



Citation:

Kulavkova, K. (2022). A panoptic vision of the world: Can a state of emergency become a regular one? *Slavia Meridionalis*, 22, Article 2710. <https://doi.org/10.11649/sm.2710>

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A Panoptic Vision of the World: Can a State of Emergency Become a Regular One?

Epidemic, pandemic

A pandemic presupposes the outbreak of a contagious disease (e.g., plague, cholera, malaria, smallpox, chicken pox, varicella, measles, mumps, Ebola, AIDS, influenza)¹, globally or across several continents, whereas during an epidemic the disease spreads within a single region or one or more countries, thus endangering the lives of a large number of people. According to CDC definitions, a pandemic has 6 phases: 1. Investigation Interval, 2. Recognition Interval, 3. Initiation Interval,

¹ Famous literary works have been created on the topic of plague/cholera epidemics: *Decameron* (Бокачо, 2008) by Giovanni Bocaccio (the plague in 14th-century Florence); *The Plague* by Albert Camus (1947); *Rabies* by Borislav Pekic (Pekić, 1983); *Love in the Time of Cholera* by Gabriel Garcia Márquez (1985); *The Dog with a Sad Look* by Olivera Nikolova (Николова, 2019). Recently, a historical TV series was made about the plague in 16th-century Seville, Spain (*La peste/The Plague* by Alberto Rodríguez and Rafael Cobos in 2018; Movistar+, 2018–2019). In the last twenty years or so, many movies and novels have been created, on the basis of which the apocalyptic genre has been constituted and theoretically legitimized. The apocalyptic genre is a subgenre of dystopia.

This work was supported by the Macedonian Academy of Sciences and Arts.

Competing interests: no competing interests have been declared.

Publisher: Institute of Slavic Studies, Polish Academy of Sciences.

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4. Acceleration Interval, 5. Deceleration Interval, and 6. Preparation Interval. What is indicative here is that the sixth phase foresees (permanent) measures for the tracking of and preparation against a new wave of the given virus. Therefore, the cyclical development of COVID-19 is possible (occurrence, climax, temporary withdrawal and recurrence), which serves as a valid pretext for the activation of rigorous measures for extended periods. In the third (initiation) and fourth (acceleration) intervals, the use of rigorous COVID-19 measures might spread individual and collective psychoses, as well as anti-vaccine and pro-vaccine protests.

The world has known several deadly and lasting epidemics: The Plague in the 14th century in Spain and Europe; Spanish influenza or Spanish fever, which appeared in 1918 and 1919 and had pandemic characteristics as it caused the death of 20 to 40 million people worldwide; as well as swine flu (X1H1) in 2009, which was also proclaimed a pandemic. According to the World Health Organization, in order for a pandemic to be proclaimed, a certain percentage of infections and deaths has to be reached, but this number seems to be reduced according to the desired effects (200 infected people out of 10,000, meaning that in Macedonia there should be a minimum of 20,000 registered infections for an epidemic to be proclaimed, and with that, a state of crisis or, possibly, a state of emergency). The percentage of infections the Government of the Republic of North Macedonia considered when declaring the COVID-19 epidemic cannot be ascertained. Most probably, the number of registered infections was below that specified by world health standards when the epidemic was proclaimed in North Macedonia. It was rather an act of prevention and was analogous with the measures taken in the region and in Europe.²

The virulence of COVID-19 is far less than that of the varicella virus (chickenpox): for example, a person infected with chickenpox could infect 9 of the ten people he or she has been in contact with, whereas for coronavirus this number ranges from 1 to 2.5 infected out of 10. At the end of January 2020, the WHO announced a global crisis as a result of the rapid spread of coronavirus (SARS-CoV-2) infections, and on March 11, 2020, it declared a pandemic. This decision was supported by the fact that COVID-19 had spread on multiple continents and was a new and insufficiently studied form of coronavirus.³

² By April 29, 2020, 1,442 people had been diagnosed with the coronavirus, out of which 73 had died and 627 had recovered, and there were 742 active cases recorded in Macedonia. According to official data (<https://koronavirus.gov.mk/>; *Официјални информации за коронавирус*, n.d.), by May 8, 2020, 1,572 people had been infected, 1,079 had recovered, 89 had died, and 404 were active cases.

³ According to Venko Filipce MD (the now-former Minister of Health) in a Facebook Post from March 12, 2020, <https://www.facebook.com/filipce.venko/posts/2335208710119482/> (Филипче, 2020).

Many renowned public figures, epidemiologists, Nobel laureates, and even philosophers from across the world sounded the alarm and addressed the seriousness of the coronavirus pandemic and the dangers of severe consequences. For example, in a special edition of the *European Journal of Psychoanalysis* that was dedicated to the coronavirus (Foucault et al., 2020), the French philosopher Jean-Luc Nancy said: “an entire civilization is in question, there is no doubt about it. There is a sort of viral exception – biological, computer-scientific, cultural – which is pandemic” (Nancy, 2021).⁴

Crises call for a radical transformation of the dominant social standards and (medical, cultural, educational, scientific, media) values in a society, in health departments, in culture, in the social and media sphere, in science, in the economy and in education. Society and states are faced with the necessity for self-examination that will create the conditions for a transformation of the current state of affairs. Should conscious and controlled reform fail, there is the danger of unconscious, uncontrolled, spontaneous, violent and catastrophic transformation. Conscious transformation relies on mechanisms of self-control and reducing the negative effects to a bearable minimum.

