in this type of service and between these workers and the customers of the service. It remains to be asked whether in regions such as Lombardy, Piedmont, Emilia-Romagna, Trentino Alto Adige and Tuscany, affected by a high number of infections, it was an imprudent measure to guarantee these services especially in the light of the fact that, despite a lower number of contagions, other regions chose to act in the opposite direction. Processing of data provided by the websites of the regions of Piedmont, Lombardy, Aosta Valley, Veneto, Trentino-Alto Adige, Friuli-Venezia Giulia, Emilia-Romagna, Liguria, Tuscany, Umbria, Abruzzi, Lazio, Marche, Basilicata, Apulia, Molise, Campania, Calabria, Sicily and Sardinia.

As for the indoor and outdoor markets, difference between the regions of Northern, Central and Southern Italy can be seen. In contrast with the ministerial decision to arrange the closure of the markets, in the majority of the northern regions the markets were opened in Phase 1 (with the exception of Emilia-Romagna, Trentino Alto Adige and Liguria) with the necessary precautionary measures; not the same can be said of the regions of central, southern and insular Italy where the choice of opening up the markets was shared exclusively by the Lazio region. Also, in this



case, as for the delivery service, the choice of an opening cannot certainly be considered prudent.

Processing of data provided by the websites of the regions of Piedmont, Lombardy, Aosta Valley, Veneto, Trentino-Alto Adige, Friuli-Venezia Giulia, Emilia-Romagna, Liguria, Tuscany, Umbria, Abruzzi, Lazio, Marche, Basilicata, Apulia, Molise, Campania, Calabria, Sicily and Sardinia.

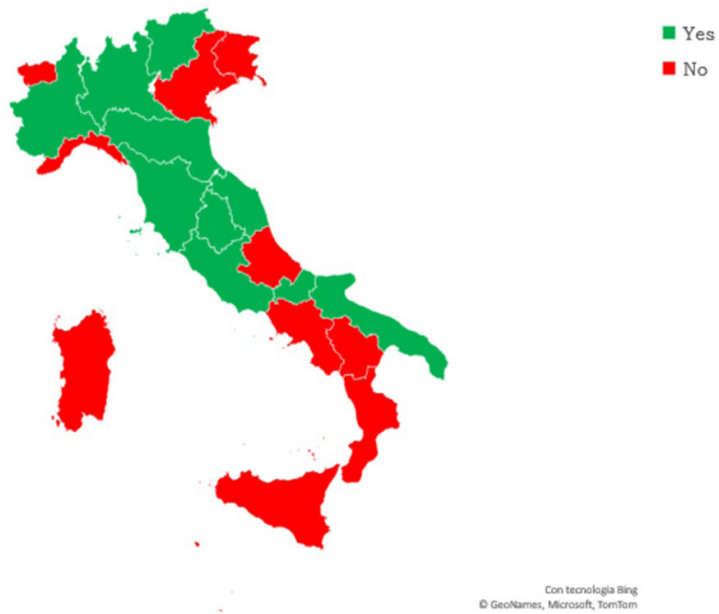
As regards the access to places of worship, with the exception of already planned particular ceremonies, a several Italian regions such as Valle D'Aosta, Veneto, Emilia-Romagna, Lazio, Abruzzo, Basilicata Puglia, Campania and Sardinia decided not to allow their citizens any access to the Churches, not even through precautionary measures, in stark contrast, therefore, to the measures decided at ministerial level.

There is a certain homogeneity within all Italian regions as regards the reduction of line and non-line transport services almost reduced to the same extent with few percentage of changes in line with the provisions at ministerial level. It is interesting to note that Sardinia, despite the incredibly low number of infections, decided to eliminate maritime transport services totally in the period from 15th March to 3rd May. Furthermore, Abruzzo decided to reduce the railway services by up to 80% and scheduled and non-scheduled services with percentages ranging from 50% to 80%, remarkably high percentages compared to the rest of Italy. The reduction or suppression of scheduled and non-scheduled services had an important impact on the increase or reduction of contagions, given that the transport sector produces a significant number of contacts and, therefore, a very high possibility of contagion.

The last relevant factor to analyse is individual motor activity. While the decrees of the Italian government did not prevent individual motor activity, regions such as Valle D'Aosta, Veneto, Friuli-Venezia Giulia, Liguria, Umbria (allowed only from April 3rd), Campania, 1 Abruzzo, Basilicata (allowed only from April

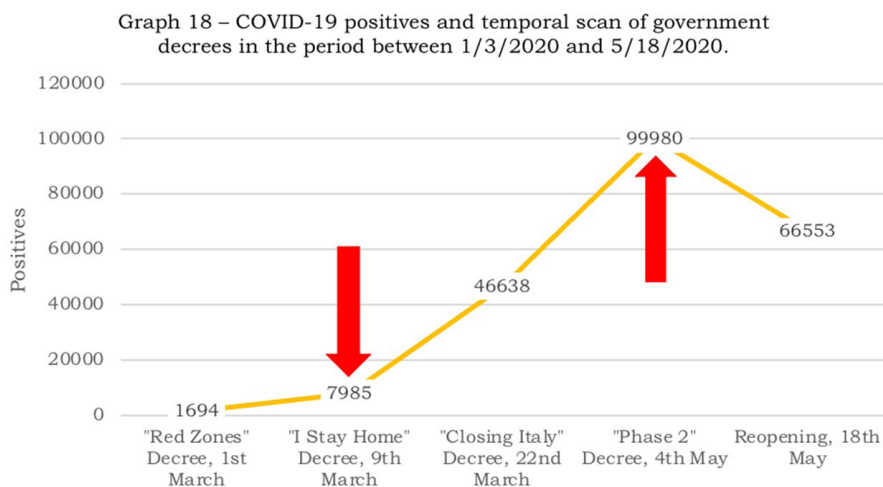
15th), Sardinia (allowed only from April 13), Sicily and Calabria decided not to grant it except for strictly healthy and necessary reasons. Finally, in Piedmont, Lombardy, Trentino Alto Adige, Marche, Emilia Romagna was granted (but within 200 meters away from home) despite being among the regions most affected by the virus nationally.

Map 6. Individual sport activity from 9th March to 4th May 2020. Processing of data provided by the websites of the regions of Piedmont, Lombardy, Aosta Valley, Veneto, Trentino-Alto Adige, Friuli-Venezia Giulia, Emilia-Romagna, Liguria, Tuscany, Umbria, Abruzzi, Lazio, Marche, Basilicata, Apulia, Molise, Campania, Calabria, Sicily and Sardinia.



In conclusion, as can be seen, moreover, from Graph 18, a greater number of contagions corresponds to an increase in the restrictive ministerial measures, and therefore to a decrease in the contagion following the application at regional level of the latter, as can clearly be seen from the date of 4/5/2020.

Graph 18. COVID-19 positives and temporal scan of government decrees in the period between 1/3/2020 and 5/18/2020. Elaboration of data provided on the website of Civil Protection and on the Ministry's website.



CONCLUSION

The purpose of the ministerial decision to univocally extend the measures relating to the contagion from COVID-19 to the whole territory and to leave decision-making autonomy to the regions, must be recognized under the circumstances that most of them did not have high percentages of contagion in relation to those most affected. For this reason it was chosen to dictate general guidelines and to leave the regions with autonomy decision-making in this sense. The ministerial decision assumes of not being able to take responsibility for the management of the individual regions, leaving them the possibility of following the government line or not.

Italy is certainly not a homogeneous territory as regards the measures and behaviours undertaken by the various regions. This different approach certainly influenced the number of COVID-19 infections, the different factors analysed in the regional ordinances affected the number of cases to a lesser or

greater extent. Regions such as Lombardy, Piedmont, Tuscany and Emilia-Romagna, which are among the most affected regions at national level, decided to follow the ministerial line entirely, or almost, unlike many central, southern and insular regions, in addition to some northern regions less affected by the virus, which followed an opposite, more restrictive line.

In the end, it remains rise a question of whether the behaviour undertaken by regions such as Lombardy, Piedmont, Tuscany and Emilia-Romagna was actually prudent, as well as the ministerial decision to undertake the so-called Phase 2 despite the very high number of current infections in several areas, especially in Lombardy.

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DIGITAL SURVEILLANCE IN THE TIMES OF COVID-19: LESSONS FROM SLOVAKIA

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Abstract

Digital surveillance in the form of dataveillance is one of the modern technological tools used for a variety of purposes. With the spread of coronavirus around the globe, digital measures were implemented to fight the pandemic. The article focuses on the right to privacy and the right to data protection as enshrined in the law of the European Union in terms of using such tools during the pandemic. Special emphasis is put on the analysis of the recent judgment of the Constitutional Court of the Slovak Republic suspending the effect of “Lex Corona” allowing public authorities access to location data held by telecommunication companies.

Key words: *digital surveillance, privacy, Covid-19, human right*

INTRODUCTION

The spread of different kinds of viruses globally is an integral part of our civilization. However, since the pandemics occurred at the beginning of the 20th century (e.g. Spanish flu in 1918), the situation has changed in terms of tools used to fight the spread of pandemic diseases.

With the development of computers and networks humanity is framed by the development of new technologies with a dynamic technological pace. It is no surprise that with the current pandemic caused by the uncontrolled spread of COVID-19, many countries deployed smart technology solutions aiding in many ways to stop or minimize the life & health risks. It is of the essence to note that many of the technologies involve the processing of personal data, therefore, triggering the application of data protection laws.

As the first COVID-19 cases had been discovered in Asia, Asian countries were first to implement technological solutions intended to “flatten the curve.” The first smart solution was developed in Taiwan to enforce the obligatory quarantine.¹ In Singapore, the government obliged its citizens to install applications into their mobile phones exchanging information with other mobile phones in proximity via Bluetooth technology to trace potentially infected persons.² Moreover, people entering the country had to install another type of mobile application into their mobile phones and were obliged to wear also wristbands in order to monitor their compliance with mandatory quarantine.³ The private sector in South Korea considered the tracking efforts of the government insufficient and supplemented the measures

1 Yasheng Huang , Meicen Sun and Yuze Sui. How Digital Contact Tracing Slowed Covid-19 in East Asia. Harvard Business Review Home. April 15, 2020. Available online: <https://hbr.org/2020/04/how-digital-contact-tracing-slowed-covid-19-in-east-asia>. [Accessed 22-05-2020].

2 <https://www.gov.sg/article/help-speed-up-contact-tracing-with-tracetogether>

3 <https://www.coronavirus.gov.hk/eng/stay-home-safe.html>

with own contact tracing apps for citizens.⁴ China seized the options of insufficiently limited governmental access to data in the disposition of the private sector and also developed an app for surveillance of users.⁵ The emergency just highlighted the specific dichotomy of privacy law in China as modern data protection rules are restricted by blanket governmental access to data and state surveillance rules [Pernot-LePlay, 2020].

Many digital initiatives introduced in Asia served as role models for the deployment of similar measures in the European Union (EU). However, respecting the values of human dignity and fundamental rights and freedoms as pillars of legal culture in the EU. Therefore, limiting indiscriminate and blanket use of such technologies. Restrictions of human rights and freedoms are subject to strict and specific legal conditions. On the other hand, the European Commission, however, is aware of the eventually positive impact of using technologies in the pandemic times, calls for a careful approach respecting fundamental rights and freedoms.⁶

Indeed, many countries introduced specific legal measures dedicated for development and implementation of technological tools to fight the spread of coronavirus within national borders. The Slovak Republic introduced the so-called “Lex Corona” allowing the state authorities to access data from telecommunication companies to help fight with the spread of COVID-19. However, the Constitutional Court of the Slovak Republic suspended the effect of the part of this law. The lessons from this decision could be seen as an example of future deployment of

4 <https://hbr.org/2020/04/how-digital-contact-tracing-slowed-covid-19-in-east-asia>

5 <https://www.nytimes.com/2020/03/01/business/china-coronavirus-surveillance.html>

6 E.g. Coronavirus: a common approach for safe and efficient mobile tracing apps across the EU. <https://ec.europa.eu/digital-single-market/en/news/coronavirus-common-approach-safe-and-efficient-mobile-tracing-apps-across-eu>

such tools and laws in other EU member states.

This essay aims to emphasize the social and legal background of introducing smart technology solutions to protect health and life in the pandemic times on example of Slovakia. The first part of the article highlights the development of surveillance theories, legal background and soft law of digital surveillance (recommendations, opinions, and guidance) on the EU level in the context of the spread of coronavirus. The second part of the article examines adoption and analyses the wording of the Slovak “Lex Corona.” The third part of the article is focused on the evaluation of the decision of the Slovak Constitutional Court of the Slovak Republic suspending effect of one part of “Lex Corona”, and provides decision- based recommendations towards the future legal background of digital surveillance. Conclusions are delivered in the final part.

1. DIGITAL SURVEILLANCE AND THE EU APPROACH

1.1. Digital Surveillance

“The Big Brother is watching you” is one of the fundamental thoughts of George Orwell’s novel 1984. In the novel, behavior of society is enforced by constant video and audio surveillance. Although the plot is set in the near future, many academics and politicians refer to the novel when pointing out the threats and eventual abuse of digital technologies in terms of surveillance. David Lyon defines surveillance as targeted, systematic and routine monitoring of personal data for influence, controlling, directing, and protection [Lyon, 2017: 14]. The aforementioned definition includes the use of modern technologies and shall be considered timeless. From the historical point of view, the shift from “physical” surveillance to digital surveillance may be observed. The aim of the article is not to provide a complete history of the surveillance theories [see Galič et. al, 2017]. However, we will point out the most important steps in the area. The first recognized concept of surveillance society is Panopticon creat-

ed by philosopher Jeremy Bentham. Bentham described prison “Panopticon” as rotunda- shaped area with an inspection tower in the middle, therefore, allowing one single guard to watch inmates in the cells around the rotunda [Bentham, 1791]. This concept was further analyzed by French philosopher Michele Foucault [Foucault, 1980]. The next phase of the surveillance theories leaves the traditional concept of Panopticon and reflect social and technological changes in the society. Gilles Deleuze emphasized globalization and capitalism in terms of surveillance of behaviour of consumers. The monitoring thus shifted from the state to private entities [Deleuze, 1992]. The power of corporations is also noted by Kevin Haggerty and Richard Ericson criticizing the artificial application of Panopticon theories to every kind of surveillance [Haggerty & Ericson, 2000]. Another rather popular surveillance theory emerged several years ago called “surveillance capitalism” coined by Shoshana Zuboff. This neo-Marxist theory of surveillance is based on the economic and political background of surveillance aimed to get profit from modeling and influencing the behavior of consumers by corporations. Zuboff even explicitly recognized the use of Big Data predictive technologies as a new tool to confirm her theory [Zuboff, 2015].

The current phase of surveillance theories is framed by the concept of dataveillance, i.e. data – based monitoring. The notion of dataveillance was first used by Roger Clarke in 1988. The object of the surveillance was the digital identity of the individual [Clarke, 1988]. Digital identity is composed of data of the individual based on his behavior in economic, social, and political relationships [Andraško, 2016]. With the emergence of profiling, data matching, data mining, and use of traffic or localization data a new definition of dataveillance have to be drafted. Roger Clarke together with Graham Greenleaf reframed the notion of dataveillance as “systematic creation and/or use of personal data for the investigation or monitoring of the actions or

communications of one or more persons.” [Clarke & Greenleaf, 2017].

Dataveillance is not a science-fiction concept but reality and many individuals are subject to dataveillance without being aware of this. Using mobile applications with processing the information from the terminal equipment of users may be characterized as a form of dataveillance as providers of social media or other applications derive conclusions from our behavior and may use data for various purposes including marketing. What is more, monitoring via the collection of data is also a modern version of surveillance by state e.g. in case of tracking potential criminals or suspicious financial transactions [Mesarčík, 2018]. However, public authorities are under strict legal surveillance conditions, especially with dataveillance. Using such technologies shall not be blanket, indiscriminate, and shall respect the rule of law [Kasl, 2019], and such requirements are emphasised in the following next part of the article.

1.2. Legal Framework

Dataveillance as a form of surveillance involves the personal data processing and as such presents a threat to the privacy of individuals. In Europe, both rights to privacy and the right to data protection are strongly connected to the protection of human dignity and are stipulated as fundamental rights and freedoms.

The Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter referred to as “Convention”) enshrines the right to respect private and family life in Article 8. The article contains positive and negative obligation of the states to protect privacy. The positive obligation means that everyone has the right to respect for his private and family life, his home and his correspondence and the state shall secure the performance of the right by legislation. On the other hand, negative obligation means that “there shall be no interference by a

public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.”⁷ Although the Convention does not explicitly stipulate the right to data protection, many cases deliberated and decided by the European Court of the Human Rights concern the personal data processing,⁸ therefore including the right to data protection within the scope of Article 8 of the Convention.

The law of the European Union (EU) establishes fundamental rights and freedoms in the primary law with secondary law specifying rules and values laid down by the primary law. The Charter of Fundamental Rights of the European Union (Charter) is part of the EU primary law and explicitly recognizes the right to privacy and the right to data protection as separate rights. The right to privacy is stipulated in Article 7 of the Charter and contains the same wording as Article 8 of the Convention. The right to data protection is enshrined in Article 8 of the Charter, and stipulates provisions that everyone has the right to the protection of personal data concerning him or her. Furthermore, it contains basic data protection principles and rules stating personal data shall be processed fairly for specified purposes and based on the consent of the person concerned or some other legitimate basis laid down by law. Some of the rights of data subjects are also presented in Article 8, namely right to access and right to rectification. Simultaneously, the Charter establishes the obligation for member states to designate one or more data

7 Article 8 (2) The Convention for the Protection of Human Rights and Fundamental Freedoms

8 To mention some *S. and Marper v. the United Kingdom* [GC], nos. 30562/04 and 30566/04, ECHR 2008 or *Rotaru v. Romania* [GC], no. 28341/95, ECHR 2000-V or *Uzun v. Germany*, no. 35623/05, ECHR 2010.

protection authorities supervising the processing of personal data by the private and public sectors. Secondary law lays down specifics of the data processing and the main legal act regulating the data protection area is currently the General Data Protection Regulation (GDPR).⁹ However, another piece of secondary law has to be mentioned as “ePrivacy Directive”¹⁰ and regulates the protection of privacy and electronic communications *inter alia* containing specific rules for providers of electronic communications (including telecommunication providers) and processing of information (including cookies) in the terminal equipment of users (including computers or mobile phones). This Directive shall be transferred to GDPR- like regulation, but the legislative procedure is slow and drafts of regulation are criticized by the private sector and academics [Mesarčík, 2019].

