

ISSN 2367-7031 / www.piron.culturecenter-su.org

Vol. 19 / 2020 / STATE OF EMERGENCY:2020

URL: http://piron.culturecenter-su.org/wp-content/uploads/2020/11/19-2020-Grozev-Yotov_EN.pdf

A Conversation between Yonko Grozev and Stiliyan Yotov



STILIJAN YOTOV: Do we live in a time when a state of emergency is being introduced more frequently, extended beyond necessity, and even about to become a "permanent fixture" in our lives? Do international organizations have (reliable) observations, or are these ideas that are rather the product of intellectual speculation?

YONKO GROZEV: I believe the answer is no, but I must immediately add that I say this intuitively. There has been no similar sanitary crisis that allows comparison, and I am not aware of any comparative, quantitative studies on measures for other types of emergencies. But a naked-eye comparison with the most painful previous period of socio-political crises in the Western world, the 1960s and 1970s, shows a decreased intensity of the "forceful" nature of both protests and methods of dealing with protest movements. The "yellow vest" protest in France last year gave an occasion to compare with the 1968 crisis in France, and the comparison clearly showed the "mellowing" of government measures and response, regardless of the spectacular nature of some footage on TV. At the height of the anti-war movement in the United States, an army unit fired bullets at unarmed students. Such a thing would be unthinkable even in Trump's America of today. And we haven't even mentioned the communist world or Latin America. The impression of frequent resorting to heavy-handed methods comes mostly from the temptation to contrast current developments with crisis-free years. This is not a proper contrast. As far as international organizations are concerned, they are also certainly much stronger now, having the necessary structures and a network of collaborators to provide objective information.

STILIJAN YOTOV: Is democracy threatened by the crisis triggered by the coronavirus pandemic?

YONKO GROZEV: The threat does not come from the epidemic, but from the economical price, we will have to pay while dealing with the epidemic. And, of course, the inevitable political upheaval that will follow as a result of the economic crisis. The financial crisis of 2009 did not cause any significant political unrest. The economic model established after the fall of the Berlin Wall has mostly remained the same, and it continues to create tensions related to the relative economic impoverishment of the middle class in the Western world. This is the root of the political crisis that we are witnessing, and it seems to me that the forthcoming economic hardships will cause more serious changes. Will it affect the

democratic model of government? No. Undoubtedly, there is an attack on democratic institutions that ensure a balance between the various authorities, and such attacks can never be overestimated. But there is neither an alternative political model nor a widely accepted ideology to undermine the democratic model of government. The ongoing debate is about the distribution of economic benefits at the national level and the international economic order. This is where we might see changes.

STILIJAN YOTOV: Against the background of the executive gaining more powers, what should be the role of parliaments during the (current) state of emergency? Is there a feeling that some parliaments tend to waive their competencies? Are the reasons for this technical? And how about the courts?

YONKO GROZEV: The crisis of parliamentarianism and the attack on the courts are developments we are witnessing in the new democracies. There are no attempts to shake parliaments and courts off their traditional roles in the old democracies. Both parliaments and courts play their part to control the executive branch quite successfully. The attacks on the leading institutions of modern democracy, e.g. parliament, courts, independent media, etc. have long been underway across the new democracies and the coronavirus crisis is just an episode in this overall trend.

STILIJAN YOTOV: What are those fundamental rights restrictions that we need to succumb to? Within what limits? Should we be able to discuss them?

YONKO GROZEV: For me, this is the most intriguing perspective on the epidemic episode. We have found ourselves in a unique situation in which, due to the world's closure, the epidemic became the only event. A large part of the population has focused on a single policy area. And this made visible some key policy-making and governance issues, e.g. the need to make decisions based on incomplete and constantly fluctuating information. We don't know the speed and the way the virus spreads, we don't know what the effective measures against it are, etc. The existence of contradictory expert opinions and the need to balance conflicting public interests became obvious to all. We safeguard the health of as many people as possible, but what is the economic price we are willing to pay?