A state of emergency (the Macedonian case)

The general secretary of the WHO declared the COVID-19 pandemic on March 11, 2020; a week later, on March 18, 2020, the Government of the Republic of North Macedonia submitted a proposal to the President to declare a *state of emergency* across the entire country for a minimum of 30 days (the constitution foresees such a state lasting for a maximum of 30 days), *in order to prevent further spread of the virus*. President Stevo Pendarovski declared his decision that same afternoon. In accordance with the law for managing crises (*Official Gazette of RNM*, issue no. 29, 2005), it is obvious that the government rejected the option of a *state of crisis* across the entire country; instead, it declared a *state of emergency* too quickly. Namely, a state of crisis was not mentioned as a possibility before the declaration of the state of emergency, and no significant role was played by

⁴ Jean-Luc Nancy, born on July 26, 1949, in Bordeaux, passed away on August 23, 2021, in Strasbourg (France). In his last interview “A Much Too Human Virus” (Philosopher au present, 2021), he said the Covid-19 pandemic differed from the previous ones because it was not divine but “too much human”, endogen by origin, and “a product of globalization”.

the Crisis Management Centre during this period either. This is of importance if we consider that in the *Recommendations for managing critical situations* (2009) there are, among others, some occurrences that may endanger the health of citizens (i.e., those that may endanger people's life, health and property, such as earthquakes, floods, fires and extreme weather conditions) (*Possible introduction of quarantine of Debar and Centar Zupa*, 2020). The government did, however, declare a state of crisis in Debar and Center Zhupa on March 13, 2020.

A state of emergency allows the Government to introduce "decrees with legal force" that are "directly applicable" (MZMP; Македонско здружение на млади правници, 2020), and this allowed a great "concentration of authority" (Жерајиќ, 2021, p. 14), particularly in the period when the parliament was dissolved. During the state of emergency from March 18th, 2020, to June 22nd, 2020, 250 decrees with legal force were introduced, some of which were not in accordance with the existing legal regulations (Жерајиќ, 2021). The experience from the last two years has shown that states of emergency, states of crisis, and states of war are not clearly delineated and therefore generate a certain amount of confusion. This might lead to multiple extensions of a state of emergency and the excess use of its rigorous measures (police curfew, quarantine, surveillance applications). Comparative analyses of the efficacy of states of emergency and government decrees with legal force are necessary and are of particular significance in order to determine their focus: how much are they related to the epidemic and how much to political and business interests? This is of even greater significance given the fact that even during the state of emergency in 2020, public health was never a priority of the state. On the contrary, there are indications that appropriate emergency regulations were never introduced that would have involved the private health sector in the function of the public interest and the alleviation of the consequences of COVID-19. The principle of profit once again stood above the principle of humanity.

How is a state of emergency regulated by the Constitution of the Republic of North Macedonia? The first line of Article 125 states that "a state of emergency occurs when large-scale natural disasters or epidemics take place". The first thing that becomes evident is that in this given line, a state of emergency is not applicable in times of war, armed conflict and mass civil unrest, but specifically in times of natural (floods, earthquakes, fires, ecological catastrophes) and health disasters (epidemics). According to Roman Law, a "military state" (the start and declaration of war) is known as a special kind of state of emergency (*justitium*) which has to be regulated by a separate amendment (the same is true for the Republic of North Macedonia).

The proclamation of the state of emergency that became active on March 18, 2020, increased the power of the government. Based on the decision that a decree of a state of emergency should be issued, the government made a number of decisions with legal force, some directly related to the primary aim of the state of emergency: “to prevent the further spread of the virus” (<http://zdravstvo.gov.mk/korona-virus/>; *Корона вирус*, 2020). These decisions reduced or temporarily restricted citizens’ rights to free movement, namely police curfews and quarantine, or they prohibited the “movement of citizens between 9pm and 5am” (later, a few variations of the time of restriction were introduced), and they introduced measures for the protection of the population from the epidemic. On the other hand, according to some analyses, about two thirds of the decisions made by the government did not relate to the circumstances brought about by the state of emergency in the country. Apart from the negative implications related to the budgetary, financial and economic crisis in the country, this state of emergency negatively affected the guaranteed human and civil rights of Macedonian citizens.

The sphere of human and civil rights is one of the most sensitive in the world, not just in Macedonia. How much this sphere was deliberately targeted by the newly created crisis and the state of emergency caused by COVID-19 has yet to be analysed, but at this point it is important to emphasize the possible long-term and even permanent consequences of the pandemic in terms of human rights (Telesković, 2020).⁵

The latest state of emergency activated the prototype of a state of emergency due to a plague (a condition before a radical transformation which, if it does not happen, will cause a ‘great depression’ like the one in 1929). A health crisis (epidemic, pandemic) is in itself a state of emergency in which a contagious, virile, tense and contradictory situation reaches its climax (like the coronavirus epidemic).⁶ The denouement of the climax of COVID-19 epidemic may be cathartic (curative)

⁵ In the Serbian *Nedeljnik* issue 431 from 16.04.2020, dedicated to the Coronavirus, “the greatest crisis of the 21st century”, D. Telesković, quoting the attorney Zdenko Tomanović, lists numerous unreasonable and disproportionate injuries to human rights made during the state of emergency in Serbia that are otherwise “not necessitated by the epidemic”, “discrimination, public shaming, the exceeding of authorizations, unlawful imprisonment, hasty trials...”

⁶ This state of emergency will be remembered by the scepticism of the medical community that has followed it and which stems from a lack of empirical evidence, vaccines and efficient medications, as well as the series of contradictory guidelines and measures recommended by official bodies: with regard to the manner in which the disease is transmitted (close contact with an infected person, contact with surfaces and objects); with regard to the manner of protection against the virus (whether masks and gloves should be worn and by whom, disinfectants); with regard to the use of respirators, tests, and the objective numbers of casualties...

or dramatic (fatal). In order to avoid a dramatic denouement, certain strategic and tactical steps should be taken, including support for appropriate scientific research, vigilant monitoring of the development of the situation (the real number of infections, objective and comparable data on the deceased, the degree of virility), the improvement of medical and hospital capacities, emergency budgetary means for overcoming the crisis, measures to improve general health culture, support for the health system and health workers, better hygiene conditions in kindergartens, schools, universities, factories, creating conditions for the achievement of mass immunity, moderation in isolation measures, and timely procurement of appropriate medications and vaccines.