In terms of Slovak legal order, the Constitution of the Slovak Republic (hereinafter referred to as “Constitution”)¹¹ stipulates the right to privacy and the right to data protection in several separate articles. The right to privacy and individual integrity is enshrined in Article 16 (1) of the Constitution. This provision is closely followed by Article 19 (2) declaring “the right to be free from unjustified interference in his or her private and family life.” Human dignity and reputation are protected by Article 19 (1) of the Constitution and right to data protection are stipulated in Article 19 (3): “Everyone shall have the right to be protected against unjustified collection, disclosure and other misuse of his or her personal data.” Article 22 of the Constitution provides the final installment in the mosaic of constitutional privacy pro-

9 Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Text with EEA relevance). OJ L 119, 4.5.2016, p. 1–88.

10 Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications), OJ L 201, 31.7.2002, p. 37–47.

11 460/1992 Coll. Constitution of the Slovak Republic.

tection protecting confidentiality of letters and communications including personal data. The relationship among the aforementioned articles is complex and has been the subject of the interpretation by the Constitutional Court of the Slovak Republic in many cases [Husovec, 2017]. These norms are of the utmost importance in the debate on dataveillance and using surveillance personal data - processing technologies in general.

1.3. The EU Approach During the Pandemic

The EU soon after the beginning of the spread of coronavirus recognized technological options and tools to stop or minimize the risks of the pandemic. After pilot solutions were developed, the European Commission (EC) issued several recommendations for using of these technologies.

The core of the use of smart tools involves the processing of localization data. Two solutions immediately emerged: (i) applications in smartphone and (ii) access to data processed by telecommunication companies. The importance of data together with artificial intelligence and supercomputers are explicitly emphasized by the EC as a useful tool in detecting patterns in the spread of the virus or potential treatments [EC.EUROPA, 2020]. The EC published a recommendation and communication in terms of use of these technologies namely:

- Commission Recommendation (EU) 2020/518 of 8 April 2020 on a common Union toolbox for the use of technology and data to combat and exit from the COVID-19 crisis, in particular concerning mobile applications and the use of anonymized mobility data; and
- Communication from the Commission Guidance on Apps supporting the fight against COVID 19 pandemic in relation to data protection 2020/C 124 I/01.

Data protection issues are also analyzed by the European Data Protection Board (EDPB) being the EU authority interpreting GDPR with its recommendations, opinions, and guidance. EDPB

issued Guidelines 04/2020 on the use of location data and contact tracing tools in the context of the COVID-19 outbreak.

The recommendation of the EC aims to establish an effective pan-European approach in terms of using mobile applications enforcing social distancing or contact tracing together with the provision of a framework for the use of anonymized aggregated data for modeling predictions [REC, 2020: 1]. It provides a toolbox for developing such technologies and the use of data. The responsibility for the implementation of the recommendation is vested within the eHealth network, consisting of representatives of the EU member states [REC, 2020: 6]. Generally, with respect to the right to data protection, the recommendation emphasizes the strict limitation of the processing of personal data, regular review of the need for the processing of personal data and erasure of data after fulfilling the purpose [REC, 2020: 10]. Mobile applications processing personal data shall take into consideration respect for the right to privacy and the right to data protection. The recommendation explicitly highlights the implementation of safeguards ensuring respect for these rights including appropriate technical and cyber-security requirements for the security of data processing, using at least the invasive privacy solutions, require the erasure of personal data after fulfilling the purpose, and ensure sufficient transparency [REC, 2020: 16]. Concerning the second aim of the recommendation – modeling or predicting the spread of disease, the most preferred form of processing is the processing of anonymized or aggregated data preventing the de-identification [REC, 2020: 20].

Additionally, the EC issued a Communication concerning specifically on data protection issues in terms of trustful and accountable apps. Based on the Communication, national health authorities shall be controllers of personal data [COM, 2020: 3.1]. The Communication emphasizes that the individuals shall remain in control of data through the voluntary installation of the app and choosing different app functionalities. The individ-

ual shall have the choice to share his medical condition [COM, 2020: 3.2]. In terms of the legal basis, the Communication recommends using consent for storing and gaining access to the information stored in the device (ePrivacy directive) and legal obligation for national health authorities (GDPR) requiring member states to adopt specific laws regulating the legal obligation in question [COM, 2020: 3.3]. Controllers shall subsequently minimize personal data being processed for different purposes [COM, 2020: 3.4], restrict the access to data [COM, 2020: 3.5], provide specific purposes of processing [COM 2020: 3.6], adhere to the minimization of collection principle [COM, 2020: 3.7], ensure the security of processing [COM, 2020: 3.8] and accuracy of data processing [COM, 2020: 3.9]. Further clarification in terms of personal data processing is provided by the EDPB Guidelines on the use of location data and contact tracing tools in the context of the COVID-19 outbreak.¹²

However, the EDPB Guidelines address also the issue of the use of location data by other means than smart apps [EDPB, 2020: 2]. The Guidelines pragmatically differ between two sources of location data: (i) location data collected by electronic communication services providers, and (ii) location data collected by information society service providers [EDPB, 2020: 9]. The EDPB further elaborates on the legal framework provided by ePrivacy Directive regulating the processing of location data either directly collected by telecommunication companies or smart application providers. The guidelines highlight the potential need for derogations from general rules allowed by Article 15 ePrivacy Directive when they constitute a necessary, appropriate, and proportionate measure within a democratic society. This is the case of Slovak “Lex Corona.”

¹² See particularly part 3.

1.4. Limits of Surveillance in the EU Law: Digital Rights Ireland

Apart from the data processing perspective enshrined in the GDPR and ePrivacy Directive, digital surveillance conducted by the state has legal limits arising from the human rights perspective considering the right to privacy and right to data protection. Digital Rights Ireland¹³ is the landmark decision of the Court of Justice of the European Union (hereinafter referred to as “CJEU”) in this matter. Constitutional Court of the Slovak Republic follows the rationale of the judgment in its decisions.¹⁴ The CJEU in Digital Rights Ireland assessed the compatibility of Data retention directive¹⁵ in terms of Article 7 and Article 8 of the Charter. Data retention directive obliges the providers of publicly available electronic communications services or of public communications networks to retain telecommunication data generated or processed by them for potential access by law enforcement agencies in order to prevent, investigate and prosecute serious crime. The potential retention period was maximized to two years and the Directive obliges the retention of metadata, location data, and data necessary to identify the subscriber or user. The CJEU declared the data retention invalid due to wide-ranging interference with the right to privacy and data protection. The rationale of the judgment is essential because not only the CJEU declared the whole Directive invalid but it also provided requirements and their implementation stemming from the EU law for implementing surveillance measures in the digital society.

The CJEU clarified a two-step test in assessing the justifiability

13 C-293/12 from 8 April 2014 Digital Rights Ireland.

14 See e.g. PL. ÚS 13/2020-103 or PL. ÚS 10/2014.

15 Directive 2006/24/EC of the European Parliament and of the Council of 15 March 2006 on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks and amending Directive 2002/58/EC. OJ L 105, 13.4.2006, p. 54–63

of such interference with the right to privacy and data protection. Firstly, presence of an adequate ground for interference shall be assessed. Secondly, proportionality and severability of the measure are evaluated [Guild & Carrera, 2014:6]. In other words, collection of data shall be proportionate and necessary against the purpose of processing.¹⁶ The CJEU further stipulates safeguards representing sufficient guarantees against the risk of abuse and against any unlawful access and use of that data,¹⁷ namely subsidiarity of data use,¹⁸ clear specification of purpose of processing,¹⁹ and prior review carried out by a court or by an independent administrative body (independent supervision).²⁰ These criteria have been acknowledged and supplemented by the Constitutional Court of the Slovak Republic in the following data retention aftermath case after the Data Protection Directive was implemented in the Slovak legal order. This approach was expected by doctrine to solve the issue of national implementations [Martin, 2015] by the judiciary [Zanfir-Fortuna, 2015]. The Slovak court added three further criteria in terms of safeguards specifically ensuring a high level of protection and security,²¹ erasure of data in a timely manner²² and ex-post communication to data subjects about the data processing.²³

These criteria and principles of necessity and proportionality shall be closely adhered to when drafting potential “surveillance” laws in any case including Slovak “Lex Corona.”

16 § 58-59, Digital Rights Ireland.

17 § 54, Digital Rights Ireland.

18 § 62-63, Digital Rights Ireland.

19 § 61, Digital Rights Ireland.

20 § 62, Digital Rights Ireland.

21 § 124, PL. ÚS 10/2014.

22 § 136, PL. ÚS 10/2014 and § 68, Digital Rights Ireland.

23 § 136, PL. ÚS 10/2014.

2. SLOVAK “LEX CORONA”

2.1. Legislative Procedure

The new Slovak government was appointed on 21st March 2020, i.e. 15 days after the first COVID-19 infected person was detected in Slovakia. The government had to take immediate action to set up legislation and other measures in terms of the fight with the spread of coronavirus.

The first law introduced by the new government was the so-called “Lex Corona” *inter alia* allowing the National Health Authority (hereinafter referred to as “NHA”) to ask telecommunication providers to provide data from mobile devices to help state authorities trace and contact potentially infected persons. It shall be noted that the law was adopted in the short legislative procedure - meaning that no public discussion took place and the law was adopted in 24 hours since it was introduced to the parliament. However, the Slovak legislation allows such procedure to be used e.g. in case of an imminent threat to human rights and freedoms.²⁴ Due to the fast pace of the spread of the coronavirus in the EU and danger for life and health the parliament decided to deliberate the draft of the law in the short legislative procedure. It shall be noted that the Constitutional Court of the Slovak Republic did not address the suitability of using the procedure in this matter.

2.2. Analysis of the Law

The amendment in question provides derogation from telecommunications secrecy in the Act on Electronic Communications (Act n. 351/2011 Coll.)²⁵ representing the implementation of the

24 § 89 (1), Act n. 350/1996 Coll. on the Rules of Procedure of the National Council of the Slovak Republic.

25 Available in the Slovak language at <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2011/351/20200327>.

ePrivacy Directive²⁶ in Slovakia. The explanatory report²⁷ states that the aim of the Law is early identification of potentially infected individuals based on contact-tracing in the unnecessary time and scope to protect the life and health of citizens. The measure should be implemented based on positive experiences from Taiwan, Singapore, and South Korea.

The amendment allows NHA to ask telecommunications providers to provide localization²⁸ and related data²⁹ (traffic data were excluded) during the time or state of emergency in the health-care. In Slovakia, the state of emergency has been declared by the government since March, and is based on constitutional law.³⁰

Three situations (or purposes) of processing are provisioned in the amendment:

1. Anonymized data for statistical purposes to overcome, prevent and modeling for the prevention of health and life (Situation 1);
2. Identification of the recipient of messages that are informing about special NHA measures to protect health and life (Situation 2);
3. Processing exclusively to the extent necessary to identify

26 Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications), OJ L 201, 31.7.2002, p. 37–47.

27 Available in the Slovak language at <https://www.nrsr.sk/web/Dynamic/DocumentPreview.aspx?DocID=476589>

28 § 57 (2) defines localization data as „any data processed in a network or by a service that indicates the geographic location of the terminal of a user of public service.“

29 § 63 (1) b) defines related data: „*The related data of the communicating parties which are the telephone number, business name and the place of business of a legal person, or business name and the place of business of a natural person – undertaker or the personal data of a natural person which are the name, surname, title, and permanent residence address; the data published in the telephone directory shall not be subject to telecommunications secrecy.*“

30 Constitutional Act No. 227/2002 Coll. on State Security at the Time of War, State of War, State of Emergency, and the State of Crisis.

users to protect their life and health (Situation 3).

Data is provided on the specified NHA's request to telecommunication companies. The NHA's data processing is tied with the emergency period (the longest presumed period by the law is 31.12.2020).

3. THE DECISION OF THE SLOVAK CONSTITUTIONAL COURT

3.1. The Decision

Not shortly after the adoption of the Law, the most powerful party in opposition challenged the Law at the Constitutional Court of the Slovak Republic (CCSR) arguing a violation of privacy and insufficient safeguards against the data misuse.

On 13th May 2020, the Constitutional Court of the Slovak republic (hereinafter referred to as "CCSR") suspended the effect of the part of the amendment of the Slovak Act on Electronic Communications. It shall be highlighted that this is not the decision on the constitutionality itself. The CCSR decided to suspend the effect of the Law as there is an imminent threat of restriction of human rights and freedoms.

The legal analysis by the CCSR serves as a toolbox to provide the lawmaker with instructions in terms of future adoption of similar laws.³¹ The CCSR in the introduction of the analysis stipulates that the Law allows indiscriminate and blanket processing of data by telecommunication companies and only the access of the NHA is specific and restricted.³² All persons using mobile phones are therefore subjects of the surveillance measure.³³ The Court emphasized the need for fast implementation of technologies to fight the spread of disease. However, such implementation and a subsequent use shall not erode the rule of law.³⁴ The

31 § 112, PL. ÚS 13/2020-103.

32 § 63, PL. ÚS 13/2020-103.

33 § 64, PL. ÚS 13/2020-103.

34 § 71, PL. ÚS 13/2020-103.

CCSR only evaluated legal safeguards against potential abuse and clarity of the Law. Moreover, the legal analysis of the CCSR concerns also with possible risks of future application of the law and potential impact on human rights and freedoms.³⁵

The Decision contains a separate analysis of collection and access to data for specific purposes. Concerning the processing of data exclusively to the extent necessary to identify users to protect their life and health (**Situation 3**), the CCSR held that the purpose of processing is vague, unclear and allows quantum of different interpretations.³⁶ The specification of purpose as "protection of life and health" is not sufficient as the amendment is silent on specific measures and use of data.³⁷ The more invasive measure, the more precision of the clarity of the Law is required.³⁸ The CCSR thus concluded that due to potential abuse of accessed data by state for various purposes during the pandemic, the provision at stake does not comply with the Constitution of the Slovak Republic.³⁹ Concerning the legal safeguards, the CCSR noted that the Law did not contain specific mechanisms and control on the erasure of data, and the Law does not explicitly request the erasure itself, after fulfilling the purpose.⁴⁰ Furthermore, the amendment did not contain any independent supervision over the NHA's access of data and no sanction in case of violation of the Law is provided.⁴¹ In terms of subsidiarity, the CCSR stated that the Law did not require subsidiarity of the access and public control. In this case, the subsidiary would require access to data by public authorities restricted by time and scope based on the necessity of the ep-

35 § 78, PL. ÚS 13/2020-103.

36 §§ 82-85, PL. ÚS 13/2020-103.

37 § 83, PL. ÚS 13/2020-103.

38 § 84, PL. ÚS 13/2020-103.

39 § 85, PL. ÚS 13/2020-103.

40 §§ 87, 94, PL. ÚS 13/2020-103.

41 §§ 87, 92, PL. ÚS 13/2020-103.

idemiological situation.⁴² Additionally, the amendment did not provide safeguards for the security of data processing and protection for data subjects.⁴³ The law does not reflect different levels of the necessity to gain the access based on epidemiological criteria as well.⁴⁴ The CCSR also emphasized that the Law did not contain any mechanism for informing the data subjects ex-post about the surveillance.⁴⁵

Concerning the processing of data for the identification of the recipient of messages that are informed about special measures by the NHA to protect health and life (**Situation 2**), the CCSR's opinion was that that unlike in Situation 2, the purpose is clear. However, the CCSR evaluated the process of transfer of data from telecommunication companies to the NHA and concluded that the state does not need to have any access to data for this purpose. Telecommunication companies can inform the data subjects without transferring the data to NHA on request. Therefore it is not necessary that data are firstly transferred to NHA and subsequently the NHA requests the telecommunication companies to inform data subjects about specific measures.⁴⁶ All safeguards mentioned in the previous parts of the Decision are absent for this situation as well.⁴⁷

The CCSR did not suspend the effect of provisions allowing the collection and use of anonymized data for statistical purposes to overcome, prevent, and modeling for the prevention of health and life.

The Decision closely follows principles established in previous decisions in the surveillance cases in the EU (Digital Rights Ireland) and Slovakia (PL. ÚS 10/2014 – data retention case). In

42 §§ 87, 89-90, PL. ÚS 13/2020-103.

43 §§ 87, 93, PL. ÚS 13/2020-103.

44 § 87, PL. ÚS 13/2020-103.

45 § 95, PL. ÚS 13/2020-103.

46 §§ 104-106, PL. ÚS 13/2020-103.

47 § 107, PL. ÚS 13/2020-103.

addition, the Decision emphasizes that although the use of dataveillance technologies may serve as useful tools in fighting the pandemic, the scope and use of such technologies should be carefully assessed and balanced in terms of human rights.

3.2. Legislative Aftermath

After publishing the CCSR's decision, the Parliament decided to amend the law in question. Moreover, all the situations covers also the NHA obligation to adopt organizational and technical measures for the protection of privacy and personal data processing. Furthermore, the request to access data is accompanied by the written or a verified consent of the data subject. Now, the Law explicitly requests the NHA to erase personal data after fulfilling the purpose of processing without undue delay and inform the data subject about such erasure by a written notice that contains the data processed. In addition, the NHA is obliged to submit "Report on the lawfulness of processing" to the Constitutional Law Committee of the Parliament by 31st January 2021.

In my opinion, the Parliament was too eager to adopt a constitutionally compliant amendment of the Law missing thus its aim. Although the new amendment contains the obligation to erase data after having the purpose fulfilled, the sanction is still absent in the legal order of the Slovak Republic as the supervising authority is not given any option for sanctioning the violation of provisions in the Act on electronic communications. Furthermore, the independent supervision by submitting the report to the Constitutional Law Committee of the Parliament is not strong enough as it represents an ex-post supervision without reflecting the assessment of lawfulness anyhow during the data processing by the NHA. Additionally, however the obligation to implement organizational and technical measures for the protection of privacy and personal data processing is a step forward, it still stays unclear whether these measures are suffi-

cient enough from the constitutional law point of view.

CONCLUSIONS

The EU recognises the right to privacy and the right to data protection as fundamental human rights. Every digital surveillance tool used for any purpose shall respect the essence of the aforementioned rights. Means of digital surveillance have significantly shifted from the first Panopticon theories to modern dataveillance conducted within the private or public sector.

These tools receive a wide attention now due to the spread of coronavirus worldwide and thus the surveillance measures enable to tackle the pandemic using modern technologies. The European Union's bodies issued several communications and recommendations to emphasize the role of the right to privacy and the right to data protection concerning the time of using such measures. Two digital solutions emerged to fight against the pandemic – using some apps in smartphones, and an access to location data gathered from telecommunication companies enabling to trace the potentially infected individuals.