What has this experiment of participation in the policy-making process clearly shown the inevitable element of arbitrariness in decision-making and putting rules in place? We close our borders to some countries, yet we leave them open to others. And we do it even in the absence of evidence that border closures work. We map out limited movement zones within one kilometre, ten kilometres, one hundred kilometres, etc. Apart from having numbers, which are easy to remember, it is not clear what the other reasons for adopting these numbers are. We allow one type of shops and restaurants to keep bashing on but shut down other types. Any attempt to compare the epidemiological risk and the economic importance of various industries can only give us a headache.

We open schools for young children alone in some places and others we open the schools for older students first. Such decisions are guided by different types of considerations, which sometimes are not which the most effective policies are, but which are the easiest ones to decide and apply. This inevitable "wantonness" of management decisions is the main reason why in modern democracies there are controlling institutions, such as parliament, courts, and the media. Checks and balances are necessary even if we forget for a moment malice and abuse as the likely motives behind some executive decisions. This is precisely why the institutions that provide the checks and balances in a democracy should get the rationale of the measures taken by the executive, e.g. of their effectiveness and the extent to which they affect rights or interests. The possibility of turning back policy decisions through these control mechanisms in a democratic system of government is the essential element of modern democracy, which makes it the best model of governance.

STILIJAN YOTOV: Are we aware which rights should not be curbed in any way even in a state of emergency like the current one?

YONKO GROZEV: There is no abstract answer to this question. The answer is in the balance between effectiveness and the degree of infringement of rights, and this answer is always concrete.

STILIJAN YOTOV: What do you think about the role of the new electronic devices and their ability to control the risk, but also the lives of citizens? How should we respond to the opportunities and hazards of modern technologies?

YONKO GROZEV: The epidemic has put the issue of electronic surveillance in the spotlight because of the ability to track contagious patients and their contacts. The tracking policies adopted so far, via mobile phones and Bluetooth, have everywhere been based on a voluntary principle. Therefore, e-tracking does not raise serious privacy issues, but the first indications are that the requirement for voluntary participation makes the policy ineffective. The percentage of people who use trackers voluntarily is insufficient to provide efficiency. The use of such technologies to monitor quarantine compliance also does not seem problematic at first glance. Compulsory isolation of contagious patients is generally admissible, while the use of electronic means to implement this measure, unless it collects additional information about isolated patients' private lives, should not be a problem.

STILIJAN YOTOV: Do you have an idea of how effective international organizations are in the current situation? What is the extent to which they can or cannot respond adequately? How much do nation states rely on them?

YONKO GROZEV: This seems to me to be the other interesting lesson from the epidemic. An increasing number of issues we are facing are related to the regulation of international relations in the global world we live in. But the existing international institutions and regulatory mechanisms are weak as real political power lies at the national level. And it is much easier to react "quickly and decisively" at the national level, with the inevitable result of chaos and inefficiency. Yet there is no desire to cede more power to international institutions and mechanisms.

On the contrary, the leading trend at the moment is the "nationalization" of decisions at the international level, the attacking and undermining of international institutions and international cooperation. This is the main political contradiction of our time.

STILIJAN YOTOV: Do you think that national health systems tend not to apply the same standards in the treatment of those affected? How could the government and the judiciary prevent this from happening without introducing selective criteria themselves?

YONKO GROZEV Health systems all over the world select depending on the socio-economic situation. The better working ones, e.g. in northern Europe, are less, others are more selective. The last thirty years of the state's withdrawal from several areas, including

healthcare, have, if anything, intensified this trend. The COVID crisis has demonstrated that the state cannot be replaced as a primary guarantor of health services. Maintaining a certain level of availability and readiness of medical equipment and staff, which is necessary to tackle epidemics and other health crises, cannot be ensured through the market supply and demand mechanisms. This is a government task, and it should and can only be guaranteed through public funding and governance. And this is the only way to keep the diverse standards of healthcare within morally acceptable limits.