Emergency measures

As early as March 12, 2020, the Government of the Republic of North Macedonia decreed a decision on measures to prevent the import and spread of the coronavirus, listing 15 rigorous prohibitive measures (stopping the work of kindergartens, primary, secondary and tertiary education, libraries, theatres, museums, cinemas, playgrounds, educational and sport activities, catering services, seminars and conferences; organizing bus transport to high-risk countries, as well as introducing mandatory self-isolation for people entering the territory of Macedonia from high-risk countries) (*Одлука за мерки за спречување на внесување и ширење на Коронавирус COVID-19, 2020*). This declaration with legal force “additionally forbids the movement of people in the Republic of North Macedonia aged 67 and over between 11.00 PM and 5.00 AM”. The introduction of the state of emergency thus required the special treatment of people over 67 years of age, whose freedom of movement was additionally restricted by further governmental measures targeted at restricting the movement of citizens in the country.

A state of emergency is, by definition, not a regular state and it logically involves certain restrictions on the common and normal functioning of society and the state. These include restricting measures (limitations); suspensions of regular democratic and civil rights; and particularly the right to free movement, which is a fundamental human right (police curfew lasting anywhere between 8 and 60 hours, self-isolation, state quarantine, prohibition of movement in parks and mountains).

In Macedonia, even before the state of emergency was declared, a series of other second- and third-generation human/civil rights had been violated as

the Government of North Macedonia had not only reduced (or recommended to be reduced) some of the guaranteed human/civil rights of Macedonian citizens but had also introduced a series of strict “prohibitions” (12.03.2020). The Government made no efforts to be careful in the formulation of urgent or rigorous measures for the prevention of the spread of the virus, but it explicitly and exhaustively listed all the prohibitions. Thus, before the official state of emergency was declared, there was an announcement concerning the limiting of human rights, followed by the legal elimination of all temporary restrictions to these measures (financial, penitentiary, medical, individual and institutional).

The first case of a person infected by COVID-19 in Macedonia was registered by the Ministry of Health of the Government of the Republic of North Macedonia on February 26, 2020 (<http://zdravstvo.gov.mk/korona-virus/>; *Корона вирус*, 2020). The state of emergency, however, was proclaimed after the declaration of the epidemic (March 18, 2020), and it was further extended on April 18, 2020, with additional details about the duration and type of the police curfew, which was selective regarding the age of citizens.

Emergency and crises measures must be adequate and proportionate to the seriousness of the situation in order to prevent the spread of the virus and protect the life and health of citizens. Emergency measures must be functional, not exaggerated. Their aim is to alleviate the situation and not make it more difficult. All a country's resources must be directed towards the primary aim of the declaration of a state of emergency, namely the protection of the health and life of citizens. However, this particular aim is very delicate because its realization is not linear; rather, it is confronted by many contradictions. In the name of protecting the health and lives of citizens, situations arose that actually threatened the health/life of citizens. By prioritizing those infected with COVID-19, regular treatment, diagnoses and hospitalizations of citizens suffering from other illnesses (e.g., cancer, diabetes) were neglected, and the impact on the psychological health of citizens and on family have not yet been studied. One conclusion from the research conducted by S. A. Mousavi (2021) and his team shows that “the mortality rate among cancer patients affected by COVID-19 was higher than the general population's, and this rate has a significant correlation with other factors, including the stage of the disease, the type of cancer, the activity of cancer and, finally, receiving cytotoxic chemotherapy within 14 days before diagnosis of COVID-19”. (Mousavi et al., 2021, pp. 4–5)

The emergency measures during the state of emergency caused by the coronavirus epidemic in Macedonia (other countries in Europe, including Italy, had the same “disproportionate reaction”, as Giorgio Agamben wrote, Febru-

ary 26, 2020; Agamben, 2020) are characterized, on the one hand, by undeniable interest in protecting the health and lives of citizens; however, they are visibly disproportionate to actual needs, be they territorial, age, health, social or economic. I will only point out the measures that imply discrimination of certain categories of citizens, as is best illustrated through these comparative examples: human rights were undervalued in comparison to those of animals (pets); the rights of the elderly were violated more than the rights of the young; the right to work and earn was endangered more than the privileges of employers; measures for protecting the interests of the banking system were more pronounced than those which protected and helped citizens, in particular those with lower social status; tolerance of abuse of the measures by certain categories of citizens (forestry, the political elite) were visible as other citizens were punished for small infringements of movement restrictions. Let us point out the example of the disproportionate restrictions of the emergency measures regarding the prohibition and limitation of movement (“police curfew”) of the elderly (over 67 years of age) as well as sensitive categories of citizens (those with special needs and pregnant women).