The Slovak Republic adopted “Lex Corona” allowing thus the National Health Authority accessing the location data held by telecommunication companies upon request for life & health protection purposes. This Law was challenged at the Constitutional Court of the Slovak Republic that suspended the effect of this Law. The Court highlighted that one of the possible purposes of the processing was unclear and vague. Moreover, legal safeguards against any abuse of such data were almost entirely missing. The Constitutional Court of the Slovak Republic closely followed its previous decision in data retention and the judgment of the Court of Justice of the European Union in *Digital Rights Ireland*. Although the Slovak parliament swiftly adopted the amendment of the “Lex Corona,” the doubts on whether the requirements enshrined in the decision of the Constitutional Court of the Slovak Republic are fulfilled, stay still open.

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ART AND CULTURE DURING THE PANDEMIC. REFLECTIONS ON THE CURRENT SITUATION OF ART IN POLAND

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Abstract

What is art? What are its functions? What role does it play in the life of an individual, a nation? And finally, how strong is its position in the state? The authors of the text below have attempted to answer these and several other key questions about the essence and position of art in the global Covid 19 pandemic. The area that is explored in the article is Poland. Taking into account the importance of art, its contribution to the cultural heritage of the state, its impact on the cultural identity of nations, emphasising the need for education through art and culture, the authors of the text wrote down a few reflections resulting from both external observations of artistic reality in the time of the pandemic and personal reflections of artists confronted with current challenges and threats to art.

Key words: *low art, high art, cultural identity, multicultural education, pandemic*

*O blessed art, how often in dark hours, when the savage ring of life tightens round me, have you kindled warm love in my heart, have transported me to a better world!*¹

Franz Schubert²

The adduced lyrics of Franz Schubert's lied *An die Musik*³, a composition which, both in terms of music and poetry, is the quintessence of a romantic view of art, perhaps best reflects the emotional approach to it.

History teaches us that the aesthetic and ideological assumptions of art, its functions and role in human life have changed over time. What does not change, however, is the fact that it has always been not only a relief for the soul, emotional rest or entertainment, but also a source of values, knowledge and rules. Therefore, it is not surprising that in order to clearly emphasise the need for the existence and usefulness of art, specific functions have always been assigned to practically all of its fields. Already in medieval times, the importance of art was emphasised, stressing that it was not only to delight with its beauty, but also to teach. This kind of symbiosis of knowledge and art was to guarantee the strength of the development of societies. This type of perception of the function of art is confirmed by the words of Pope Gregory I, who once said: *Pictures are used in churches so that those who are ignorant of letters may at least read by seeing on the walls what they cannot read in books* [Wilk, 2018, Knapieński, 2004, Białostocki, 1978].

Other thinkers, such as Albert Camus, were of the opinion that apart from the obvious educational function, the primary role

1 Oxford Lieder, <https://www.oxfordlieder.co.uk/song/2693>, (10.08.2020)

2 Franz von Schober: Du holde Kunst, in wie viel grauen Stunden, Wo mich des Lebens wilder Kreis umstrickt, Hast du mein Herz zu warmer Lieb' entzunden, Hast mich in einebeßre Welt entrückt...

3 Franz Schubert An die Musik D 547, Schubert Club, <https://schubert.org/about/andiemusikstep>, (dostęp:13.08.2020)

of art is to inform. The writer believed that art is always caught up in the drama of existence and that it should try to explain all problems, difficulties and dilemmas. He claimed that the indisputable essence and value of art is that it deals not only with those topics that inform about the obvious, good, and safe, but more importantly, it also makes people aware of these negative, unpopular truths so important in human life. He maintained that the task of every creator, artist, is to fulfil his duty to society with the help of created art, that is to light up the darkness of existence. To help, raise spirits or mobilise to act in times of doubt. Art is therefore not only to entertain people, but also to show threats and, above all, make them aware of their greatness, manifested in the ability and efficiency to deal with any difficult situation [Wilk, 2018, Mróz, 1992].

There is plentiful evidence that at the time of various crises, wars, etc. art did not die out, on the contrary, it documented history, explained – interpreted fate and, above all, gave strength to societies which were often scared and tired of fighting for their lives. This can be seen in the works marked by the Polish Messianism of Adam Mickiewicz, Juliusz Słowacki, or in operas and songs by Stanisław Moniuszko [Litka, Kowalik, 2018].

A lot could be written about the functions of art, but this is not the keynote of the below text. What is important is the fact that the works of contemporary artists, breaking conventional styles, breaking with the usual solutions, constantly enter new spaces of expression. They use surprise, experiment, hyperbolising reality. The themes, styles and spheres of influence of art have expanded significantly. Often leading to recognising as art something that not so long ago would not deserve this name. Every contemporary recipient of art has to answer himself a series of questions that will concretise his understanding of art. What is art in my life? What role does it play? How does it condition my sensitivity and awareness? Is it essential to my life at all? The answers to these questions are the basis for under-

standing the meaning of art in the 21st century [Zadora, 2014]. A dangerous tendency of the decreasing demand of broadly understood society for high art has been noticeable in Poland for many years. Why is it happening? There are many sources of this phenomenon. On the one hand, the decline of education in the atmosphere of art, the lack of broadly understood mass media education which would generate demand for it. This state of affairs is augmented by commonly known civilisation phenomena such as: consumerism, unification of patterns, cultural globalisation, the pursuit of money, the fast pace of life resulting in the lack of time to enjoy culture. Both the shared, family tasting of culture and *noble snobbery towards art* are atrophied, which results in the formation of a new generation, eager to associate with works that require intellectual and emotional involvement [Dziamski, 2017].

This, in turn, has led to certain social stratification in terms of demand for art. On the one hand, Poland can boast of a very large group of artists representing the highest world level, whose contribution to the development of global and national cultural heritage is undeniable. On the other hand, the aforementioned public demand for high art is quite modest and concerns only a selected limited group of society.

As Marian Golka rightly notices, culture and art, although present in today's social space, are unfortunately not universally present in the life of contemporary society of our country. It is regrettable to say that interest in art, willingness to adapt it to everyday life, concerns only certain groups or environments. It is true that the presence and activity of society (even of only those specific groups) in the proposals of individual cultural institutions confirms the need for their operation and broadly understood activity. It also proves the place and role of art in social life and is a clear signal of society's demand not only for mass culture, offering products that do not require significant intellectual involvement from the viewer, but also for art

that intrigues, disturbs and is *thought-provoking*. [Golka, 2008] However, as emphasised earlier, this applies only to a “limited group – a segment” of society, and not to the majority of our compatriots. [Wilk, 2018]

What problems can this kind of downplaying of art generate? Will it only affect an individual’s reality and quality of life? Can it also determine problems for the national identity in the state?

ART AND NATIONAL IDENTITY

Citing Kazimierz Łastawski, it can be said the term **identity** means identifying with somebody or close association with something [Łastawski, 2004]. It defines both a community or similarity, as well as separateness or otherness [Taylor, 1995]. The specificity of identity can be clearly noticed only when it is confronted with “otherness”, which means that it is perceived as the “essence” of the national community, showing its substance in detail, unique, distinct character against the background of other communities [Kowert, 1998/1999]. Created in the long process of historical development of ethnic groups and nations, it consistently shapes the self-esteem, individuality and stability of the members of a given national community. Following this path, it gives them strength to co-create and also to cooperate. National identity is therefore a specific stimulus that guarantees the reaction of society in the case of a crisis, threat, etc.

Moreover, due to the fact that national identity is considered on many planes, as Czesław Maj rightly emphasises, it is often interpreted interchangeably with the notion of “cultural identity” or “civilisation and cultural identity” [Maj, 2001]. However, regardless of which of the nomenclature variants is used in the discourse, each of them places a strong emphasis on the considerable importance of the cultural potential of the state in forging the national identity of its citizens. This potential encompasses works of arts, historical monuments, museum collections, traditions, customs, activities of cultural institutions

(operas, philharmonics, theatres, cinemas, etc.), the level of the education system and education of society as well as the significant influence of the elites, i.e. leading groups, that is writers, artists, ethnographers, historians as well as cultural and scientific institutions and their activities: universities, research units, cultural associations, scientific societies, etc. All these components translate directly or indirectly into the scale, quality and future of the national identity – the cultural identity of a given social group.

Several dozen years ago, Florian Znaniecki uttered the sentence: “Our whole reality is thoroughly saturated with culture”. The interdependence of culture and man, specific entanglement in culture, takes on the dimension not only of perception, consumption or simple utilitarianism, but above all, of a civilisation requirement towards the need to create and develop culture, both locally and globally. Cultural heritage – tradition, values, moral norms, being permanent / present entities, are invariably subject to development and evolution, which is why modern man, consciously or unconsciously, carries out any activity with the participation and through culture [Znaniecki, 1988, Wilk, 2018]. Why do researchers of the problem attribute such an important role to culture and art? What makes them so important?

It is a truism to say that the cultural awareness of the citizens of a given nation is shaped on the basis of its past, present and future. Behind this very general statement there is the influence of the history of a given nation, creating and accumulating a kind of spiritual and material legacy, as well as cultural heritage left by ancestors. It is obvious that it is this type of “cultural deposit” that builds and shapes the cultural identity of the nation, reflecting its character, moods, emotions, etc. Taking care to respect, nurture and remember historical national heritage guarantees the identification of citizens with the state, manifested by social commitment, patriotism, well-understood nationalism,

dedication to the cause or broadly understood willingness to co-create [Suchocka, Królikowska, 2014].

When the aforementioned cultural heritage is trifled with, there is a considerable risk, or even a threat, of the decline of the cultural identity of the nation, manifested by the loss of identification of the citizen with the state (apatriotism) and the negative impact of such attitudes of citizens on their future and that of their country [Jastrzab, 2011]. Therefore, the statement of Cardinal Stefan Wyszyński, who perceived national culture quite loftily as the “soul of the nation”, seems justified, defining it as the achievement of many generations, the undisputed property of the entire nation and one of its greatest treasures. He also emphasised that this cultural heritage plays a fundamental role in the history of the nation because it constitutes a kind of code of attitudes and virtues that make up the ethos of the nation, i.e. its moral and spiritual achievements [Wyszyński, 1981].

Despite the fact that Cardinal Wyszyński spoke these words in 1981, shortly before his death, almost five decades later they seem to be as relevant as never before due to today’s European and, unfortunately, also Polish reality, in which one can perceive alternately the unification of patterns, culture, values, and behaviour on the one hand, and intolerance, xenophobia, racism or extreme nationalism on the other.

Of course, it has been significantly influenced by three decades of growing, almost ubiquitous globalisation, which has resulted in not necessarily positive human reactions or attitudes. And although it may sound banal or naive, art can largely contribute to improving the state of affairs. How can it become an antidote to human indifference, insensitivity or even aggression?

There are many ways to achieve it. Education through art and cultural education seem to be one of the simplest and at the same time most effective ways. Education which, in a sense, treats art as a tool for developing the ability to understand socio-cultural reality. By making people more sensitive, it develop

their creativity and the capacity to critically evaluate and analyse phenomena in the field of art, culture and, perhaps above all, in everyday life. This type of civic education, participation – taking part in culture and art, firstly, should be treated as a priority by the elite of our country, as one of the basic elements guaranteeing the maintenance and constant awakening of patriotic, pro-social and pro-civic attitudes, and secondly, it should be addressed to all, but above all, to the young generation and be realised multidimensionally. Multidimensionality should be understood firstly as cultural local education, based on the specificity of one's own nation – homeland, through regional (i.e. European) to multicultural – global education, the aim of which is to make people aware of cultural differences, prepare them for dialogue and interaction with representatives of other cultures, but at the same time a critical reflection aimed at strengthening one's own cultural identity. This kind of perception of the world through the prism of multiculturalism equally supports the processes of rooting in native culture and at the same time facilitates exceeding the optics of perceiving reality only on the basis of own experiences, but also by noticing others with their different history, culture, art, etc., having regard to the common heritage of mankind. Openness to diversity, respect for it is the basis for so-called “culture of peace” that functions beyond divisions and is able to derive patterns from others for own development [Lewicki, Cichowska, 2013]. Recapitulating, one should always remember the important role of art and that it should be one of the unchanging priorities of state activity, regardless of the circumstances and emerging problems.

CULTURE AND ART DURING THE PANDEMIC

Unfortunately, reality negatively verifies noble and lofty assumptions. It turns out that new threats appearing in the country and in the world force us to selectively categorise needs, putting emphasis on mercantile – economic considerations, thus pushing

higher needs – emotional or spiritual ones – to the background. Not only Poland, but also many nations are struggling with this problem right now.

In the first half of 2020, mankind faced a situation that verified the hierarchy of important and less significant things overnight. Here is a mutated animal protein molecule – a coronavirus, a microscopic hero, that has power to change the fate of the world. Humanity has experienced many pandemics in its history. From the *Plague of Athens* that changed the course of the Peloponnesian war⁴ (430=403 BC), through the pandemics of plague, smallpox, cholera, the famous Spanish flu, the flu that decimated Europe, to HIV or Ebola. The number of infectious diseases plaguing the world community is enormous and it seems that we should have got used to it. Meanwhile, a new virus, less than a year old, surprised the inhabitants of the globe and radically transposed reality. What is the difference between the coronavirus and other viruses known so far? How is today's pandemic different from previous ones?

By itself, it is not really that special. In each plague, the spreading disease takes its toll until there is an antidote – a vaccine that will immunise humanity against it. What differentiates the Covid 19 pandemic is its blast radius – disproportionately increased by “shrinking of the earth” due to globalisation. Previous pandemics were more or less local, or at least regional, while this one affected almost the whole world in the blink of an eye. Awakened in China, over the course of several months, it affected countries from almost all continents (Asia, Europe, North America, South America, Africa, Australia), except Antarctica. Although the first cases of the infection were recorded in December 2019, already in March 2020 most countries in the world faced a global threat – a total lock down – an unprec-

4 <https://historia.org.pl/2020/02/27/najwieksze-epidemie-w-historii-swia-ta-ospa-grypa-dzuma-i-cholera-najwieksi-zabojcy-w-historii-ludzkosci/>

edented case in history. This highly stressful situation, having no reference to other events in history, has changed the way we think about the world, about the fragility of being, about the sense of the existence of a human being, about interpersonal relationships, as well as about culture and art [Kuźniar, 2020]. Of course, fear for one's life has accompanied and still accompanies citizens of many countries in the world, as in other pandemics, but the reflection on the problems of the present and the future is largely focused on mercantile priorities and considerations. How to protect and save the economies of individual countries that are weakening day by day? How not to lose your job? How to maintain a family? How to maintain the current *status quo* in terms of an individual, nation, state? These fears and doubts, in a natural – though unnatural (by analysing the past, history) way – pushed the essence, importance and driving force of culture, art, and the artistic expression of the new problem into the background.

Of course, artists, as individuals with increased sensitivity, have felt the Corona-virus pandemic in emotional terms and experienced an increased desire to create. Locked in their homes, they surely transfer their emotions onto paper and canvas, express the impulses of their creative souls through sounds, and forge them into sculptures. Frequently, they are not even stopped by the impossibility to communicate with art recipients. With the help of the technological advances of today's civilisation that the majority of the inhabitants of the global village have, social media, the Internet, the movement of sharing art was born. Recordings have been made in which all musicians are recording remotely their part of the work in order to feel as if they were close to their colleagues musicians and to create a joint work. Performances, directed and broadcast online, are appearing more and more frequently on the web. Undoubtedly, they reflect the nature of the surrounding reality, undeniably also, especially at first, they had a very strong emotional charge, they

brought comfort, gave impetus and brought hope. Unfortunately, over time, the multitude of such activities resulted, firstly, in a decline in interest in them, and secondly, unfortunately, also in the deterioration of their value. It should be remembered that these momentary spurts of artists' hungry souls are just a substitute for what is the basis of the creative act. Of course, in this situation, even such limited creation of art appears to be worth its weight in gold, while in the long run it should be remembered that every artist, both the one creating works and the one who gives life to these works, an actor, musician, singer, dancer, conductor feed on contact with the viewer, listener. The miracle of the creative act is enchanted in the artist's contact with the audience. Every time it gives a different, new, creative character to the same words, sounds and gestures. Every encounter with a live audience prompts artists to a different interpretation. Therefore, how do you compare such emotional contact with on-line performances? It is fully understandable that artists strive for these activities. Everyone wants to maintain a bond with their fans by creating original channels on various platforms. Such activities provide a substitute for artistic fulfilment, and at the same time rekindle the Internet users' memory about the artist. But they will never replace the reaction of a living recipient.

GDP OF THE STATE AND THE PLACE OF ART IN THE PANDEMIC

Another important issue is the existence of artists in today's pandemic. Artistic uncertainty and frustration is exacerbated by the economic uncertainty in which artists have found themselves. In Poland, a vast majority of them have worked in cultural institutions on the basis of a form of self-employment. The suspension of the activity of these entities resulted in the impossibility to serve with their work and, consequently, threatened livelihoods. Unfortunately, the government's actions in

support of artists turned out to be insufficient in this situation. Especially high culture, as a less popular form of communing with art, suffered from this. Much larger financial resources have been and are directed to simple popular art, satisfying the tastes of the mass audience. What does this mean for art? What are the risks of this state of affairs?

First of all, there is a fear that so-called elite art will not have any *raison d'être* in the near future. The economic factor will force many artists to give up creating in favour of taking up a job that guarantees a *livelihood* for themselves and their relatives. Creation that was supposed to be an expression of culture, national identity, an act of patriotism, social mission, etc. will be replaced by mundane needs, distant from emotionality and sensitivity. How will it impoverish historical cultural heritage? Will a gap appear as a result of this kind of pragmatism, and if yes, how big? Today it is difficult to univocally answer these questions.

In the opinion of the authors of these words the time we give to the pandemic is certainly very difficult, but in terms of creativity it will certainly not be fruitless. Mankind has stopped for a moment, but reflective individuals, to whom among others artists most probably belong, have noticed that this is a sign given by fate, a reason for contemplation, reflection on the condition of the human being, humanity and its actions, on the essence of the rhetorical question – to be or to have? The artist's soul cannot live without constant stimulation and will draw conclusions from every situation. History shows that the artist's suffering was usually at the root of the most outstanding creative acts. In accordance with this principle, it should be believed that we will soon have the honour of getting to know new works that have been created during the pandemic. The artworks that will shed new light on what we are currently experiencing. That concert venues and theatres, philharmonics, museums, exhibition halls will be bustling again. That things will go back to normal.

However, today the rest of the text of the great Romantic's song, with which we started our deliberations, might dispel fears and must suffice.