Another fact is also indicative: the emergency measures foresaw the engagement of not just the police but also the army, and this involves other constitutional and legal provisions. Their engagement is aimed at keeping the peace, respecting movement restrictions, and so-called *physical and social distancing*, for which they presumably have the proper authorizations. Several critical remarks can be made against this set of decisions. First of all, emergency measures should be aimed at the protection of citizens from the spread of COVID-19, which requires not only the introduction of sanctions but also alleviating measures for helping and improving the health culture of citizens. Second, the readiness of the army to conduct its primary functions (including protecting the health of the military officers) should be inviolable and the army should not be included in risky health situations.⁷ Next, what becomes obvious is the inadequacy of the militarization measures that were taken (equipping and authorizing army personnel) or the disproportion between them and the real need to maintain order in public places (near banks and local stores). Also, the measures restricting the movement of citizens varied from one weekend to the next but always contained an element of discrimination against those over 67 years of age (I take

⁷ The Law of Defence, Official Gazette of the RNM, issue no. 185/2011, published on 30.12.2011 (“Закон за одбрана”, 2011).

into consideration the varying degree of the strictness of the movement restrictions between the weekends of April 17–20 and April 24–26, or, for example, the privilege of the citizens of Tetovo in relation to mandatory mask wearing, when compared to the rest of the population in the country).

What also attracts one's attention is the focus of official interest in Macedonia, as can be seen from the declared laws and measures in the period in which the state of emergency was official during the 2020 (Cf. "Одлука за одобрување на продолжување на рокот за постоење на кризна состојба Службен весник на Република Северна Македонија", 2020). Namely, the Government of RNM's interest was directed more towards other issues rather than important issues related to the coronavirus crisis, such as ensuring emergency and special conditions for handling the crisis resulting from the COVID-19 epidemic, preventing the escalation of the crisis, protecting medical personnel who were directly exposed to infection, allocating emergency financial means, and creating proper hospital and therapeutic conditions for managing the epidemic and the consequences of the crisis.

The Macedonian experience of celebrating and practicing religious rituals during Orthodox Christian and Muslim holidays in 2020 (Easter and Eid al-Fitr, for example) is an explicit indication that the epidemic/pandemic situation could be a factor in the further division ("balkanization", fragmentation) of this ethnically and culturally diverse population. The biggest polemic discourse occurred in the Orthodox Christian population, in which there were two different interpretations of the crisis: conservative and liberal. On social media, there were also some (less severe) reactions related to the manner of public (prophane) celebration of Muslim holidays. Religious holidays during the corona epidemic, which was deeply marked by fear of infection, became a pretext for increasing interethnic intolerance and verbal conflicts between antagonist Macedonian political parties.

The emergency treatment of the elderly

The epidemic raised the question of whether geronticide is a legend, a myth, or reality. It seems that intolerance against older people (ageism) during the COVID-19 emergency state was radicalized. The social status of the elderly/retirees and the frail became an important issue during the pandemic. The elderly became stigmatized as a parasitic social stratum and seen as collateral damage, making their stigmatization a permissible evil. At first glance, some of the emergency

measures appeared to protect the elderly but were in fact perfidious measures with a degree of inhumanity: isolation from family, the world and outside; exclusion, leaving them to their own devices; depriving them of the exchange of human emotions and contact with their closest relatives (children, grandchildren, relatives, family), all in the name of their protection. Deprived of socialization and social interaction, nature, travel, the small pleasures of everyday life, they started to live a life without pleasure and the troubled life of the stigmatized.

It is likely that, in the name of protecting the elderly from the virus, they became essentially unprotected, uncared for and thus succumbed to depression and monotony, thus leading to a loss of meaning in life. In such a senseless existence, death can be seen as a way out, as an appropriate solution or a lesser evil (leaving them to die, giving them death).⁸ There is, therefore, a risk that the emergency treatment of the elderly (including those in specialized institutions) will turn into a permanent systemic measure that will constitute the #NewReality. The last statistical data about mortality caused by COVID-19 confirms the preliminary WHO (World Health Organization) statement (Kluge, 2020), namely that the senior population will be at a significant risk of death: in the U.S.A., for example, of the 788,268 people who died in the past (almost) two years, 590,089 of them were older than 65 (Elflein, 2021). In addition, according to global mortality data by country (from December 10th, 2021) collected by the “Coronavirus Resource Centre” of John Hopkins University, out of the 368,497 coronavirus-infected people in North Macedonia, there were 9,315 casualties, which is 2.5% of the population (in comparison, in Bulgaria the percentage is 4.1%, and in Bosnia and Herzegovina it is 4.6%).⁹

Mythical aspect of giving dead to elderly

The pandemic reality in the last two years (2020–2021) has brought back an ancient custom from the dark ages, when the elderly were sacrificed to ensure the economic survival of the young. The Japanese movie “The Ballad of Narayama” (1983, directed by Shōhei Imamura; Imamura, 1983) – which,

⁸ Jacques Derrida’s book (Derrida, 1999) has this allusion in its title, *Donner la mort* (*The Gift of Death*), an apology for the phenomenon of sacrifice from a biblical perspective.

⁹ “Coronavirus Resource Centre” of John Hopkins University (*Cases and mortality by country*, 2021).

in a way, evokes the 1958 movie by Keisuke Kinoshita (based on the 1956 short story of the same name by Shichirō Fukazawa) – is a paradigmatic evocation of the mythical (ritualized) custom of killing elderly relatives for economic reasons. This movie illustrated the *Ubasute* legend of senicide (abandoning an old woman or man), by which, in times of great poverty, families would force a son to take his mother to the top of a mountain and leave her there to die, at the mercy of the elements (Howard, 2017). This legend is related to the “suicide forest” of Aokigahara (at the foothills of the famous Fuji Mountain).

It is well known that this dark, mythical custom was also written down by Macedonian folklorist Marko Cepenkov (1829–1920),¹⁰ but the Macedonian representation of senicide is more humorous. Its point of view is critical and comical because a family sends their grandfather to the woods in order to be eaten by wolves, but he always returns home alive. The same motive was addressed in the play and theatrical performance by the Macedonian writer Venko Andonovski (*Riot in a Retirement Home*, 1st performance in 1944; Андоновски, 1994, 2010), but in a contemporary context of intergenerational conflict and false stereotypes based on age criteria. Similar legends, stories and myths exist in other cultures as well, some of them in our Balkan neighbourhood.