*Often a sigh has escaped from your harp, a sweet, sacred harmony of yours has opened up the heavens to better times for me, O blessed art, I thank you for that!*⁵

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TRUTH IN THE PANDEMIC AND POST-PANDEMIC REALITY. MORAL AND POLITICAL CONSIDERATIONS

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Abstract

In this essay I examine the importance of truth in society and public life. I adopt the Polish perspective, which, however, can also be considered in universal terms. Polish experiences are a kind of exemplification here, which I refer to quite briefly so as not to obscure the main theme, which is the moral dimension of truth in social and public life. The pandemic, in turn, acts as a lens in which the phenomena related to the exercise of power by populists and the flood of false information focus. Paradoxically, it also creates an opportunity to overcome the structures of lies and falsehoods. However, the future of truth in the post-pandemic world will not depend on random forces, but on a collective effort made to search for it, and on shaping the right attitudes and strengthening the institutional order that will foster freedom which is a necessary condition for truth.

Key words: *pandemic, truth, politics*

*And no crying, and no screaming will convince us that
white is white and black is black*

Jarosław Kaczyński, Warsaw on 19-07-2006

INTRODUCTION

I started this essay with a slip of the tongue of Jarosław Kaczyński, the leader of *the Law and Justice* and *the United Right*, who in his first speech, when assuming the office of prime minister in 2006, said these probably prophetic words. At that time he was a leader of the relatively moderate right – certainly by Central European standards, to become after a few years the leader of the right already referring to populism, and even to nationalist slogans. A party which has set power itself as its ultimate goal, which will pursue it also by means of lies or half-truths, which are clearly in opposition to the principles of logical thinking and facts themselves. Hence, this slip of tongue has proved prophetic. It has become an unmistakable sign of Polish right-wing populism, whose actions and declarations often collide with logic and facts, which has not only established itself as the most important political force in the country built since 2015 using also anti-democratic – I understand democracy as a system of values, and not only as election procedures – methods. This lapsus linguae has also taken root in the collective consciousness of a part of Polish society, becoming a system of thought and a pattern of collective action that accepts irrational attitudes, fears and stereotypes, affirming them as an expression of national pride and uniqueness. Truth, which is not only an epistemological category but also an ethical one, has been deprecated as a social value. Right-wing politicians have become its enemies – some perhaps involuntarily. For them the *raison d'état* has become the most important value, quite often equated with their own faction – how popular the slogan “for Poland!” has become, fitting in with relativism of so-called political realism, one of

the most important intellectual pillars of which is Hans Morgenthau, who in the collection of essays *Truth and Power* gave primacy to power [1970]. Also representatives of the Church are against truth and common sense, as for them the fear of otherness or of weakening the position of the institutions of the Catholic Church as a result of secularization or moral scandals is stronger than facts or the Truth of the Gospel; it is even stronger than the intellectual legacy of Karol Wojtyła – John Paul II, who is treated by many Poles in an almost idolatrous way, as an infallible moral and intellectual authority, yet whose ideas and views are in open opposition to the politics created by the ruling right. Of course, not all Catholic priests and intellectuals, including those representing the conservative wing in the Church, resonate with right-wing populism, on the contrary, many of them demand truth, including truth that would undermine the authority of the hierarchs [Terlikowski et al. 2020]. There are also such clergymen as the professor of the Catholic University of Lublin, Alfred M. Wierzbicki, who risking their careers and exposing themselves to environmental ostracism, loudly oppose the policy of the ruling party that discriminates against and stigmatizes LGBT+ people. Nevertheless, the current Catholic mainstream in Poland seems to authorize the narrative of the ruling right wing, and thus increasingly distances itself from facts, logic and common sense, not to mention the *Truth* of the Gospel, which should be a moral compass for them. I am not going to judge here whether Catholic hierarchs are compelled to this by cynical calculation, or just intellectual shortcomings, or maybe naive faith in the honesty and goodness of “ours”. In any case, the participation of representatives of the institutional Catholic Church in Poland in the creation of irrational narratives is simply a fact, as evidenced by numerous statements of priests and bishops, as well as their secular acolytes.

I am writing my article from the Polish perspective, which is why I will refer to Polish experiences related to the pandemic and not

only to the pandemic. Also on purpose, in connection with this “Polish perspective”, I will quote mainly Polish authors. However, I will not be able to avoid the classics of the topic, including John S. Mill and Hannah Arendt. The pandemic will act rather as a lens here focusing complex problems associated with the exercise of power by populists, or at least by people using the populist narrative and the popularity of populist slogans in society. I am not going to analyze individual statements or particular political decisions and actions; this is not a research paper or even a review article. The Polish perspective does not exclude universality here. Universal tendencies appear in specific places, thanks to which they are enriched with local contexts.

It is an essay, so I use a looser form of expression, and I do not avoid judgments formulated on the basis of my own thoughts and observations and not on empirical research. I believe my text can be treated as a subjective opinion, my personal point of view or my interpretation. This is usually the nature of an essay, this is a feature of the humanities to a large extent. However, my intention is always to strive for objective truth, which, however, a subjective statement does not negate *ex definitione*. Simply put, I can say that I am going to speak subjectively about objective truth and about a subjective, or rather intersubjective, attitude towards this objective truth.

PONTIUS PILATE’S SKEPTICISM AND ITS MORAL CONSEQUENCES

The question – *what is truth?* that was supposedly asked by Pontius Pilate, governor of the Roman province of Judea, almost two thousand years ago, when questioning Jesus of Nazareth, is perhaps the most widespread example of the relationship between politics and ethics, because as I mentioned above, truth is not only epistemological category, but it has ethical consequences, and thus affects the practical sphere, is related to human behavior, it is particularly important in the aspect of

interpersonal relations, which may be based on truth, which creates trust and is a condition of honesty, or a lie – which is a strictly ethical category, as opposed to falsehood, which is a morally neutral concept – which can cause suspicion, pathological asymmetry in the relationship, leads to distrust and causes fears. Before Pilate formulated his question, however, Plato was considering the place of Truth in the public sphere several centuries earlier. He saw it in relationship with Good. Cognition, the aim of which are truth and action, leading to good create unity. Good is cognition or knowledge, and the proper and final end of cognition is Good (*Republic*, XVII). Therefore, we see in Plato the moral dimension of cognition and truth, which Michał Heller recalls in his interesting essay *Moralność myślenia* (*Morality of thinking*). A human act – *actus humanae* is always a consequence of a thought, but at the same time the thought itself is that act. The source of our morality is our thinking. It can be rational and lead to good things, and the goodness of thoughts is wisdom. Or vice versa, a bad thought leads to bad deeds and is an expression of stupidity [2017: 10-11]. A rationally thinking and acting person is guided in his life by truth, he wants to know truth and act in accordance with truth. As we can see, truth, being an ethical category, has a very practical dimension here, it concerns human action, including action involving the public sphere. We can therefore treat truth as a certain task. Because getting to know truth, i.e. recognizing the moral value of actions – because we operate on the basis of ethics and we are not interested in morally indifferent actions in this place – is not a trivial and relatively simple procedure, like recognizing the flavors of dishes or the colors and smells of flowers in the meadow, which also, of course, to some extent is related to truth or falsehood of judgments, but without moral consequences. Looking for truth requires inquisitiveness, often courage and self-criticism, i.e. the readiness to verify one's own or one's own group of views, intellectual effort and, ultimately,

loyalty to the learned truth – if we get to know truth, we must be faithful to it. Pilate's skepticism, which is not a Cartesian methodical doubt, is merely an attempt to avoid responsibility. He was confronted with truth – human truth and Truth in the ultimate, divine dimension, if we accept the theological interpretation – but he rejected this truth for his own convenience, for purely conformist reasons. We discern moral consequences of truth in his stand. Pilate is a symbolic figure here. It symbolizes all those who turn away from truth which often requires heroism and resisting the evil that is a consequence of a lie. History knows a whole lot of Pilates who do not accept truth for their own comfort. Hitler's or Stalinist genocide took place with the tacit participation of millions of Pilates who preferred not to know or accept the truth in order to ease their conscience. These are perhaps the most drastic examples of the attitude symbolized by Pontius Pilate in modern history. Ignorance liberates from a sense of responsibility; it is an attitude typical of a passer-by averting his gaze from a man lying on the street. Since I cannot see the other's misfortune, I am free from responsibility for him. Since I do not see the tragedy of another person, I do not have to participate in it. The difference between looking away from an individual's misfortune and the masses' deafness and blindness to the drama of social groups lies only in the scale. Global or regional crises generally affect hundreds of thousands or millions of people. The world in the face of the current pandemic is also full of Pilates, just as contemporary Poland is full of Pilates who turn away from truth, refusing to perceive the pathology of public life – abuse of power, also in the face of fighting the pandemic, political corruption, violence, not necessarily physical, towards individuals and social and professional groups or those escaping in so-called symmetrism, proclaiming that all politicians do the same. Truth is a moral category. Therefore, it is not morally indifferent whether we accept it or reject it, which does not mean that getting to know truth is an activi-

ty that does not require intellectual effort or the hardship of searching. Cognition is a process in which mistakes and errors often occur, which we will not consider in moral terms as long as there is no intention to mislead, that is, until a lie appears as deliberate manipulation. However, despite the difficulty of finding out truth, or perhaps thanks to this effort, it is a moral challenge, the goal our cognition should pursue, to which our action should be subordinated. It is a moral consequence of human rationality. As aforementioned Heller says: “rationality becomes the morality of thinking” [2017: 11].

DISCOVERING TRUTH AND TOTAL TRUTHS

Knowing truth does not mean getting at absolute and ultimate Truth. This kind of truth is rather an idea, a distant goal that we pursue. The road to it leads through discovering relative and variable truths. As Tadeusz Bartoś says in his “unorthodox” interpretation of the epistemology of St. Thomas Aquinas: “Due to the pluralism of the world, it is impossible to talk about the uniqueness and immutability of truth in it. One should rather talk about the endless gamut of truths that appear and disappear exactly as it is with beings and their actions [...]. Truth [...] is changeable because the world whose truth the human mind gets to know changes: something that was truth ceases to be truth when the state of affairs of which truth is an expression changes. [...] It is impossible to express one activity with only one truth. The multiplicity and variability of truths, as we can see, result from temporality: the past, present and future of action are reflected in the mind of man who creates for himself separate truths about the same action” [2010: 44-46]. Another reason for the multiplicity of truths is also the multiplicity of intellects. The classic definition of truth – *veritas est adequation intellectus et rei* presupposes the existence of the cognizing subject – the intellect. And although the definition refers to *adequation*, this *adequation* is not an exact carbon copy, a representation

of things in the human intellect, but only a non-contradiction between a thing and its representation in the mind. The level of *adequation* will depend on many factors, both endo- and exogenous with respect to the subject: ranging from human intellectual efficiency, heightened senses, and character traits, to a tool enabling a precise observation and description of the object of cognition. There is no “collective mind”, only pluralism of intellects, autonomous individuals who in their own way discover truth or truths about reality [Bartoś 2010: 45-46]. This is by no means the consent to cognitive anarchism or nihilism. One must, however, recognize the human handicap in the process of getting to know truth. This process should be continual, just as our moral improvement should be. Also in the public sphere, referring to Platonic thought, learning Truth is in fact getting to know Good, that is, finding the best solutions for the functioning of the community. This constant movement towards truth was perfectly summed up by Karl Popper, who spoke of man as a “seeker” and not an “owner” of truth.

Such an attitude protects us from totalization and affirmation of *total* truths. *Total* truth is, in fact, pseudo-truth, i.e. a lie that appears in the public sphere and pretends to be absolute and ultimate truth, to which social values and principles are subordinated. *Total* truths took their fullest form in totalitarian political regimes. In totalitarian conditions, there is no room for doubts, for creative disputes with arguments, or progress, because the goal has already been achieved. Man is required to completely subordinate to “truth” [Modrzejewski 2005]. While truth, about which we can say that it is truth without any adjectives, needs, as argued by the classic of liberalism, John S. Mill, freedom, a free space in which it emerges from endless discussions and searches. *Total* truths also appear in democratic conditions; both extreme views and misunderstood political correctness lead to them. The media, including the so-called social media, let alone political propaganda are not free of them.

What makes people succumb to *total* truths? Quoted Michał Heller points to the tendency to irrationality inherent in people, which leads to the choice of illusions in place of truth; affirmation of illusions is simpler, does not require intellectual effort and self-discipline, as in the case of taking the side of rationality [2017: 41]. It is easier to refer to certain knowledge provided by folk wisdom than to trust a science which more often errs than gives a definitive answer. But how does it happen that not only individuals but masses yield to irrational delusions? Hannah Arendt, a philosopher and researcher of the phenomenon of totalitarianism gave an answer to this question in her work *The Origins of Totalitarianism*. She noted that masses “do not believe in anything visible, in the reality of their own experience; they do not trust their eyes and ears but only their imaginations, which may be caught by anything that is at once universal and consistent in itself. What convinces masses are not facts, and not even invented facts, but only the consistency of the system of which they are presumably parts of (...) what the masses refuse to recognize is the fortuitousness that pervades reality. They are predisposed to all ideologies because they explain facts as mere examples of laws and eliminate coincidences by inventing as all-embracing omnipotence which is supposed to be at the root of every accident. Totalitarian propaganda thrives on this escape from reality into fiction, from coincidence into consistency” [1962: 351-352].

Total truth, or rather its establishment, as we cannot talk about searching, is a dead end street; it does not contribute to good in an individual or collective sense, nor does it bring us closer to absolute truth. It is only its illusion, and like any illusion it can deceive and seduce with its simplicity and apparent certainty. There are no nuances in it, which is read as a lack of self-confidence. *Total* truth explains everything literally, it simplifies reality in an almost vulgar way. It appears where there is no readiness for cognitive effort or conditions for taking it; where

there is no space for dialogue from which truth emerges. It is an efficient propaganda tool. With its help, it is possible to depreciate the value of individuals or entire social groups, point to public enemies, justify immoral and even internally contradictory decisions or actions. It means a plastic narrative adjusted to the current trend and in line with the interests of the exponent. A skilled propagandist can juggle it in any way, like the Orwellian *Ministry of Truth*. The recipients *stupefied* with it may not even realize that yesterday's white is today's black: the day before, you can make fun of people wearing masks, and the next day be indignant at those who do not wear masks on the street. *Total* truth is not *verifiable*, it is immune to criticism; it is seemingly unchangeable because the collective amnesia of its believers is conducive to it. Behind it there is the authority of the person or institution that makes it credible or forces obedience to it. Fiction becomes reality because the propaganda machine can properly create it, make it real in the minds of thousands or millions of recipients; it also infects minds through social networks. However, *total* truth promoted by the state and its bodies is much worse, because the aforementioned authority and institutions are behind it. Many Poles – it is difficult to clearly estimate how many – are not outraged by demoralization resulting from exercising power, taking advantage of it and ostentatious display of power, also during the pandemic; they are not *infuriated* by the stigmatization of professional groups (e.g. judges) or social groups (e.g. non-heterosexuals) by those in power and pro-government media, the treatment of refugees as potential terrorists and criminals, not shocked by hushing up sex scandals in the Catholic Church and a protective umbrella opened by state organs over the institution of the Church. These are the examples of microscopic total truths that take root in the minds of many. Are they dangerous? I will give the floor once again to outstanding Catholic philosopher and theologian Michał Heller: “rationality and irrationality are not just private matters. Irra-

tionality wreaks havoc not only in one's own backyard; it is like a contagious disease: a lack of personal hygiene easily turns into an epidemic. And irrationality on a social scale is a real disaster" [2017: 42]. Today these words – without a trace of irony on my part – sound almost like a prophecy. We are grappling not only with the pandemic, but also with the accompanying wave of irrationalism. And I mean not only the rulers who cynically exploit the epidemic for their own political and economic purposes, but also masses seduced by conspiracy theories of various kinds, which are doing finer in times of crisis than ever before. No matter how hard scientists and experts are trying, no one will convince supporters of conspiracy theories and total truths that "white is white and black is black". The power of illusion is stronger than the most solid scientific argument or rational reasoning, stronger even than common sense. In Polish, this concept is translated as common sense, i.e. healthy reason, which is closely related to rationality, even more than international *sensus communis*. Because although common sense often stands in opposition to the results of scientific research, it evolves by assimilating the findings of science. Therefore, following it is understandable and rational. After all, not everyone and not in all areas of life is guided by scientific findings. Common sense and willingness to improve it are sufficient. It is irrational to run away from common sense, for example, to conspiracy theories or simple recipes of populism. Unfortunately, such an attitude is too widespread and, regrettably, leaders of states, including world and regional powers, are not free of it. It is therefore hardly surprising that ordinary people often succumb to the magic of *total* truths, irrational theses and ideologies, populism or conspiracy theories, if behind them there are a powerful state propaganda machine, social media with their enormous range of influence, or persons or institutions commonly recognized as moral authorities, like the Catholic Church in Poland with its hierarchy and clergy. Avoiding responsibility

for the search for truth has a psychological justification. Referring to an “authority” absolves us of this responsibility while ensuring inner peace. Do rational people not refer to the authority of science and scientists? The difference, however, lies in constant intellectual effort related to formulating questions, looking for answers, verifying them, self-criticism and the lack of final certainty which is perhaps one of the greatest challenges. Rational man realizes that his knowledge, like all scientific knowledge, is only temporal. It is much easier to live in a world of steadfast and constant dogmas, *total* truths, thanks to which our sense of security increases, and our world appears, if not stable, then at least understandable.

THE PANDEMIC AS A CHALLENGE FOR TRUTH

Two Polish scientists representing social sciences, Jarosław Górniak and Małgorzata Kossowska, argue on the pages of the opinion-forming *Tygodnik Powszechny* that the current pandemic produces not only negative social effects such as increased anxiety, aggression or rejection, but also that reactions to it can also be positive, e.g. increased empathy and solidarity or spontaneous willingness to cooperate, which in “normal” conditions must be initiated in some way [*Tygodnik Powszechny*, 2020, no. 38 (3715): 23]. It is a similar case with truth in the time of the pandemic. It is a time abundant in all sorts of ridiculous conspiracy theories and irrational claims that need not even be cited here as exemplification, because the Internet is full of examples. It is a time when we have a real flood of contradictory messages from the authorities and public agencies, often as cynical as the justification for the idea of postal presidential election in Poland, which, fortunately, due to its illegality and possible epidemic and legal consequences, did not take place. At this point I would like to devote some attention to the positive side, of course with regard to the question of truth which is the subject of my considerations. A pandemic, like any crisis

or cataclysm, has, I would say, falsifying properties. It simply exposes the lie that is the basis of not only false views, but also attitudes, behaviors and social structures. This usually happens in dramatic conditions, sometimes at the expense of many people's life and health. This is a very high price to be paid for freeing people from lies that exist in society as a whole. And we gradually get used to living a lie, as late Polish philosopher Wojciech Chudy noted: "Truth is like air, which we do not notice when we breathe easily", adding that "it becomes arduous when it is stifling and polluted. We do not notice its existence and need when we use it normally in social communication, in thousands daily activities and it is used as the means building community bonds. When we start to feel its shortage when social life is dominated by falsehood, lie, hypocrisy and violence, then a distinctive need for truth occurs" [2008: 4].

A cataclysm or a natural disaster speed up our reaction. We open our eyes and they grow wide with bewilderment, just like Winston Smith's, the hero of *Nineteen Eighty-Four: A Novel*, that the reality in which we have lived has been a great hoax. The greater, the higher the degree of authoritarianism, totalization of social life and the presence of the aforementioned *total* truths. However, disasters or epidemics cannot be hidden in the long run, because they happen regardless of the will of the authorities, even the most authoritarian or totalitarian ones. The drama of the fight for truth was shown by the struggle of a young doctor from Wuhan, Li Wenliang (1986-2020), who was the first to alert the authorities about the epidemic threat posed by the new virus. He was persecuted by the police for this. His death has become a symbol of this drama. I mentioned Mill earlier on who emphasized the importance of freedom in the search for truth. We can also reverse the situation and remind us of the liberating nature of truth. Truth liberates. As another Polish philosopher Józef Tischner noted, analyzing the papal teaching of John Paul II, another Pole: "The more truth between us, the

more freedom between us” [2011: 218]. The classic of liberalism mentioned in this essay, John S. Mill, also wrote about the power of truth. He believed that “the real advantage which truth has consists in this, that when an opinion is true, it may be extinguished once, twice, or many times, but in the course of ages there will generally be found persons to rediscover it, until some one of its reappearances falls on a time when from favourable circumstances it escapes persecution until it has made such head as to withstand all subsequent attempts to suppress it” (*On Liberty*, p. 29). With its inner strength, truth is ultimately capable of overcoming all sorts of barriers, both social and legal ones. However, before a turn to truth takes place in so-called collective consciousness, or in the consciousness of many individuals, often tragic events must occur that will shake this collective consciousness stuck in the shackles of false propaganda. Then a catastrophe or a natural disaster becomes like a catharsis in a Greek tragedy, it cleans the minds of illusions, of fiction that is accepted unwittingly.

However, leaving this purification process to itself is certainly not the best strategy for building social relationships based on the principle of truth. One illusion can be replaced with another. Some new conspiracy theory may take the place of propaganda theses. Thus, two fundamental things seem to be *sine qua non* conditions. Firstly, free space for truth. Secondly, education.

When Józef Tischner, quoted a moment ago, wrote that “there is no freedom in being liberated from the value of truth,” he immediately added that “no truth can become truth for man and of man, unless his freedom recognizes it as such” [2011: 218]. This adjectiveless truth requires freedom. Freedom and truth are in fact the obverse and the reverse. In the social and individual sphere they cannot exist separately from each other. In the case of an individual, this freedom can have a deeply internal and even hidden character when he is surrounded, for example, by totalitarian or authoritarian reality, and yet he maintains the

freedom of his mind, does not yield to totalitarian propaganda, the political fiction of authoritarianism. But in the case of society, freedom must have an institutional foundation if truth is to fulfill its social function. We are talking here of course about freedoms, above all about freedom of speech and freedom of the press (media) and religion contained in it, or as Mill wrote liberty of thought and discussion. Equally important is the attitude of the majority of society, and above all of its representatives, which was mentioned by the classic of liberalism cited by me so many times. It means refraining from stigmatizing debaters, we can also add political opponents as bad and immoral people (*On Liberty*, p. 51). It sounds all too familiar to a Polish reader. And although none of the sides of the Polish political dispute is free from this offense, for over five years the ruling majority and its leader have leveled the most severe moral accusations, which had never appeared in mainstream politics before, at both political opponents and parts of society that do not agree with the government's political action. For a non-Polish reader, it is worth recalling these insults: traitors, rascals, worse sort, thieves, animalistic elements, etc. In such circumstances, there is no room for dialogue, so, as Mill advised, it takes self-discipline to stifle emotions and the language of hatred in public debate. The question is whether self-discipline and only public condemnation, as he suggested, are sufficient?

The second important issue besides this free space for truth is education, which Mill also mentioned as a necessary condition for the full exercise of one's freedom. It is in fact so obvious that I will not elaborate further on the benefits of education at this point, I just want to highlight one issue. We live more and more in cyberspace. There we find true and false information. We will not get rid of moral dilemmas, including those related to the search for truth. Hence the need for media education and it is not about educating professionals, but responsible attitudes among media users. As noted by married Slovak media philoso-

phers Sabína Gáliková Tolnaiová and Slavomír Gálik: “We think that this education should lead us towards healthy skepticism in what we think is obvious and indisputable, and we should then be more active in our quest for the true, good and beautiful” [2020: 47].

CONCLUSIONS

My intention was to share my thoughts on truth in the public space. The pandemic and the post-pandemic reality, which I hope will emerge soon, provide an excellent opportunity to look at the value of truth, considered here in moral rather than epistemological terms. The paradox is that a pandemic can help truth – truth without any adjectives – or rather lead to revealing it in public life or, more broadly, in social life. Where truth is drowned out by intrusive propaganda, fake news, and all sorts of irrational conspiracy theories and claims, the pandemic exposes their false nature. It is like a kind of criterion of truth. And I do not mean the sophisticated theories of American pragmatism, but the individual and social experience of a tragedy that has shaken social structures overgrown with all kinds of lies and falsehood. Like someone who experiences a severe disease and realizes his mortality and finality, and thus rejects the illusion of immortality or eternal youth and vitality. A pandemic is such a collective boundary experience, it allows us to break away from the existing framework in which our consciousness is cramped. In short, it cracks or even breaks this framework. Of course, it is impossible to judge to what extent the post-pandemic world will be free from lies and falsehood. Certainly, new lies will replace old lies. It is only up to us, up to our individual and collective effort directed towards ourselves and outward, to determine the effectiveness of eliminating lies from public life. One thing is certain, for both the citizen and the scientist the truth should be a moral duty. Both of them are *under the imperative to look for truth* even when its absolute form is merely

an idea, an infinitely distant goal. Overcoming their handicaps, both the citizen and the scholar should never stop striving for truth. Only this attitude is the basis for honesty and justice, and without them there is neither real science nor just civil society. Lie and falsehood will always accompany us, it depends on us how much and how permanently we will succumb to their delusions.

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THE WORLD OF NEW, VIRTUAL TRENDS – CENTRAL EUROPE SOCIETIES TOUCHED BY COVID-19

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Abstract

The aim of the article is to raise questions about specific trends that will shape the world after the COVID-19 pandemic. Some of them could be noticed before the pandemic started, others occurred as a consequence of it. An analysis of the current situation, with a particular emphasis on Central European countries, was made on the basis of the available internet sources and the literature on the subject. The global crisis, such as the COVID-19 pandemic, proved that the global order created for years will probably be destroyed. The crisis caused by SARS-CoV-2 virus is a global threat, but on the other hand it is an opportunity, as it forces changes and new solutions. What seems to keep the world from falling into pieces is the Internet and the related technologies. The global trends that can be observed are much broader than those of Central European countries but it is important how those countries act in relation to the trends, and whether they lose or benefit from them.

Key words: *covid-19, social trends, changes, crisis, technologies*

INTRODUCTION

It seems that the COVID-19 pandemic greatly surprised most of people, despite virologists repeating warnings of an incoming danger of a megavirus for years [21 wiek 2018, p.44]. There may be several reasons for it, just to mention that we let our guard down in the face of not so viral (despite being more lethal!) viruses, such as Ebola, SARS, MERS-CoV, A/H1N1 or Avian Influenza. None of these viruses was scary enough to prepare us for 2020, none of them was so viral, none of them equally affected all the societies around the world.

And that may be another reason for our surprise – either as societies or as individuals we are not keen to learn. Human history has shown us the consequences of smallpox (*variola vera*), polio (poliomyelitis), measles, tuberculosis and other viral diseases. We also know how many people had died of those diseases before vaccines were invented. Despite all this knowledge, the anti-vaccination movements all over the globe are on the rise, and their activists, in opposition to the scientific claims, preach various lethal effects of vaccines.

However, it is not only anti-vaxxers, who refute the scientific knowledge. Societies as groups are not keen to learn. Only this year the flu has killed almost 3.8 million of people in Poland, of which 60 have died [MJM/PAP 2020]. The vaccine against flu has been commonly available in Poland for years – it is not expensive and even publicly refunded to many people. Despite this, less than 4% of Poles vaccinate against influenza [Chmielewska 2020]. This number is higher than the world's average, reaching around 2%. Why is it so? Is the fear of vaccination bigger than of a sickness? Is it a lack of faith in the efficacy of such a vaccine, due to the frequent influenza virus mutations? Or is it due to our disregard for the threat we are got used to over the years? Will COVID-19 follow this pattern in years to come?

What seems unquestionable at this point, is that the viruses on Earth will bring changes to social, economic and perhaps even

political systems. But specific questions remain without clear answers. The first, asked by anyone is: when will this pandemic end? The second is whether we will wake up in a changed, post-COVID19 reality? Will we have to recreate it from scratch? How will it influence social groups? Will some of them disintegrate and some new appear? Will a prolonged forced quarantine become a conscious choice of many individuals with time? Will the employment structure change or new professions arise quicker? Will the global economic crisis caused by the pandemic hit the world harder than in 2008?

The year 2020 seems to be abundant in landmark events right from the start. The nature is fighting humans in many areas. There have been gigantic fires in Australia, earthquakes in Croatia and Turkey, tornadoes in the USA, volcanic eruptions in the Philippines, storms in Spain, record-breaking rainfalls and floods in Brazil), avalanches in Turkey and Afghanistan, and the highest temperatures recorded in Antarctica. SARS-CoV-2 virus causing COVID-19 comes at the top of the list. Its quick conquest caused WHO to announce a pandemic on March 11. And it was only the beginning of the year. It was the first time in history when the Pope delivered his “To the City and to the World” blessing (*Urbi et Orbi*) in empty St Peter’s Square, and Andrea Boccelli performed “Amazing Grace” in empty Piazza Duomo in Milan.

Many people recognize those events as a nature shaking off the yoke of humanity. New conspiracy theories arise, some claiming that all those events are just the introduction to a space invasion. Based on arbitrary interpretations of statistical data, people question the pandemic („it is nothing new that people die”), which, according to their claims, is a conspiracy to eliminate weaker individuals and strengthen the rules of rich people, who will get even richer thanks to the pandemic. After short dizziness, the anti-vaxxers take a stand again, saying that the virus was released on purpose by big pharmaceutical companies

to make money on a new vaccine. Even the next generation of mobile communication network - 5G - has been charged with the spreading virus. Conspiracy theories will grow even stronger with time. Like always, also the post-pandemic world will be shaped by certain trends. Some could be seen before the pandemic started, others occurred as a consequence of it. The old trends will continue to influence our reality and interact with the ones created during the pandemic. This will lead to the strengthening of some, and weakening of the others.

1. PRE-COVID19 TRENDS

1.1. International dynamics

High dynamics of international relations could be observed before SARS-CoV-2 hit our globe. A very clear conflict between USA and China, called War on Trade and Technologies [Jakóbowski 2018, Gliwa 2019] was followed by the tensions in the European Union. The chaos caused by the pandemic is influencing Brexit. Germany, Spain and the USA is accusing China of causing the pandemic and demand China to be held financially liable for the global crisis caused by the pandemic [Tomański 2020]. The secret services of Five Eyes (USA, UK, Canada, Australia and New Zealand) published a joint report on China's suppression of true data about COVID-19 spread [PAP/EPA/WU HONG 2020], at the same time there are other voices claiming that without the Chinese scientists delivering a sequenced virus to the world, work on a vaccine would not be so advanced. The rise of the epidemic in Italy showed lack of unity among the European Union countries, which at the very beginning refused immediate help to Italy, saying they had to look after themselves first. It took the EU a while to send help to Italy to make up for their negligence [European Union 2020]. In spite of this, many people predict a decrease in international solidarity, strengthening national states, and even establishing new tribes, which will support its tribesmen in the incoming crisis. This may lead to a rise of to-

talitarianism, or even a war. - it is hard to say at the moment. The trend to strengthen the old alliances is seen in Central Europe. Lithuania, Latvia and Estonia have reached a common decision to open borders between the Baltic States [Ciszak 2020]. The citizens from other countries must obey 14 days of self-quarantine. Similar decision is being considered by the governments of Poland and the Czech Republic. Prime Ministers from the Visegrad Group and German Chancellor together with the Czech Republic foreign minister, Slovak and Austria declare coming back to normal operations of almost all the borders between the countries. These „minischengen” regional arrangements are opposed by vice chair of the European Commission Margaritis Schinas. He claims that such practice will destroy the Common Market and will discriminate countries excluded from the agreements. [Maksimović 2020, Pędziwoł 2020]. According to newest calling from the European Commission declarations, the EU countries should lift all border checks within the bloc by the end of June after 14 weeks of the closure. Poland has not confirmed its decision yet.

1.2. Climate change

Climate change is the second serious trend. The most urgent problem for the Central Europe appears to be drought, which seriously endangers the economy. In many Polish regions rainfall deficit become the new average. While there is a lack of water in Central and Eastern Europe, there is an excessive rainfall in some Western European regions. According to the latest data, the total rainfall in Europe is consistent, but large areas of the continent are impacted by drought. It is in line with climate change affecting the weather patterns. According to Copernicus data [Copernicus 2020], soil humidity has been falling systematically from the end of 70s at least. In the year 2019 this level was second lowest since 1979. The number of rainy days (rainfall lower than 1 mm) has also changed. Copernicus reports that

in the large region of northern-eastern France, Germany, Poland and some Baltic countries, the number of rainy days was below average. Water shortage will influence food prices. Another reason for a food price increase is the repeated ground frosts in May. General air temperature increase, drought and fires may lead to a lower genetic diversity in the plants in Central Europe [mrtjjj 2019]. Additionally, the whole world is affected by many natural disasters: record-breaking rainfalls and floods, earthquakes, fires, volcanic eruptions, storms and avalanches. The reduction of the areas, where humans can live and work has not been stopped, which directly influences migrations. And this strengthens epidemic risks.

1.3. Migrations

Increased migrations are another trend in Europe. The first major causes of migrations is economical (illegal or legal labour migration). The other reason is the need to stay safe, especially from warzones or military conflicts territories (refugees) [Białek 2019]. With relation to climate changes and the ongoing pandemic, one may expect an increase in environmental migration, related to deficit in drinking water, natural disasters and diseases. Central Europe countries are targeted by migrants mostly from Eastern Europe and Asia, who look for a job or seek to obtain a refugee status, like Chechens traveling via Russian Federation, Ukraine or Belorussia to Poland or the Baltic countries. The economic crisis caused by the COVID-19 pandemic will increase this trend as soon as borders are open again.

1.4. Social changes

Another important trend is great social changes, including liberal democracy and global economy crisis, and protests against inequality. The rise of the pandemic strengthens this trend. The first vaccine against COVID-19 is also likely to start a heated social debate. Which country will be privileged to use the

treatment first? Will Central and Eastern Europe have access to it later than the Western European countries? Will anyone be able to afford it? Who should be the first to vaccinate? What about the selection criteria to be granted a priority? We can see scandals connected with attempts to take over pharmaceutical companies like the one connected with the President of the USA – Donald Trump [Haber 2020]. These will cause natural divisions, some of them very cruel, and this will generate mass protests, shaking the stability of the existing communities. The governments must make dramatic choices now: to „unfreeze” economy while increasing the number of infections or to keep the quarantine constraints resulting in deeper economic crisis, followed by unemployment, poverty and famine. A good example of this dilemma in Poland relates to reopening nurseries and kindergartens [Gersz 2020, Pawlik 2020]. On one hand, its purpose is to allow parents go back to work and stop receiving special social benefits heavily encumbering public finances. On the other hand, it raises the risk of infecting kids and their relatives. In the Czech Republic and in Slovakia the following undertakings were reopened: craftsmen workshops, car sale and resale shops, bazaars and marketplaces, as well as shops (not bigger than 2500 m²), driving schools, gyms, libraries and zoological gardens [PAP/EPA 2020, PAP/Forbes 2020]. Similarly to Poland also restaurants, pubs as well as hairdressers’ and beauty salons reopen slowly. The limit of people who can gather and travel together was raised up to 10. In Ukraine bazaars and parks were reopened [Polsko-Ukraińska Izba Gospodarcza 2020], and in Lithuania all shops as well as cafe gardens, hairdressers’, marketplaces, parks, zoological gardens, libraries and museums. Also restaurants, dentist’s offices, schools and kindergartens were reopened, and as of May 10th civil aviation traffic was restored [Akińczo 2020]. It is unclear how will it influence the spreading of SARS-CoV-2 in this part of Europe and if the societies will accept new rules imposed when using public

places, the rules that are very different from the pre-pandemic times.

2. NEW TRENDS FROM COVID-19 PANDEMIC TIMES

2.1. More power to governments

The pandemic created also many new trends and it can be predicted that the incoming crisis will continue this. One of the most important is a public acceptance for giving more powers to governments, which will not necessary end with the end of the pandemic [Nice 2020, Górski 2020]. The new powers apply to economy (closing the borders, limiting the movement of goods, limiting economic activity), as well as to fundamental human rights and freedoms, by increasing state control measures in societies (limitations of freedom of movement, electronic surveillance using smartphones and special applications to monitor health conditions of individuals, massively track location and interactions with other people etc.). Once granted, the „pandemic powers” will probably stay forever, because the virus may return mutated or other viruses may appear. The economic crisis resulted from the quarantine and freezing economies may lead to an increase in bankruptcies, unemployment, poverty and crime. The National Bank of Poland (as well as other central banks, for example in Romania and Croatia) started to buy government bonds and other countries will probably follow the trend [AFP 2020, Łon 2020]. This generates a risk of a rapid inflation increase in the year to come, resulting in central banks withdrawal from easing of monetary policy. The Polish government increased public debt [Muszyński 2020] and is creating next economic „shields”, but it is not clear whether governments will have enough public money for next social transfers, including raised unemployment benefits and home rent allowances? There are public opinions in Poland that the crisis will constitute a good reason to end the 500+ child benefit. A similar situation is in other Central Europe countries.