An emergency ritualization of fear

A pandemic state of emergency indirectly promotes *ritualized measures for spreading fear*. It is not difficult to actualize (the prototype of) the traditional fear of infectious diseases and epidemics because it is based on objective dangers the world has faced throughout history which form part of the collective memory, but in this case these are turned into symbols of death (the plague is personified in the female figure of Death that cuts people down with a scythe) and the horrific mass extinction of people. During each actualization of this archetype of death in the form of an infectious disease epidemic, the legends, myths and historical accounts of deadly contagion are renewed. This, almost

¹⁰ M. Cepenkov's folktales, poetry and other popular works have been collected, edited and published by Kiril Penusliski et al. (Цепенков, 1972).

automatically, immediately activates the panic defence mechanism in people that borders on the stigmatization and hatred of the sick.

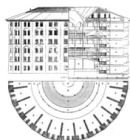
COVID-19 rules and overcomes those who fear it. During the coronavirus epidemic, fear was promoted on a global scale in different forms as an efficient means of protection against the virus: fear and phobia of touching and being touched, phobia of proximity, phobia of the bodies of others, doubting everything (the pandemic as panscepticism, as in not believing anything), all of which generated massive and long-term shame, and a general state of anxiety and fear of the other, including fear of oneself. Conditions were created for the mass alienation not only of people on an individual level but also of nations (because of the closing of borders). Real touch is in danger of being replaced by virtual touch. Virtual reality is already knocking on our door. As a matter of fact, it is already in our living rooms.

As a result of the mass feeling of fear that is expressed by each individual in a particular way depending on psychophysical and social predispositions, there is often a feeling of helplessness, hopelessness, despair, and being at an impasse. An existential ambient is created in which people feel left to their own devices, thus supporting the obsessive idea that they have been betrayed by their institutions and government.

From panopticon to panopticism or total surveillance

The panopticon is a system of central surveillance of a wider circle of people in an institution, state or the world, enabled and conducted with “the perfect geometry of space” (Foucault, 1975/1995)¹¹ or a special architectonic design and appropriate tools/instruments. In order for there to be a panopticon, the following are needed: 1) appropriately designed buildings, such as prisons, camps, barracks, hospitals, asylums, schools, factories, even entire cities; and 2) appropriate methods, techniques and technologies (tools, instruments,

¹¹ Defined by the English philosopher Jeremy Bentham in 1780, the panopticon is as old as the human community. The following is a diagram of Bentham’s panopticon:



gadgets, applications), but also methods for the tracking, observation and supervision of citizens, prisoners, soldiers or tenants. The methods and aims of this surveillance (the spread of fear and panic, extortion, blackmail, “disciplinary schemes”, “rituals of exclusion”, training, objectification of people, abuse of the body, invasion of privacy, self-deprecation, total control and absolute authority) and what changes are the techniques of their utilization (observation posts, photo and video cameras, people and tools for bugging and spying, internet applications, computer and telecommunication programs, mass-media, satellites, hacking) (Maly & Horne, 2014, pp. 28–29).

Architecturally, the design of a prison or state institution features a round or square/rectangular division of rooms; on the top of the centre of this there is an observation post or surveillance centre, which is a vulgar actualization of the pantocratic all-seeing and all-knowing Eye. He who surveils has some kind of absolute freedom to do so, whereas those who are the subjects of this surveillance are almost entirely deprived of the right to protest. So, the architecture of the panopticon is designed to promote panopticism (total surveillance) as its principal function. The phenomenon of panopticism is the other face of pantocracy, absolutism and totalitarianism. Understood as an ideological matrix, panopticism inevitably leads to pantocracy, to global pyramidal absolutism. He who surveils rules. The one who rules is the one who controls, threatens, manipulates and punishes. Internal and external kinds of panoptic surveillance (“Jeremy Bentham”, 2019) are integrated into the more complex phenomenon of panopticism, which is typical of all kinds of social and state regimes.

As new technologies are being introduced, surveillance tools multiply and are perfected. The panopticon functions in such a way that all subjects/people in one institution, society, or humanity on a global scale can be continuously observed without hindrance (omnipresence). The panopticon has a pyramidal and “hierarchical structure” (Foucault, 1975/1995) that creates the illusion among the citizens that the authority doing the surveillance is visible yet is unreachable and distrustful, whereas the citizens being observed are absolutely visible (undressed physically, mentally, psychologically).

The principle of transparency promoted by states (mostly democratic) is in a paradoxical situation. On the one hand, every day there is detailed information related to the local and global COVID-19 situation; on the other hand, the number of new and sophisticated measures of surveillance (and even punishments) increases. Due to some of the rigorous measures that limited the freedom of movement and the human right to choose or refuse vaccina-

tion, there have been several indicative and brutal protests in many European cities. From a psychological point of view, it is perfidious that those surveilled, knowing they are the objects of surveillance, are convinced that they are continuously being surveilled, therefore they self-program themselves to act in the way that is expected of them. It is a matter of a perfect or absolute individual and collective *discipline* that is the main and dominant principle of social control or the “abstract model of disciplined society” (Foucault, 1975/1995).

The panoptic model is perfected until it becomes a spiral – infinite and, hence, absurd. This is alluded to by the French term *mise-en-abyme*. The abstract formula of panopticism, according to Gilles Deleuze (2004, p. 41), is no longer “to see without being seen” but “to impose order on a group of people”, to put people, society and the state under control by controlling information, which is also a type of product that creates profit and power, locally and globally. He who surveils has the insight, the control over the situation, and the means to intervene whenever necessary (sanctions, laws, political installations, redistribution of power, rule over mass media, abuse of new technologies, the new cold war, elimination, bankruptcy, blackmail, extortion, bribery).