2.2. Telecommuting / remote work.

The way we work is also about to change. During the forced nationwide quarantine, most of office employees started to work remotely, and in most cases they still do. Will it continue after the pandemic ends? The estimations show that even 48% of employees will not come back to their offices on permanent basis [Barker 2020]. This will allow for cost reductions in companies during the economic crisis, but will also influence negatively the office rental market. Additionally, it is very probable that some professions, useless during pandemic, will vanish, while others will grow in importance, and some new will be created. Mass events industry is one example of the whole branch looking for new ways to operate. But this is not the worst, because you can imagine that after the pandemic is over people will start extending concerts and other shows. Much bigger challenge was created for the MICE industry (Meetings, Incentive, Conference, Exhibitions), called also Meetings industry. If all meetings can be successfully organised remotely, what is the reason for organizing conferences or sending employees on expensive business trips? The pandemic also heavily disturbed global supply chains and showed us how fast some resources could be depleted. That is why some experts say that the way we produce goods also has to change. Retailers should end importing goods from distant locations and find local suppliers [Łukasik 2020]. It may be of great importance as the chance to speed up economic growth in Central Europe as production costs here are still lower than in the Western part.

2.3. Decreasing health level in societies

The next important new trend is a general decrease of health level in societies matched with lowering overall healthcare systems performance and quality. During pandemic all healthcare systems focused on fighting COVID-19 and at the same time they neglected other diseases, including chronic diseases. Medical

diagnosis is in most cases is carried out using telephone calls, and people waiting for a surgery or other medical operations have very limited access to a proper medical care. One of the potential solutions to such problems, available in not so distant future, may be development of AI (artificial intelligence) in medical applications. Additional urgent problem will relate to mental health of people quarantined for many weeks, isolated from their relatives, fighting fear caused by the virus or a job loss. Many of them will face the risk of mental depression. Negative contribution to society health level will have closures of small companies resulting with suicides and homelessness. Without proper public intervention these may be not direct, but important victims of the virus. Additionally, common quarantine is a perfect indicator of the quality of our relationships [Romanowska 2020]. Many of them will get stronger, but some will disintegrate, what can be seen in China, where there is a high increase in number of divorces [KG/Onet 2020]. We do not know what the situation in Poland and the neighbouring countries will look like, because the judicial courts have not reopened yet.

2.4. Goods consumption model

It is difficult to forecast now if or how the consumption model will change. There are estimates that due to the incoming crisis 50% of Polish society will pauperise [Parkiet 2020]. Will we still be buying trendy shoes, suits and ties? Or will those goods become luxury? Will malls and retail parks remain the Poles', Czechs' and Hungarians' favourite places to spend their free time or will the pandemic kill these shopping sanctuaries and shopping itself is going to move online? As for now in Poland, despite malls were reopened on May 4th, most of the time they are not overcrowded and next brands quit their activities [MB 2020]. This lack of interest for excessive shopping may result from a fear of losing a job and a reduction of income sources. At the same time home improvement centres (like IKEA) and build-

ing supplies stores are besieged by people, who spend most of their time at home and try to improve their closest environment. Similar trend may be seen in other countries.

2.5. E-society

The pandemic shows that more and more actions will be executed remotely. The common quarantines and locking people in their homes created an opportunity for e-commerce and e-services to flourish rapidly. This will quickly increase the importance of quick and reliable Internet connectivity and IT specialists including cybersecurity experts, will be more important than ever before. An increased connectivity will also allow for a repaid growth of various conspiracy theories. The existing ones will be strengthened, including the antivaxxers, 5G fighters, New World Order believers and masonry hunters. But probably some new ones will appear. Such movements will be naturally fed by organised disinformation, as a part of different information wars. In Poland, such online group – named „Coalition Poland Free of 5G” [Koalicja polska wolna od 5G 2020] takes active part in official legislative procedures, claiming social participation mechanisms. In Slovakia and in the Czech Republic even before the pandemic started there were massive protests against the new generation of mobile communication standard [Strauchmann 2020, Novosad 2020]. Such actions may grow in strength, especially after proliferated claims that 5G is responsible for spreading the SARS-CoV-2 virus [Domański 2020]. You may expect also massive protests against vaccinations against Covid-19, as well as protests against the limiting of human rights and freedoms during the pandemic. Such protests have taken place in Stuttgart, Germany [Mal 2020, X-news 2020]. The demonstration was attended by up to 10 thousand people.

2.6. Artificial Intelligence

The development of artificial intelligence (AI) will impact all of us

heavily, also in the context of fighting the pandemic. The European Union initiative to create global monitoring “Living Earth Simulator” [Paolucci et al. 2013], by accumulating and analysing any available data on Earth and humans, may radically reduce surprises and allow us to forecast the weather much more precisely and for longer periods. It could even allow us to forecast next global diseases outbreak centres and track their development. The price for it may be a necessity to implant a chip into every person’s body, to monitor basic health parameters and track individual movements [TK 2020]. Some compare such implants to the sign of the Beast from the Apocalypse [Stopka 2020]. This creates even more space for more conspiracy theories. Before the pandemic such massive chip implanting activities were not publicly discussed.

What would be the public acceptance level for this if home lock-in would be longer and people having chips could have relaxed obligations? In Poland we have a phone application mandatory for people under individual quarantine [Gov.pl. Aplikacja 2020], but there was an idea to implement another one – ProteGo. It was planned to track everyone and register phone numbers of people we meet wherever we go. [Sosnowska 2020]. If a person is diagnosed with COVID-19 the whole network will be identified and informed. The Ministry of Digital Affairs informs that the purpose of ProteGo application is to control how COVID-19 is spreading. „We want to achieve it using Bluetooth technology to build a network of connections between cell phones users. This application will not gather data nor track users locations” [Gov. pl. Życie 2020]. Similar application is being used in Singapore and the UK. Norway is working on similar solutions. [Momo/rzw 2020].

The supporters of such solutions argue that it could radically limit the virus spread [Ferretti et al. 2020]. The key function is to locate human-nodes, who have extended number of social contacts, and accumulate highest risk of virus spreading. And what

about the potential side effects? Such application could lead to building division, social stigmatisation, creating ghettos as well as hacking. Even currently people under individual quarantine are subject to ostracism or aggression [Bogucka 2020]. It also applies to doctors, nurses and other medical staff, who are even forced to leave their homes [Rp.pl 2020]. In Poland opinions on the application are strongly divided. One side argue that it is a dangerous attempt to limit civil liberties, while the other that it could be an easier form of individual quarantine. Again, it was impossible to think about a government building such an app before the pandemic. Today we care more about our health than about our liberties. When this article was finished The Ministry for Digital Affairs cancelled the app from the public, due to some vulnerabilities discovered by independent security experts, but it may be back after a while.

It seems that the CAOVID-19 pandemic changed the social perception of new technologies. Before it, the Internet, computers, tablets and smartphones were perceived mostly as the source of funny recreation, communications and information and knowledge gathering, but they were not necessary. During the crisis they constituted a critical infrastructure, indispensable; like electricity and water and sewage systems – technologies who were heavily opposed over a hundred years ago in a similar way like current protests against 5G mobile communications technology [Mileszko 2020].

CONCLUSIONS

It seems that the COVID-19 pandemic marks the end of a world as we know it. But it is not the only challenge we are facing now. The freezing of economies all around the world will cause a much more dangerous crisis – the economic recession, which will result in a number of social, economic and maybe political changes. The post-pandemic world will be shaped by certain trends. Some were seen before the pandemic started, others

have occurred as a result of it. The old global trends will still influence our reality, and most of them will interact with the results of the COVID-19 pandemic, leading to the strengthening of some of those trends as well as weakening of the others. The most important are climate changes, resulting in severe drought in large European areas and people migrations. The latter may contribute to the spreading of SARS-CoV-2 virus as well as its potential mutations. Another very risky trend, judging from the traditionally democratic point of view with human rights and freedoms in the centre, is allowing the governments to take more powers away from individuals – the powers that will probably remain for long. The special value lies also in the rapid technological transformation: e-services, distant learning, remote work, AI in medical analytics and exchanging information about rollout of the pandemic and managing the response for it – all of it will heavily influence the development of various aspects of our lives, changing the way we live, and limiting our freedoms at the same time. You may ask a question whether in the post COVID-19 world technology will make us totally dependent on it?

The global crisis, like the COVID-19 pandemic, proved that the global order created for years will probably be destroyed. The Internet and the related technologies seem to be the factors that keep the world from falling into pieces. The problem is that we try to apply modern technologies to social schemes from the previous century. A good example is the education system, which was forced to go online in the first week of the lockdown. The education system was never meant to work remotely and has no idea how to perform in this way. Two months of attempting to restart Polish schools online proved that distance learning cannot be learnt quickly. Switching the education system from offline to online requires solid changes to the syllabuses, good standardised hardware, common access to quick and reliable broadband Internet and months of trainings for teachers,

students and parents. The common switch to online was easier in some companies, where people benefited from more autonomous working environment and had at least some experience remote working before the pandemic, but still many industries were heavily hit by the difficulties of this crisis, because they had no chance to prepare for it.

Such a crisis also always creates a chance, because it forces changes, searching for new ways and new solutions. Packet delivery industry is a good example of using technologies to quickly adapt while innovating. Agriculture industry started to deliver directly to consumers. Restaurants opened delivery services and used Internet for promotion and taking orders. The use of online media was promoted directly by Bill Gates, when he argued that watching online video on how a meal is being prepared is the strongest incentive to place an order [Łukasik 2020]. Public authorities also try to innovate, like in Holland where the City of Amsterdam implements a new strategy for sustainable green development, called 'doughnut economics' [Januszewska 2020]. It looks like after this global pandemic resets, all things will go back into place, but in different forms. You may get with the times or perish. There are voices that in the biggest long-term loser of the pandemic may be China [Bielecki 2020]. China provided worldwide outsourcing services for an enormously large scale, quickly developing to the position of technological leader. That also included advancement in AI practical use cases as well as developing its own most advanced 5G mobile communications technology. All the trends will be shaping the future of the countries in Central Europe. Despite the fact that the joint potential of these countries is too weak to influence the global trends, it is still important how the countries react, and whether they lose or benefit from them.

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THE INTERMEDIATE REALITY

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Abstract

History, as a human perspective over time, can be described as an intermediate reality between two important events or between existence and lack of existence. In time of pandemic, the reality is suspended between the old times (as a Golden Era) and the Future – that can both be described only using the concepts of “what it was” and “what it is”. From this point of view, the perspectives for the future could only be described in terms of “hope or despair”. The article tries to show how, throughout the history of humanity, the reality was fragmented into little frames of human conscience of the present. Our frame now is both related to a normal past and a desirable future because the present looks very unpleasant and incomprehensible. However, the glimpse into the future is not comforting because of the destruction of the world as we know it, not due to the pandemic, but to the fatigue of the history. But the pandemic could also be a chance for the history to go on through new possibilities.

Key words: *intermediate reality, history, democracy, dictatorship*

Time, as physical reality, is an extremely controversial subject in the contemporary sciences: some deny it completely; others consider that nothing exists without time. But for the society time is an indubitable reality, because absolutely nothing could be given without it. The past is constantly pouring into the present, while the present that has already become the past is also meanwhile pouring into the present: the future is opaque. Therefore, we discuss about possible futures and not about a single future. Not even theological time has escaped this possibility of possible futures. Jacques le Goff [1995] explains in “The Birth of Purgatory”, a fundamental book for the European culture, why the Catholics, before Einstein, discovered a space-time continuum where souls after death exist between salvation and hell. In this spectrum of eternity, the purgatory, as well as the mundane life, were temporary. The purgatory could be manipulated from the outside – by those still alive, who prayed or spent money on indulgences for the ones on the other side. This represented the easiest way to explain a transcendental reality, but a reality that could be brought to the consciousness of immanence.

One of the most controversial and original pre-Renaissance mystical theologians, Meister Eckhart [2019], considered the mundane time as an intermediate reality, expressing it through that extremely interesting formula of *negatio negationis*, better known from Marx’s late reflections on the *negation of negation* [Marx, Engels 1968]. For Eckhart, the mundane time was only a transition from non-existence to the eternity of divinity by subjecting the soul to the test of materialization and entering the world of material desires (hence finite) as an expression of the eternity’s reality. Eternity, as infinite time, can only be defined in relation to finite time, which is transient. Thus, time is born from eternity to return to eternity by embracing physical time. However, only within physical (mundane) time the soul can understand eternal time – through a denial – and to consecrate it

through a mystical exercise. Therefore, Meister Eckhart accepts the Purgatory as a space (let's call it here a "space-time continuum"), where the finite flows into infinity, without the finitude altering the eternity's infinite substance. The soul remains in time as long as it is necessary to overcome its own temporality generated by desires, to return afterwards to its original eternity: the non-existence. It is not surprising that Meister Eckhart was considered a heretic, because the exercise he required supposes the exit from time so therefore the exit from the immediate reality in order to conquer a superior time that we call nowadays "future". Because, as we said before, the future is as opaque as eternity (the latter being repetitive *par excellence*, indefinitely equal to itself).

Meister Eckhart's approach, like Marx's one, as Erich Fromm [2013] explained in "*To Have or To Be*", is a positive one, even optimistic. Fromm tells us that the future is controllable and even rationally accessible if we overcome the fear of nothingness: death is only a stage, not the end, non-existentiality is a fertile ground for the future reality – the history has its end, but this end is one we should want, not reject. Our personal future leads us, as human beings, towards death, but this death has a meaning: the redemption of the material. As paradoxical as it may seem, Marx, an absolute materialist, gave a chance to exiting from the materialistic totalitarianism of nature through the human society that left history, seen as a history of class struggle. The vision of a positive society, where death is nothing but compost for birth and rebirth (perhaps too repetitive) of a society equal to itself, actually shows how the medieval mysticism was poured into the mysticism of the communist vision. For Meister Eckhart, death was only an intermediate moment between infinity and infinity, for Marx an individual death was only a moment for an immutable social eternity. Both of them, as strange as it may seem, were followers of a space-time continuum where history is more a mishap than a possible future.

On the contrary, one who lives in the space of history lives in intermediate reality, in fact – the one between the beginning and the end, between existence and non-existence – where death accompanies our steps every second of our lives. Therefore, paradoxically or not, the only entity that needs a future is history that is undergoing changes every moment in the present. Moreover, this moment we live in, that of the pandemic, when death is more present than ever in our intermediate reality, asks from us to reconfigure our future again, as human species and as civilization, because we are the only species that manifests itself as civilized and not only by some genetic accidents which lead to various genetic mutations.

Epidemics are proved so far to be some intermediate stages in our intermediate reality: there are many voices claiming that the era of Renaissance is a direct consequence of the great plague of 14th century (the Black Death), which imposed an equalization in death among subjects and sovereigns, rich and poor or noble and peasants. After three years of epidemic, Europe's population had declined by almost a quarter (in some countries even by half), which determined the workforce to be in high demand and well paid for. Thus, the Black Death determined a profound change in feudal relations and generated the premises for the liberation of peasants from servitude. The Renaissance changed the balance of powers in the rural environment of medieval castles, to the free cities of Italy and Flanders, and the urbanization favored the emergence of modernity. This is just a single example of an intermediate stage out of many that changed the face of the world throughout human history.

However, unlike the visions of Hegel or Marx, history does not always lead to progress, i.e. a historical stage is not necessarily better than the previous one. From many points of view – economic, state wise, civilizational, sanitary, etc. – the Roman era was better than the medieval one, even for the poorest Roman citizens. Instead, the Middle Ages opposed the Roman

Stoic skepticism through an extraordinary faith in the future (especially a transcendental one). Whoever visits the tombs of Sicilian Christians from the sixth century may notice the immense millenarian faith and hope that times would soon come to fulfilment. The end of the earthly world after the end of the political world (the fall of Rome that had taken place a century ago) seemed as an exceptional, although mystical, but entirely rational end. Unless for the absolute ban on committing suicide in those times, we would have probably witnessed a mass suicide of the entire former Roman province, hoping to escape the intermediate reality and to live in a happy eternity. Tension caused by the vandal conquests and the on-going wars between the Byzantines and the Ostrogoths (known as the Gothic War), the disappearance of the entire civilizational heritage and economic stability in a decade – all this generated an utterly morbid optimism: Death will save us. Thus, physical death became a vehicle for escaping from time – the time seen as a place of suffering and decrepitude – and entering eternity, the eternity in the terrible life on this earth being replaced by a good life in eternity.

For our contemporaries, such a belief seems completely absurd, and that is because, whether one is a believer or not, the value of life on this earth is defended by a set of values derived from humanism and Kantian moral principles. That is why the act of suicide is presented as an eccentricity, and the terrorist act of blowing yourself up in order to kill other people seems an absolute morbid eccentricity. Humanism has placed human life, considered rational by excellence, at the center of its ethical exercise and as a fundamental principle of human society the social act as a moral act, any action that hurts a human being is an act that hurts humanity as a whole. Humanism of the Enlightenment generated a political revolution through these ethical assumptions: the consciousness of equality in freedom forged the liberal modernity and the great political processes of

states transformations from the nineteenth and twentieth centuries.

The Enlightenment Revolution (equally important or even more important than the French Revolution, as they share multiple values) was a long and very difficult process for the most to understand: because the Enlightenment no longer placed man in a historical position, but on the contrary, the history was completely uninteresting in comparison with a future considered good *par excellence*, as long as placed under the influence and light of Reason. Unlike medievalists, the modern people look towards possible futures and not towards a single immutable future, which is imposed from the outside. The reality, from Immanuel Kant's perspective, was rather a mental construct than an objective reality. Accepting the fact that man is only able to know at the phenomenon level, and that it is impossible to comprehend the thing-in-itself (which represents the absolute knowledge rather than an actionable divinity), the being has only the possibility of alternative constructions: in order to survive, Man has to use his own will to build fictional explanations for phenomena **as if** (*als ob*) they reflected reality itself. In the world of physical materiality, one should know **as if** the mentioned world would be in the absence of the knowing subject, in the social universe one should behave **as if** ethical norms were possible, and at the faith level **as if** God existed. Kant implicitly recognized that the world he built for Man is a fictional world where there are at least several few possible realities. The scope of reason – as the expression of science – is that at least one of these realities might be in accordance with the direct experience of the being [Kant 2011].

This world of possibilities allows us today to be democrats, to live together in different social life programs, but in accordance with the social limits universally imposed by the Human Rights (issued from the same Enlightenment period and from the same hope in the practical reason of the Enlightenment). But in this

world of possibilities, the perspective of time changes as we are no longer talking about a space-time continuum, but about possible times and real times, which manifest somehow in parallel – from this perspective about time, the string theory was born later (time is seen as a fabric where the threads intertwine or go in parallel).