During the first few months of 2020, in the time of the COVID-19 pandemic, panopticism was not only actualized as the heritage of dark times and totalitarian regimes, but it was also affirmed as a recommended, unavoidable and beneficial methodology whose aim was, of course, noble: to protect the health and lives of citizens. This aim is legitimate but often false. The contemporary panoptical system increased global control over citizens and institutions. Some media misinterpretations of the coronavirus epidemic in this modern networking world promoted conspiracy theories by distributing contradictory information (Most, 2021; Simpson & Conner, 2020). As a result of the increasing misinterpretation, coronavirus scepticism became a sort of new populist subculture and a subaltern source of global mass control (Lee et al., 2021). The more contradictory the information, the more contradictory the control. The more suspicious the media manipulation, the more suspicious the control over people.

On the one hand, panopticism made the walls translucent; on the other, it created new impenetrable walls of physical and social distancing and alienation that last indefinitely and with inconceivable consequences for citizens' freedom. The world appears to have turned from a decent place to live to an indecent and undesirable one. A new form of pandemic dystopia has been created, with us witnessing an apocalyptically designed negative utopia. This panoptic vision of the world is popular not only in literary fiction but also in many computer

games, movies and TV series. The 21st century appears to have become the century of a *panoptic pop culture*. On the other hand, the very idea of limitless surveillance might incept a counterculture of resistance, a kind of local and global anti-panopticism.

Two opposite social and medical strategies were articulated in 2021: the first is officially promoted pro-vaccination action; the second is anti-vaccination reaction. Both pro-vaxxers and anti-vaxxers support their claims by calling upon science, which becomes not just a key but even a cult argument for defending both the pro-vaxxer approach and sceptical attitudes towards COVID-19 vaccination (Whatley & Shodiya, 2020). However, the lack of proven and efficient medical and social-psychological argumentation (or, rather, the absence of a scientific consensus on COVID-19 vaccines and therapy) has caused conflict between these two strategies. The resistance of the anti-vaxxers that was expressed in mass and sometimes violent protests was motivated not just by health but also by additional factors (Kearney, 2021). Experts weigh in on the possible factors behind vaccine hesitancy. These additional factors are mainly the consequences of the limitations and surveillance that have been imposed on citizens: lockdown, quarantine, Covid passports, the public stigmatization of those infected and the anti-vaxxers, the economic crisis, the resetting of the social reality, the excess virtual and network communication. On the other hand, the rigidity of the official pro-vaxxer strategy presented the image of the only politically correct strategy, which automatically turned the anti-vaxx strategy into a politically incorrect one. This conflict shifted the focus of social action from science to politics. Thus, an impression was created that the anti-vaxxer concept is not a priori against vaccination but against mandatory vaccination; it is not against ways of preventing and controlling the epidemic but against excessive ways, especially as they did not yield the expected results.¹²

In this sense, if anti-vaxxer resistance is seen as a defence of the democratically gained universal human and civil rights to freedom, it might also be lent political legitimacy. In facing the traumatic COVID-19 pandemic, humankind

¹² 93.7% of the Australian population “aged 16 and over are fully vaccinated” (Department of Health of the Australian Government, 2022), <https://www.health.gov.au/initiatives-and-programs/covid-19-vaccines/numbers-statistics> yet the number of infected people is increasing; see the report from February 2, 2022. According to recent data from the Department of Health of the Australian Government, “there have been 2,343,639 infections and 4,156 coronavirus-related deaths reported in the country since the pandemic began” (Australia, 2022). A similar situation is in Israel (CSSEGISandData/COVID-19, n.d.; Israel, 2022).

is actually facing the ultimate limits of freedom and non-freedom. This actualized the question regarding panopticism, which has also gained institutional legitimacy (emergency and regular legal measures) and it might perfect the state mechanisms of “surveillance and punishment” (Foucault, 1975/1995). According to the latest media information, the mechanisms of prohibition, surveillance and punishment are already creating a new underground culture of resistance (secret restaurants and other places of socialization) (Picheta, 2022).

Epidemics and historical turns

In times of epidemics, which are times of mass death and fear, deep social changes take place: wars that have begun come to a halt and new ones may begin, the demographic map is changed, and a new system of social and moral priorities is established. As history itself shows, pandemics have the power to change course; they have become larger and more widespread with the introduction of large urban settings and mass communication. The Trojan war, for instance, was preceded and followed by a plague, described as a “contagious spread”, “with mountains of dead” (Homer, 2006, Book 1, p. 6).¹³ One of the most flagrant examples is the apocalyptic 6th-century “Justinianic plague”, as a result of which the Eastern and the Western Roman Empires connected, but this also brought about the spread of Christianity and, according to some, also Islam (Petersen et al., 2017). The Hundred Year War between France and England (1337–1453) ended after the Black Death pandemic, and between 1492 and 1548, during the European colonization of America, infectious diseases such as smallpox and the bubonic plague were transferred to the new continent, where they decimated the native population.

¹³ Even though it is not a documented fact, the introductory narrative of Homer’s *Iliad* (Homer, 2006), from the First Book of the *Iliad*, “Plague. Anger”, is a representative mytho-epic evocation of the conflictual historical situation (according to the Serbian translation by Miloš N. Đurić, 2004: “Куга. Гњев”; Хомер, 2004).

“Declare, O Muse! in what ill-fated hour
Sprung the fierce strife, from what offended power
Latona’s son a dire contagion spread,
And heap’d the camp with mountains of the dead;
The king of men his reverent priest defied,
And for the king’s offence the people died.”