However, if the modernity allowed a different approach to time and history, relativizing them both, the individual end was almost entirely shadowed (and continues to be until nowadays), as the personal end was a part of a natural process that could not by any chance be temporally fictionalized. Hence the incredible tension that marks the rupture of contemporaneity from modernity, as the socio-political-economic individualism of modern liberalism fails to solve the great problem of hoping for a better (or worse) eternity of the being. Freedom saved life by abandoning death.¹

In the contemporary era, the problem of earthly time has become a part of the existential trauma of the world, which has gone through two devastating world conflagrations. The industrial death as part of the concept of modernization has ridiculed the beliefs in a better future, as well as the others in an after-life. For more than a decade after the World War II, the dominant philosophy was existentialism: the human being lives the trauma of life with the fear of death that you fail to evade, but you only contemplate. Emil Cioran's late existentialism led to this fatal condition of human existence at the height of a form of nihilism of despair. The reality of death was no longer hidden, on the contrary, it was exhibited through all forms of visual arts and more. This apotheosis of the death, rooted in Bosch or Durer, was no longer opposed by the religious salvation of

1 That is why Freedom or Death - a slogan often used by the European Romanticism - was just a slogan of intellectuals without any echo in the consciousness of the people, still religious. Because the premodern freedom does not exist - not even conceptually - and to some extent, death does not exist (except for the physical one) but is only a transfer from one reality to another.

a good deity, but by the orgiastic bacchanals of antiquity. The over-abundance of sexuality made the death futile, emptied of its mystery.

Of course, not all these perspectives over time were necessarily diachronic, but they continue to survive, coexisting and influencing each other. Despite all scientific evidences, a certain form of sacralization of death continues even today despite its demystification, a form of crushed hope still exists, a possible spiritual reunion. This ambiguous sacredness of death was brought into play in this intermediate reality of the coronavirus pandemic.

This year of 2020 was and is, probably, the most representative for the concept of intermediary time, as it has all the appropriate data. As a naked time, suspended between the past that is beginning to be mythologized (how good it was/how much freedom we had before) and an ambiguous future (would a vaccine to solve this crisis be made or not?), the year of 2020 is permanently present. Of course, historical events occur, politics boil from the United States to Belarus, racism becomes a hot topic once again that will influence or/and already influences the elections. But still, at a personal level, the year of 2020 is completely different. The possibility to travel has extremely decreased, so the universe (even from a physical point of view) has been limited and this has made even interpersonal encounters to be limited or has changed their characteristics due to the transition from reality to a virtual dimension. It is hard to see your family, your friends or even your children through a screen in some cases, either big or small, without being able to hug them. And even if it is possible to meet them in flesh, the new rule of keeping social distance and of wearing a face mask prevents us from any exuberance, or even worse, makes it morally reprehensible and sometimes even criminal. In reality, we do live in the world of *Als Ob*, because we pretend that we can live as if nothing has happened, but we are constantly

warned that something serious is happening and that this is an epidemic and therefore deadly. This fleeting schizophrenic time that seems also to stay, where many events (concerts, shows, congresses, etc.) seem frozen and remained only in the eternal stage of possibility and never of potency; this time hides its future in itself.

In the article published in Foreign Policy on March 20, 2020, Stephen Walt [<https://foreignpolicy.com/2020/03/20/world-order-after-coronavirus-pandemic/>] wrote that at the end of this pandemic, the world would not be the same: it would be less prosperous, less open and less free. Some days ago, Jan Zileonka [<https://www.zeit.de/politik/ausland/2020-03/coronavirus-demokratie-nationalismus-globalisierung-europaeische-integration-oeffentlicher-sektor>] expressed his fears - and he was right to do so - regarding the revival of European nationalisms and of blocking the European project.

Are things so bad in the world and on the old continent? If you have a look at what happened in Hungary during the first months of the year and at the extremely discreet response of the European Union, yes!, things look really bad. If you look, however, at the extraordinary change of the world economic paradigm, you might say that things are changing for the better in the civilized world. And from this perspective we could raise the question that worries us all these days: what will the post-epidemic world be like after SARS.CoV2, COVID19 or coronavirus? And the second question: Is the world really prepared for a change? If we look at the Central and Eastern Europe, the change - for the worse - began a long time ago, the epidemic has only accelerated things towards the suppression of civil liberties [<https://www.economist.com/europe/2020/04/01/how-hungarys-leader-viktor-orban-gets-away-with-it>]. Viktor Orban's Hungary began this process of dismantling liberal democracy already from early 2013 by the constitutional changes and later on by the electoral laws imposing an illiberal democracy that limited

press freedom (directly or indirectly), blocked citizens' participation or put pressure on civil society through laws similar to those from Putin's Russia. Not even then did the EU political structures do enough: they warned, lamented, threatened using Article 7, but cohesion money continued to come and Hungary continued to attract them – Mr. Orban participated in and voted during all EU Councils, and big German automotive companies made record investments in Hungary, not questioning too much the issue of democracy, the issue of the rule of law or of corruption. Few days before (i.e. on Monday, March 30), the Prime Minister Orban made sure that he could lead the country by a decree and an emergency ordinance, the Hungarian Parliament giving him all the political power for an indefinite period because of the epidemic crisis. He is allowed to punish journalists if they are considered to spread news that do not conform to reality (I have always liked the euphemisms of political language), to punish citizens who do not obey, and Orban tried (and partially succeeded) to close the country's borders with all EU states and with Ukraine. Excepted for a faint criticism coming from the European Commissioner for Justice, Didier Rynders, who said no far-reaching voice took a stand against the fact that Viktor Orban has made use of overt dictatorship, as *The Economist* said. Therefore, we have the first dictatorship allowed in the European Union by the European Union. How many states in the communitarian bloc will access this option? Let us hope not many, although skids from participatory liberal democracy will undoubtedly exist. On April 2, 2020, the Prime Minister of Romania, Ludovic Orban, according to Emergency Ordinance 34/2020 renounced the decisional transparency, i.e. the social dialogue, the dialogue with the business environment, etc. Other states as France or Great Britain have postponed the local elections and probably Romania will do the same. The same thing is happening in the USA where more and more voices speak about a possible delay of the presidential elections from November

2020, as CNN suggests [<https://edition.cnn.com/2020/03/28/politics/coronavirus-2020-election-challenges/index.html>].

The most terrible images from the pandemic came from Italy, the 8th largest world economy. These images were more like those of the failed states: thousands of people simply left to die because the hospitals were unable to treat them, families starving and begging in the streets in front of grocery stores, endless rows of military trucks carrying coffins to cemeteries and crematories and a huge number of infected people trapped in their homes with almost no support. Mrs. Von der Leyen's reply and apologies came too late, and without any practical effect. Chinese soft power (i.e. the PR exercise of sending doctors and supplies) has reached its target and generated another wave of Italian criticism towards the EU. We are not discussing here the quality of Chinese medical supplies or how many European states have sent supplies, but the fact is that Italy voted *en masse* for Salvini and its sovereign program during the last regional elections, and the EU blockades will further be used by Salvini as electoral ammunition. Sovereign and Eurosceptic populism will flourish (if it has not already borne fruit) in Italy, a country with a government comprising another populist protest party (such as *Movimiento Cinque Stelle*) as its majority party. Therefore, Jan Zileonka's thesis applies not only to the states of Central and Eastern Europe, but also to Italy.

In my opinion, not all is lost for the European Union yet, however. EU is left with another playing field: the economic one. The whole world will have a hard time recovering from this epidemic accident from an economic point of view. The United States announce a peak in unemployment of 47 million people - almost one sixth of the US population, which will cause the US market - the richest on the planet - to contract so much that the fact that other economies (like the Chinese one, for example) had started their engines earlier is useless, because of the extremely low demand. The European economic system differs a

lot from the American one, being, however, much more social. In this respect the Union has an advantage, I think – the advantage of a quieter restart that will not generate too many social shocks. Because unlike the 2007 crisis, the only thing that is not missing now is money. Everyone announces that money will be given, and money will be issued so that states can protect their population and economy. The European Central Bank announced on March 19, through its president Christine Lagarde, that it was preparing a package of 750 billion euros in addition to the 120 billion already launched to combat the economic effects of coronavirus and has a reserve of 3,000 billion for the same purpose [<http://europa.eu/press/blog/date/2020/html/ecb.blog200319~11f421e25e.en.html>]. And this statement calmed the markets far more than the thousand dollars offered by Trump to all American citizens.

Now, the European Union can indeed prove its interest and closeness to its European citizens, regardless of their national citizenship. Of course, the response of Mark Rutte (Prime Minister of the Netherlands) and of the Chancellor of Germany, Angela Merkel, to the demands of Italy, Spain (the most affected countries) supported by France (also severely challenged) was not very encouraging. All these required Eurobonds in order to be able to save their national economies at the European expense and to share the debt with all the other states members of Eurozone (and in my opinion, this must be the purpose of the single currency, the reason why it is a single currency). Ursula von der Leyen's answer is essential now, after the apology to Italy: now she will have to show whether she is the Chief Commissioner of Europe or only of Germany and whether various nationalisms (economic or ethnic) can be defeated by the European solidarity of a political and solid bureaucratic structure. I think that this short incursion in the immediate reality is necessary for us in order to see how we can look into the future: with optimism or pessimism, depending on the trust we have

and on whom/what we trust. What we know for sure is that no matter how we will look into this future, it has some definite data: certain decisions must be taken soon.

All those things, which used to generate passion in large groups, things such as football, art, rock or opera concerts, weddings and religious services, were forced to take a break. Also did politics, European or domestic. It is just that this break – unexpected and difficult to understand for the majority – will come to end one day. Will we be able to return to our previous lives and passions so easily? And especially to the old political passions? And here comes my second question: is the world really ready to change?

Social psychology shows us that social groups are quite inertial and that social change (and why not personal change) is not an easy task at all. If at a personal level a little bit of will can move things somehow and one day, at a social level the will does not help at all, only cooperation does. Fascist voluntarism and communist development-alism failed because national or universal goals stop where the individual interest begins, whatever it might be, and because you try in vain to build a better or fairer society if at that very time you fall in love or you are hungry – the goal may have to wait. Changing the social paradigm is a long process with a multitude of meanders.

What changed – at first harder and then faster - was the social and economic environment, which ultimately led to changes at the political level. The access to another cultural, economic and axiological space produced more desire for change than all the public policy advice and attempts claiming to bring change.

Only (personal or group) crises determine change because they incorporate the will. Or now we are undoubtedly experiencing a crisis. An unexpected, global and extremely unpleasant crisis - because it puts us all in an exceptional situation: we would like to, but we cannot, we would do it, but we cannot. Homo Faber must befriend the Thinker (from Hamangia or Rodin's). There-

fore, if there needs to be a change, it will mean that the world of crisis should make room for the world of cooperation. But will it be possible?

Of course, in history there has always been a future of cooperation and concord: it has been and still is the most desirable and, at the same time, the most dystopian possible future. The social gear based on competition is part of the well-known mundane universe, of progress and innovation. Or, escaping the crisis reality means defying its perpetuation and returning to the dialectics of historical time. At a historical level, this crisis seems rather an interregnum, a short leap where history has stumbled in order to move further, more vividly.

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THE RIGHT TO HEALTH, GLOBAL SOLIDARISM AND INTERNATIONAL LAW'S CONSTITUTIONAL MOMENTUM IN THE AGE OF COVID-19

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Abstract

In this contribution, I claim that in the face of the global pandemics, international solidarism in protecting and realizing right to health as well as other human rights is not only a legal obligation but also a matter of legitimacy of the system. Using Ronald Dworkin's view of the moral foundations of international law, I argue for a global constitutionalist project. The essay starts with a brief overview of the present situation of human rights in the face of the pandemic and implies that choosing between human rights protection and emergency laws to save allegedly more fundamental goods is a false way of framing the issue (section 1). Instead, realizing human right to health (section 2) is a legal obligation to be pursued by each state individually as well as in cooperation with others. Section 3 undertakes the analysis of the legal philosophical and political justification for the obligation to cooperate internationally. Last but not least, a view of a constitutionalized legal order that is more apt in addressing the coming age of global threats and coordination problems is briefly presented (section 4).

Key words: *health law, right to health, covid-19, global constitutionalism, human rights, international law, political legitimacy*

INTRODUCTION

One of the major concerns of the post-pandemic world will be the need to answer the fundamental questions about the purview of the international cooperation in the future. At the beginning of the present pandemic of the SARS-CoV2 virus and the related COVID-19 disease some scholars and thinkers have already described the present situation in terms of alternatives between “nationalist isolation” and “global solidarity” [Harari 2020]. The choices made now will determine the resulting nature of the international community as well as the continued relevance of human rights. On the deeper level however, these are the issues already raised (and largely solved, as I am to argue) by relevant international law in force here and now. The real point is whether we, as a global community, are willing to take the international law seriously and to carry its promise further into the 21st century.

1. FALSE FRAMING: PUBLIC HEALTH VS. HUMAN RIGHTS

The 2020 SARS-CoV2 pandemic has unleashed a global human rights crisis, which is unfortunately yet to unfold fully. Some of the limitations to our rights and freedoms, especially in the democratic countries of the global North are perceived as largely justified and necessary restrictions following the sudden need to save the lives and health of the citizenry. As long as the process of combating the epidemic is focused on its aim and confined within the frames set by the rule of law, the chances that the extraordinary measures will not deteriorate democracy in the long run are high. It is imperative that the restrictions are strictly necessary, proportional to the threat we face and of limited duration in time, respecting human dignity and other principles of human rights law, as well as neither arbitrary nor discriminatory in their application, and always subject to

review by an impartial court¹. Even though the anti-epidemic measures undergo a rigorous test, they still may be potentially harmful due to their sheer scale and consequences of application. For instance, voices of concern are raised on issues such as markedly increased cyber surveillance of the citizens by their governments [Harari 2020], as well as potentially lasting encroachment on individual liberties: freedom of movement and assembly [Delvac 2020], freedom to practice religion [Parke 2020], as well as freedom of expression and information [Council of Europe 2020].

Unfortunately, the majority of the 7.8 billion population of the planet will not be given protection of the rule of law. For some of us, the violations of human rights will come as splinters from the process of application of the necessary emergency measures. When 1.3 billion Hindu population, including millions of migrant workers from rural areas and women with children, were ordered by Prime Minister Modi to go back and remain at their homes for weeks or face repressions while given only four hours' notice to comply with - this must undoubtedly raise concerns [Lewis, Kennedy 2020]. Clumsy leadership during crisis can have potentially severe implications and cannot be always be excused by the severity of the threat. Still, any action taken may be better than inertia. Ignorance and denials like in case of Nicaragua, where Daniel Ortega's government refused to lockdown schools or churches or to introduce any safety measures at all, including wearing face masks, or similar public denial campaigns by President Jair Bolsonaro of Brasil or Mexico's Andrés Manuel López Obrador [Amon, Wurth 2020] do not simply amount to wickedness; I believe that, legally speaking, this type of public policy contradictory to any scientific evidence could

1 On the legitimate limitation and derogation from internationally protected human rights see in particular *The Siracusa Principles on the Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights* [U.N. Commission on Human Rights, 1984].

be considered as a mass violation of the right to health. Even worse still, for many – if not most of global citizens – the acutely experienced violations of their human rights will come as direct malice and shrewdness of the authorities eager to secure or seize more power under the pretext of a “state of emergency”. It is clearly visible in case of some governments, who use the pandemic to pursue awaiting political goals and persecute dissidents without any scruple. The Chinese government initially censored all discussions concerning the spread of the new coronavirus, withheld the information from the public and prosecuted people like doctor Li Wenliang who had warned about the disease before it literally took his own life [Tan, Wenliang 2020]. The Western democracies also have their own faults. US President Donald Trump kept talking in a xenophobic tone about the “Chinese virus”, even when reports of discrimination and abuse against Asian-Americans got prevalent [Helier, Zhaoyin, Boer 2020]. In Hungary, Victor Orban seized the Covid-19 pandemic as an opportunity to pass a new emergency law, which allows him (as the president) to sidestep the parliamentary process and exercise arbitrary and unlimited power as long as the threat continues, which is itself subject to his regime’s decision [Human Rights Watch 2020]. Many other governments, for instance in Cambodia, Bangladesh or Sri Lanka used the pandemic to come after those who dared to criticize the government and its actions amid the crisis [Amon, Wurth 2020].

The worst is yet to come, however. The humanitarian consequences of the massive violations and disturbances of economic, social and cultural rights that are coming are likely to be playing the major role in defining our political future globally. Only a handful of examples reported by human rights activists give a foretaste scary enough of what is about to come. The lockdown in most national economies has struck hard and disproportionately the most vulnerable populations, denying the means of satisfying even their basic needs. The International

Labour Organization estimates a global loss of 195 million full time jobs in the second quarter of 2020 alone [U.N. News 2020]. Weak health care systems, especially in African countries, previously struck by infectious diseases such as Ebola, are on the verge of total collapse [Amon, Wurth 2020]. In addition to 260 million children already excluded from education, there are now 1.5 billion more pupils out of school and the vast majority of them has not received any education for months [Amon, Wurth 2020]. Domestic violence is reported to have increased markedly in many countries during the lockdown and quarantine [U.N. Department of Global Communications 2020]. These are not unexpected effects of a sudden natural event. Before this crisis, the present international community had not done enough to meaningfully minimize economic, social and cultural inequalities globally. Although some of the UN Millennium Development Goals were achieved, the shortfalls of social policies and globally growing income disparities are glaring. The risk is that the effects of the pandemic will catalyse the slowdown in social progress, exploiting decades of negligence.

For the reasons mentioned above, framing the discussion on how the SARS-CoV2 pandemic impacts the clash between human rights standards and guarantees *versus* the necessity to preserve public health is misconceived. Let us not get things wrong – obviously, as mentioned before, some human rights, like the freedom of assembly probably need to be temporarily limited for sanitary reasons, at least in some cases. The point is that there are no other, more fundamental, non-human- right values or aims that could justify setting aside those “annoying notorious human rights”, when the “real life-threatening issues” are at stake. On the contrary, the core of the debate is entirely about and within human rights. Any appeal to the need of reviewing them from the outside “political” or “emergency” point of view is a delusion. Taking their unity and universality into account, human rights comprise a coherent legal framework.

Issues arise out of the immediate threats to human rights posed by the present situation, as well as – or perhaps even more so – of international community’s negligence of the role and significance of the economic, social and cultural rights. Therefore, human rights are not something standing in the way of effectively containing the coronavirus. On the contrary, any limitations to certain freedoms need to be defined in that language as a matter internal to the human rights protection system in order to make it deemed legitimate. Public health is a value realized by and within the system of human rights, not outside of or against it.

2. THE GLOBAL RIGHT TO HEALTH

It is worth to change the antiquated frame and consider that it is not merely “public health” that is at stake in governments’ struggle with any epidemic, but rather their citizens’ *right to health*. Legal protection of this right includes a set of legal obligations as stated by the International Covenant on Economic, Social and Cultural Rights (ICESCR)², an international treaty ratified by the great majority of states³. The wording of the ICESCR gives that the right to health is the “right of everyone to the enjoyment of the highest attainable standard of physical and mental health” (Art 12). Health itself is not defined in the Covenant, however, related international law can provide some guidance. For instance, according to the Constitution of the WHO⁴ as well as other relevant documents, such as the Declaration of Alma-Ata⁵, health is “a state of complete physical, mental

2 International Covenant on Economic, Social and Cultural Rights, Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966, entry into force 3 January 1976, in accordance with article 27.

3 There are 171 state parties as of 14th August 2020 according to United Nations Treaty Collection, accessed: <https://treaties.un.org/doc/Publication/MTDSG/Volume%20I/Chapter%20IV/IV-3.en.pdf>.

4 Constitution of the World Health Organization, accessed: https://www.who.int/governance/eb/who_constitution_en.pdf?ua=1.

5 Declaration of Alma-Ata. International Conference on Primary Health Care,

and social well-being and not merely the absence of disease or infirmity". This wide concept of health is currently universally accepted both on the level of international human rights law as well as in the state legislation of many jurisdictions.

But to what actions, in practice, are we entitled to when speaking of the "right to health"? Undoubtedly, there is no legally enforceable right to *be* healthy [ECOSOC 2000]. On the contrary, a state is obliged to guarantee access to proper medical services and healthcare to everyone without discrimination as well as to a range of "other facilities, goods, services and conditions necessary for the realization of the highest attainable standard of health" [ECOSOC 2000: 9]. So-called core obligations connected to the realization of the right to health include also access to the minimum essential food, which is nutritionally adequate and safe, freedom from hunger, access to basic shelter, housing and sanitation, and an adequate supply of safe and potable water and essential drugs. Authorities must also adopt and implement a national public health strategy and plan of action, on the basis of epidemiological evidence, addressing the health concerns of the whole population [ECOSOC 2000: 43]. In addition, Art. 12.2 of the ICESCR also prescribes that full realization of the right to health shall include, among others, steps necessary for "the prevention, treatment and control of the epidemic (...) diseases". Under this obligation each state is expected to create "an adequate system of urgent medical care and humanitarian assistance" but also to make use of "epidemiological surveillance as well as to implement or enhance immunization programmes and other strategies of infectious disease control" [ECOSOC 2000: 16].

According to Art. 2 of the ICESCR, all of the obligations mentioned above must be fulfilled to the maximum of the available

Alma-Ata, 6-12 September 1978, accessed: https://www.who.int/publications/almaata_declaration_en.pdf?ua=1.

resources. The term “resources” needs to be understood widely – it is proposed that besides financial or material means there are also important organizational and service capacities, information and technical expertise, as well as human resources, including medical personnel. Article 2 of the ICESCR makes it plainly clear, that the above-mentioned resources include also those, which can be obtained through “international assistance and cooperation”. States are therefore *obliged* to cooperate with each other and share resources. The governments who are in need of help not only have the right but also are in duty to request assistance from abroad.

It follows that human health should be of concern to every public authority. In case of infectious diseases, the concept of public health cannot be divided between territorial states and depicted as an “internal” matter or sovereign point of concern. Every country has a legal duty to respect the right to health of any population, also abroad. The UN Economic and Social Council (ECOSOC) has rightly pointed out that governments are under obligation to prevent the third parties from violating the right to health in other countries and should even influence them by legal and political means, if necessary [ECOSOC 2000: 39]. Special duties are bestowed on wealthier states towards the less developed ones to help them in facilitating the access to essential health infrastructure, goods and services. Last but not least, it needs to be underlined in the context of the present pandemic, that global health crises are doubtlessly of concern not only to particular states acting separately or even cooperating jointly but constitutes the responsibility of the international community as a whole. The ECOSOC makes it bluntly clear: “given that some diseases are easily transmissible beyond the frontiers of a State, the international community has a collective responsibility to address this problem” [ECOSOC 2000: 40].

The global right to health warrants the obligation of cooperation between the states. This is worth remembering when the

proponents of raging nationalist instincts fan the flame of xenophobia by implying that the coronavirus is something foreign, something threatening *our* national political community from the outside (of the high walls of our would-be-castle), and therefore every nation should carry out the fight on their own. Such instincts may be not only illegal in the face of human rights law but also illegitimate. To see that clearly, we must refer to the moral foundations of international law. In this regard, I propose to follow Ronald Dworkin's argument.

3. DWORKIN'S NEW PHILOSOPHY OF INTERNATIONAL LAW FOR POST-COVID WORLD

The outline of the concept of the new philosophy of international law presented by Ronald Dworkin [2013] can be summarized in three main theses. The first states that the **international law requires an interpretative understanding and grounding in the political morality of the international community**. Dworkin argues that what is needed is an interpretive, and not a categorical (sociological) theory of international law. According to the author of *Law's Empire*, an interpretative approach to law assumes the existence of a certain political community within which we can share a doctrinal concept of the law of this community. It seems that international community could meet this requirement. Dworkin [2013: 11] explains that the political community shares the concept of law "not by agreeing about tests for [law's] application but by agreeing that something important turns on its application and then disagreeing, sometimes dramatically, about what tests are therefore appropriate to its use". Within this framework, we may ask questions about what arguments or tests should be implemented by a hypothetical world court (with effective sanctions and compulsory jurisdiction) to determine those rights and obligations of subjects of international law (i.e. states) that require coercion in the process of their enforcement. According to Dworkin, these

are the questions related to the political morality of the international community, a special part of which is international law. The problem with such an interpretative theory of law, based on the political morality of a given community, is that it is difficult to separate the existing law from the normative postulates about its desired contents, which are also based on political and moral criteria. In short, the problem is that a judge of a world court applying this law may confuse what the law actually *is* with what she thinks it *ought* to be. The hypothetical judge may easily find herself in a situation of applying an evolving moral standard rather than an agreed upon legal rule. For the purposes of the discussion on international law, Dworkin [2013: 12] synthetically presents an answer to this problem by proposing to conduct the following test: “we identify the law of a community by asking which rules its citizens or officials have a right they can demand be enforced by its coercive institutions without any further collective political decision” [Dworkin 2013: 12]. In other words, laws are only those enforceable rules, which application is not conditional upon carrying out any additional political decision-making process.

Dworkin’s second thesis about international law can be formulated as follows: **the political legitimacy of power is uniform at both the national and international level**. The American legal philosopher, noting the critical moment for the development of modern international law in the emergence of the Westphalian system in Europe, believes that the 17th century political process balkanized not only sovereignty, but also political legitimacy in general [Dworkin 2013: 16]. The fundamental question of political morality – what justifies the use of coercion by a political authority – cannot be limited only to the area of one state but is addressed to the international system of states as a whole. Hence, since there is a general obligation of each state to improve its political legitimacy, there must also be a general obligation of each state to contribute to the improvement of

the political legitimacy of the entire international system. If you want your state power to be legitimate, you also need the international system within which it operates to be legitimate. This includes the need for states to impose real and shared restrictions on their exercise of power. According to Dworkin [2013: 17], this requirement constitutes the true moral foundation of international law. Tolerating the misunderstood concept of an “unlimited” sovereignty is a negation of the obligation of working towards strengthening the legitimacy of the international community. It contributes to the erosion of respect for the human rights and other fundamental rights of citizens. Every state, even a democratic and liberal one, has a duty to undertake continual efforts to maintain an international system that is in power to prevent degradation of states towards tyranny (or a failed state) [Dworkin 2013: 17]. Operating on the principle of unlimited sovereignty, or supporting such an understanding of the concept, is also equivalent to not taking any necessary interventions towards other states. Therefore, it prevents the citizens from fulfilling their moral obligation to protect other people in the countries where they are subject to persecution and mass human rights violations. States act against their citizens when they are unwilling to engage in international cooperation, which is indispensable for preventing health or environmental disasters due to the existence of coordination problems on a global scale [Dworkin 2013: 17-18].

In the face of the above, a question arises – what is the best way to implement the universal obligation to strengthen the legitimacy of the international legal order? How to build a consensus among at least several hundred entities possessing important legal voice within the community? Dworkin’s third thesis is the postulate of **implementing the principle of salience in international law as a fundamental structural principle**. Here he explains how it works:

“If a significant number of states, encompassing a significant population, has developed an agreed code of practice, either by treaty or by other form of coordination, then other states have at least a *prima facie* duty to subscribe to that practice as well, with the important proviso that this duty holds only if a more general practice to that effect, expanded in that way, would improve the legitimacy of the subscribing state and the international order as a whole.” [Dworkin 2013: 19]

The mechanism of the principle of salience can be compared to the snowball effect. Dworkin [2013: 20] himself uses a cosmic metaphor: imagine a “moral gravitational force” of every widely accepted ‘norm’ or ‘principle’ in international law. The moral significance of a given standard, resulting directly from the amount of support that it enjoys, attracts interest and acceptance from other states, which in turn increases its importance and influence on other entities.

According to Dworkin, such a theoretical structure better explains, for example, the contemporary operation of customary international law or the entire normative order based on the Charter of the United Nations. In 1945 in San Francisco, international law based on the principle of salience was re-created. The UN Charter, together with such sources as the Geneva Conventions, the Convention on the Prevention and Punishment of the Crime of Genocide, or major human rights treaties like the ICESCR, are universal international law binding for everyone not through formal consent of states, but thanks to the moral force of the principle of salience [Dworkin 2013: 20].

4. THE CONSTITUTIONAL MOMENT IN INTERNATIONAL LAW

The need for global solidarism among and between the states and international organizations as members of the international community is morally and politically legitimate as well as founded on legal grounds provided by international human rights law and inherent in the contents of, for instance, the global right

to health. It is also logical, because universal threats such as the present SARS-CoV2 pandemic create difficult problems of coordination that can be effectively solved only through a joint action of the international community as a whole. The one remaining question is, whether this argument can be carried further in order to permanently transform the international legal environment. Indeed, even greater threats to humanity, such as the challenge of climate change are lurking just behind the corner.

One of such possibilities is a call for a constitutional re-interpretation of international law. According to the proponents of such view, from time to time, there occurs a “constitutional momentum” which allows the particular legal system, in this case the international one, to fundamentally redefine its principles and interpretative practices [Widiak 2015]. In other words, international law may progress not only systematically, but even more by way of “quantum leaps” for which the window of opportunity opens up especially during or after a major crisis [Aksenova 2020]. One of such moments was in the 1940s at the end of the World War II; perhaps another one is coming up now, in the post-pandemic world whilst global threats are heading our way. The attempt to “constitutionalize international law” means an attempt to borrow the concept and language of “constitutionalism” from the rich tradition of modern European and American political philosophy and philosophy of law and transplant it to the new ground of contemporary international law. In this sense, constitutionalism can be seen as a certain theory of political morality based on which – as Dworkin proposes – a doctrinal concept of international law can be built. According to the established view, the ideology of constitutionalism is characterized by the coexistence of two elements: the legitimacy of the legal and political system, which is conditioned on the proper placement of individual rights at the top of the normative hierarchy, and the existence and primacy of a constitution as

a guarantor of these rights. When translating these conditions to international law, two hypothetical theses of global constitutionalism can be formulated:

1. basic moral justification and source of legitimation for the international legal system is the existence and primacy of rights of individual subjects (members) of this system; the members are either states (under a weak interpretation) or all individual human beings (under a strong or cosmopolitan interpretation),
2. international law includes at least a group of privileged constitutional norms, characterized by their universality and primacy over other rules and normative systems. The constitutional norms should provide for major limitations on potential abuse of power by any authority.

Now, taking Dworkin's theoretical framework for international law as reconstructed above, we may verify, whether these two constitutional theses fit the proposed vision of international law. Regarding the first constitutional condition requiring the primacy of subjective rights, the most important question is which of the two interpretations should stand under the new philosophy of international law. On the face of it, Dworkin, like the majority of scholars, just refers almost exclusively to states and thereby recognizes their unchanging status as the fundamental subjects of international law. However, this is true only in an organizational and political sense, but certainly not in terms of moral and philosophical foundations of the system. Consent between the states as a supposed source of legal norms is neither a necessary nor a sufficient basis for legitimization. The weak interpretation of the constitutional thesis on the primacy of state rights is at least insufficient, or even wrong, since the system would not be legitimate if it was about securing the rights of states. This becomes clear when we take a closer look at Dworkin's argument that the legitimacy of power is unitary in internal and external (supranational) spheres. In order to en-

sure international legitimacy, the state must build its position on two fundamental obligations: to constantly strengthen and prove its legitimacy to exercise power (using coercion), and the obligation to mitigate the threats to international cooperation. From the perspective of a state, international law is therefore a duty-based legal system.

Taking the international law seriously, one needs to admit that the political power within the international community of states is legitimate, provided that the rights of individual people are effectively protected. This requires a state to accept “feasible and shared constraints on its own power” [Dworkin 2013: 17]. It is clear that the restrictions and limitations that states are required to impose collectively on themselves to strengthen their legitimacy are ultimately intended to safeguard the rights of individuals. International cooperation in good faith is a moral duty when it serves the ultimate benefit of the people (or peoples of the world), not the self-interests of national political power. Only the strong or cosmopolitan interpretation of the primacy of rights thesis fits the true constitutional mindset. Following Dworkin’s view, this assertion would be justified by his broad criticism of sovereignty as the unfettered “right” of states and an attempt to reformulate it into an instrumental form that requires constant legitimization and justification. This has been already attempted not only politically but also legally and institutionally through the UN’s introduction of the *Responsibility to Protect* (R2P) doctrine.

Finally, in the far-reaching part of his vision of the philosophy of international law describing the possible requirements for the creation of effective power at the supranational level, Dworkin envisages that any such power must respect the dignity of those over whom it exercises jurisdiction and show equal interest in all. Thus, despite the lack of a proposed catalogue of specific rights, Dworkin’s proposal meets the first condition of global constitutionalism in a strong interpretation.

The second condition of global constitutionalism requires primacy of a group of constitutional norms in the system. Some scholars supporting the constitutional view of international law point to the Charter of the United Nations as a type of a constitutional treaty. Dworkin believes that the Charter is precisely of constitutional character since it is binding not on contractual basis (i.e. for its signatories only), but through the moral obligation it should be treated as binding law by members of the international community. This is the effect of application of the principle of salience [Dworkin 2013: 20-21]. Article 2 (6) of the Charter in fact requires the UN to ensure that non- UN member states “act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security”. Departing from the seemingly inviolable principle of consent is justified in this case by referring to the Principles expressed in Art. 2. They are universal, as they constitute a source of legitimacy of the new international order created after the World War II. This rule of the extended validity of the Charter, which is one of the most important arguments for its constitutional character, is built largely on dogmatic-legal justification. Dworkin’s concept of the principle of salience explains its political-legal and moral meaning.

Dworkin does not stop with the United Nations Charter, however. He lists other acts which may be regarded as part of international constitutional law: the Geneva Conventions, the “genocide treaties” (i.e. the Convention on the Prevention and Punishment of the Crime of Genocide) and the Rome Statute of the International Criminal Court. Other literature on international constitutionalism has also proposed a concept of the so-called “world order treaties”, which are instruments concretizing and developing the constitutional principles of the international legal order [Tomuschat 1993; Fassbender 2009]. This group of would-be international constitutional laws includes a number of important universal conventions in the field of human rights,

such as the Universal Declaration of Human Rights and both Covenants, as well as other specific human rights treaties. All these treaties have made “international law for all” precisely through the operation of the principle of salience, so they bind the entire international community, not just the original signatories. A distinction should be made between these acts and other international agreements that form, for example, organizations such as the European Union or the World Trade Organization (WTO). These laws were designed from the outset as instruments for creating a certain institutional and procedural framework for a specific group of members. As specific regimes of international law, their rules cannot be meaningfully applied outside the group of explicitly admitted members – in this case, therefore, the principle of consent, not of salience, is at work. I believe that the principle of salience thus serves precisely as a tool to distinguish the matter of international constitutional law – universal rules of unlimited scope of application, which legitimize the system from the other consensual international law.

CONCLUSIONS

The SARS-Cov2 epidemic may unfortunately be only a prelude to the century full of much greater common threats and coordination dilemmas for the future international community. Our responsibility is to prepare the adequate tools at our disposal to deal with the threats. Like it or not, law in general and international law in particular are the best and potentially the mightiest instruments⁶ at hand. Some will try to disavow the law’s potential as merely an illusion. True, law is a social institution and stands or falls with the society, which rules it embodies, but so is any other piece of our social reality. Advancing the global rule of law means advancing our unique human ability to

6 See for instance an expert report by the Lancet Commission, insisting on the law’s power and potential in managing global health and sustainable development [Gostin et al. 2019].

work together and harvest truly transformative powers of global social structures. The climate-related disasters and possibly subsequent pandemics that we are likely to face in the near future will be the ultimate exams for our species' ability to survive through cooperation that is larger than the abilities of one individual, tribe or even a whole nation. The time now is high to set in place a global constitutional framework for the international law.

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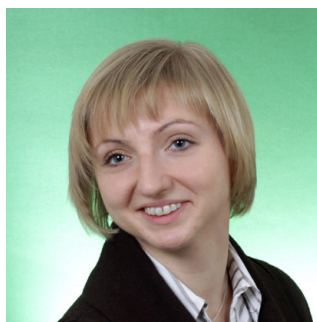
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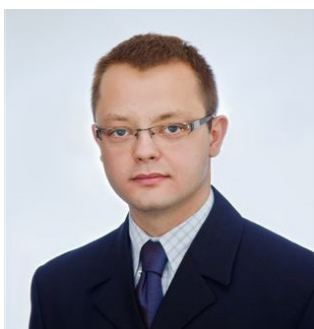
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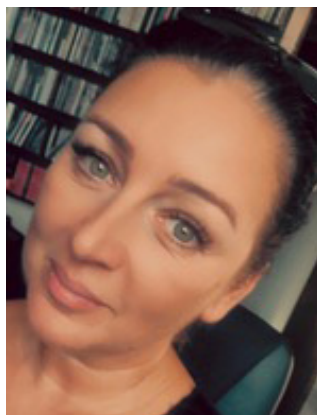
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