Human/Civil rights

Emergency measures are measures of surveillance, limitation and restrictions on the freedom of movement of citizens. In a state of emergency, freedom becomes the object of explicit legal measures on limiting and restricting movement. In order for such measures to be declared, a state of emergency needs to be declared; in order for this to happen, the massive endangerment of the lives of citizens or the security of the country needs to be declared. One of the most efficient ways to cause mass panic and fear is to declare an epidemic/pandemic. In fact, “epidemics serve as the ideal pretext” to create “a collective panic” (Agamben, 2020) and introduce express, uncontrolled and disproportionate or exaggerated measures (even decrees with legal force) for the limitation and even delegitimization of legitimate civil rights.

Freedom and the panopticon are closely related. The bigger and stricter the surveillance system, the less the freedom. Freedom has never been, nor will it ever be guaranteed to man and mankind. Freedom is a constant work in progress. It is not enough to win it: freedom should be kept. Why? Because freedom and free citizens have always and will always be a threat to the strategies and politics of surveillance. Freedom and the human rights stemming from it give citizens the power to oppose the politics and measures of surveillance.

One could speak of the discrete difference between the categories of civil rights and human rights that differentiates first-generation human rights (1945/1948) from the other subsequently declared three generations of human rights (1972, 1992). According to the Universal Declaration of Human Rights of the United Nations from 1945 and December 10, 1948 (Paris), *human rights* are fundamental rights, inherent (inherited, according to some definitions, they are “natural rights”) to all people, regardless of their race, sex, nationality, ethnicity, language, religion, or any other status. The first generation of human rights (blue) include the right to life and freedom (liberation from slavery and torture), equality before the law, the freedom of speech, the right to a fair trial, the freedom of religion and the right to vote, the freedom of movement, the protection against discrimination and the right to privacy. Human rights are the same for everyone and exclude all kinds of discrimination.

Civil rights (*jus civis*), on the other hand, although stemming from basic human rights, are more directed towards the protection of the political freedoms of citizens within the state and government (systematic, political

and other limitations and restrictions). They comprise the second (red) and third (green) generations of civil rights. The second generation of rights were specified after World War II and relates to economic, social and cultural rights; they are designed to protect the right to employment, the right to food, the right to a home (access to a suitable living area), the right to health care, the right to social protection, the right to education. The third generation of human rights was proclaimed later (1972, Stockholm; 1992, Rio de Janeiro) and relates to the civil, social and ecological sphere (the right to self-determination, the right to a healthy environment and natural resources, the right to sharing cultural heritage, the right to inter-generational sustainability, the right to communication).¹⁴

A state of emergency includes emergency measures that limit the guaranteed civil rights and freedoms. However, what must be noted is that the restrictions to human and civil rights during an emergency state have a limited duration: they should not be turned into a constant, nor should they be the generator and pretext of systemic and legal solutions that will be transferred, indefinitely or in the long run, beyond the emergency state period. Due to this, all legal restrictions and limitations must be introduced with great care, based on precise analyses and data, and exclusively with the aim of protecting the basic human rights to life, freedom, privacy and integrity.

Will the state of emergency become a regular state?

Each urgent and emergency declaration of (extraordinary) measures of surveillance beyond standard democratic procedures under the pretext of general national welfare carries the risk of installing regular and permanent emergency measures. As a rule of thumb, such measures give the authority to state instances/institutions to perform enhanced and unconditional surveillance (following, control, spying, tapping communications of all kinds, including telephone and other conversations, video camera recording, digital surveillance and the abuse of special computer and internet applications,

¹⁴ A distinction is made between so-called negative rights, which include civil and political rights, and so-called positive rights, which include economic, social and cultural rights, even though the Vienna Declaration (1993) states that “all human rights are universal, inseparable, interdependent and interrelated”.

the prohibition of protests) and the abolishment of the inviolable human rights to freedom and privacy. They may (even) apply to new crimes against public health, the security of the country, and human life, and they may authorize the proper state organs to take actions for unconditional and unlimited surveillance, sanctioning, persecution and prevention.¹⁵

Let us point to one example here, the so-called “Patriot Act” (of the USA), introduced by Congress in a state of panic over new terrorist attacks only 6 weeks after the terrorist attacks in New York on September 11, 2001, and which has not yet been suspended and is therefore still active (*Surveillance under the USA/Patriot Act*, n.d.). This emergency Act (Sections 213, 214, 215, 218) actually threatens American citizens’ rights that are guaranteed by the Constitution (Article 4) and authorizes government organs to perform enhanced and unconditional surveillance in four areas: secret investigations into private property without the knowledge of citizens (213); “trap and trace” surveillance of sources and targets of communication (214); tapping citizens’ communications and providing third parties with access to the recorded materials (215); security investigations previously exclusively intended for external sources (218). This surveillance includes all citizens’ activities, from the books they read and the web pages they visit, to the letters they send.

As the COVID-19 pandemic entered the global stage, it created a state of fear and long-lasting anxiety. Should they be legalized and institutionalized, the emergency measures brought in the time of the corona epidemic may threaten citizens’ guaranteed rights and freedoms regarding their religion, speech, expression, public gatherings and protests, and the right to petition. The greater a crisis and its negative consequences (death rates), the easier it is to justify enforcing measures for control and surveillance, thus reducing and endangering internationally and constitutionally guaranteed human rights and freedoms. There is also the matter of purposefully falsifying the numerical indications of mortality rates in order to justify the emergency declaration of measures of surveillance and restriction of the human rights of free movement, expression, the right to live (most frequently aimed towards the elderly), and the right to personal property (pensions).

¹⁵ Besides that, in the wider complex of surveillance measures, what is also enhanced are the measures of controlling the unwanted influences of the ideological and economic competition (the fight for absolute authority and hegemony, modification of the cold war between the East and the West), and the geostrategic interests discreetly covered by the Covid-19 rhetoric.

#NewReality #NewNormal #NewSpeech

With the declaration of the COVID-19 pandemic as a worldwide epidemic in February 2020, an entire epidemic/pandemic lexicon came into being that reflects the newly created state of emergency in the world and in Macedonia. From this newly created emergency epidemic lexicon, several terms will remain in use for longer, specifically those officially suggested by the WHO and the Macedonian Government (*Филипче – Планови за враќање во нормала*, 2020), such as #NewHolyTrinity, which comprises three basic measures of protection: #WearAMask, #DistanceYourself and #WashYourHands.

The biblical principle according to which “in the beginning was the word” has gained new meaning in the contemporary globalized world. This new meaning is, consciously or unconsciously, announced or evoked in the new speech of the Corona pandemic. It does not suffice to have one specific and life-threatening reality: it is necessary for there to be an identification of that reality in language. Summed up, the contents of this new reality are sketched in the key phrases #WearAMask, #DistanceYourself and #WashYourHands and – as usually happens in reality – words gain power when they are turned into laws (etymology reminds us that the word/name is law – onoma). If one thing becomes law, it means it is not a short-term measure but a standardized regulation: not in any short-term emergency measures, but in standard regulations. We are on the verge of such a *mise-en-scène*. An imaginary macro scenario is well on its way to becoming reality. A large part of this new reality will most likely have a virtual form. The prologue that we have seen in the previous couple of months has, in fact, illuminated the direction in which profits increase in the sphere of digital industry and pharmacology, and the influence of virtual and meta media communication become more significant.¹⁶ Virtual reality has gained in significance, rapidly spreading and imposing itself as a priority. The real reality becomes virtual. The line between real and virtual disappears. Material is dematerialized but is no less powerful as a result! RealVirtual! VirtualReal world!

Prolonging the duration of these protection measures indefinitely (accompanied by appropriate sanctions) is the basis for promoting the strategic

¹⁶ Facebook was recently rebranded to Meta Platforms. Mark Zuckerberg “described the metaverse as an ‘embodied internet’ that, unlike the internet of today, gives one a ‘feeling of presence.’” Its logo evokes the symbol of an infinite world (Wasserman, 2021).

concept of the so-called New Reality and the New Normal. In order for this vision of the world to be put into action in the near future, certain legal, health, educational and cultural politics will have to be confirmed, accompanied by appropriate media support. This should be the subject of additional analysis. At this very moment, what must be emphasized is that the first half of 2020 is, without a doubt, a crucial period for the potential introduction of the New Reality and the new “health religion”.

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Panoptyczna wizja świata.

Czy stan wyjątkowy może stać się normalnym?

Przedmiotem uwagi jest kilka aspektów społecznych pandemii koronawirusa SARS-CoV-2, które mają niejednoznaczne i sprzeczne znaczenia: stan wyjątkowy / kryzys, środki nadzwyczajne, prawa obywatelskie i prawa / ograniczenia praw człowieka, wolność / ograniczenie wolności. Podstawowymi narzędziami interpretacyjnymi i pojęciowymi są terminy „panoptykon” i „panoptycyzm”, których archetypowe wzorce wskazują na systematyczne i systemowe niszczenie uniwersalnych praw człowieka do wolności i prywatności. Ta szkoda pojawia się poprzez legalizację nadzoru i kontroli obywateli, przez co staje się bardziej zbliżona do radykalnej inwigilacji. Pandemia jest postrzegana jako pretekst do odnowienia panoptycznej wizji świata. Współczesny pandemiczny nadzór nad obywatelami zaciera granice między tym, co realne, a tym, co wirtualne i tworzy nowe granice wolności na kilku poziomach: ruchu, mowy, pracy, komunikacji, egzystencji. Niektóre z tych ograniczeń praw i wolności człowieka

dotyczą osób starszych. Analiza pokazuje niebezpieczeństwo przedłużenia i legalizacji środków nadzwyczajnych w sytuacji, gdy realnie nie ma stanu wyjątkowego. Powstaje pytanie: czy stan wyjątkowy może stać się stanem normalnym? *New Normal* ma moc tworzenia wyalienowanych jednostek i wyalienowanego społeczeństwa.

Słowa kluczowe: panoptyzm, stan wyjątkowy, pandemia COVID-19, prawa człowieka, inwigilacja, sceptycyzm, Macedonia Północna

Panoptic vision of the world: Can a state of emergency become a regular one?

The object of interpretation of this text is several social aspects of the Coronavirus SARS-CoV-2 pandemic which have equivocal and contradictory meanings: state of emergency/crisis, emergency measures, civil and human rights/restrictions to human rights, freedom/limitation of freedom. The basic interpretative and conceptual tools used are the terms 'panopticon' and 'panopticism', whose archetypal patterns point to systematic and systemic damage to the universal human rights to freedom and privacy. This damage occurs by legalizing the surveillance and control of citizens, thus becoming more akin to radical surveillance. The pandemic is seen as an excuse to renew the panoptic vision of the world. The contemporary pandemic surveillance of citizens dissolves the boundaries between the real and the virtual and creates new boundaries of freedom on several levels: movement, speech, work, communication, existence. Some of these limitations of human rights and freedoms relate to the elderly population. This analysis shows the danger of prolonging and legalizing emergency measures in circumstances when, realistically, there is no state of emergency. This poses a question: can a state of emergency become a regular state? The New Normal has the power to create alienated individuals and an alienated society.

Keywords: panopticism, state of emergency, COVID-19 pandemic, human rights, surveillance, scepticism, North Macedonia

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