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Sommario

IV.

COMMENTARY

Safety vs. Security during the COVID-19 pandemic[1]

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Abstract

I concetti di *safety* e *security*, anche se spesso considerati uguali, sono in realtà diversi. La differenza principale si riferisce all'intento umano dietro il comportamento che causa la minaccia o l'evento dannoso. Le crisi sanitarie, come quella rappresentata dal COVID-19, costituiscono una minaccia contro la sicurezza e rendono imperativo per gli Stati adottare misure di protezione. Già l'esperienza di gestire la minaccia alla sicurezza del terrorismo dopo l'11 settembre ha mostrato come le politiche statali possano avere un grave impatto sulle società. L'articolo tratta dell'impatto che le politiche di sicurezza per combattere la pandemia possono avere sulla sicurezza delle persone e soprattutto dei gruppi vulnerabili. Alle sfide per la sicurezza contro la vita e le libertà dei cittadini vengono presentati esempi provenienti da luoghi diversi in tutto il mondo e in particolare per salvaguardare la democrazia. Infine, la nozione di *public safety* e *security* come alibi per le misure che riducono i diritti e le libertà dell'individuo è trattata in modo critico.

The concepts of safety and security, although often considered the same, they are actually different. The main difference refers to human intent behind the behavior that causes the threat or the damaging event. Health crises, like the one posed by COVID-19, constitute a threat against safety and make it imperative for states to take protective measures. Already the experience of managing the security threat of terrorism after 9/11 showed how state policies there can have serious impact on societies. The article deals with the impact safety policies to combat the pandemic can have to the security of people and especially vulnerable groups. Security challenges against the life and freedoms of citizens are presented with examples from different places around the world and in relevance to safeguarding democracy. Finally, the notion of public safety and security as an alibi for measures that shrink the rights and liberties of the individual is seen in a critical way.

Keywords

COVID-19, safety, security, threat, democracy

Foreword

The notions of safety and security are of everyday concern for people who want to enjoy a long life, away from crime, disaster and any situation that threatens their life, health, dignity, property, financial status and general living conditions. In modern times security became globally an issue of special political concern after the 9/11 events. Terrorism became the mega-threat to be combated and people tolerated several policies and legislation changes, even if their rights and liberties began to shrink[2]. Security was presented by governments as the reason behind measures that would be unthinkable before the attack by Al Qaeda. The fight against terrorism and "exceptional times" led to permanent changes in the ways we travel, make money transactions and are under surveillance or questioned by law enforcement agencies. Today, safety has become in the same way a global concern, with the fight against the novel Coronavirus dictating serious changes in the lives of people. Those who lived in the '80s may indeed remember AIDS and how it impacted sexual behavior and sexual liberty. Yet, the disease, the ways and level of contagiousness were different, so although fear and even panic was present during that period, states never took measures that were at such a scale like today. The protection of public safety against the Coronavirus threat seems to be now the no 1 issue governments deal with. But how countries have decided to address his health issue has also social and economic repercussions and it is not a situation without challenges. One set of challenges regards actually

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[2] There is the argument that terrorism doesn't justify the counterterrorism legislation challenging human rights in many countries (Wolfendale 2007).

the parameter of security in society. Trying to safeguard the safety of people from COVID-19 has exposed them to security threats, and this article will deal exactly with such security issues due to COVID-19.

Safety and security

While for many the terms safety and security mean the same and are interchangeable, in reality they express different aspects of protection regarding human reality. Jore (2019) presents the differences between safety and security, based on definitions given by other scholars as follows: Safety includes protection against human and technical failure (Holtrop and Kretz 2008 cited in Jore 2019), harm to people caused by arbitrary or non-intentional events (Hessami 2004 cited in Jore 2019), natural disasters, human error or system, or process errors (Elias et al. 2008 cited in Jore 2019), whereas security includes protection against deliberate acts of people (Holtrop and Kretz 2008 cited in Jore 2019), loss caused by intentional acts of people (Hessami 2004 cited in Jore 2019), intentional human action errors (Elias et al. 2008 cited in Jore 2019). Jore makes with this categorization evident that one very important and defining parameter to be taken into account for the difference of the two notions in understanding them is human intent behind the behavior that causes the threat or the damaging event.

All the above are just one side of defining both concepts that springs from the objective reality they refer to. Equally important to the objective conditions of safety and security is the perception a person holds about his own as well as the public safety and security. This is a subjective side, but one that actually influences and motivates people to act towards protecting themselves or to tolerate measures taken by the state to protect them and society as a whole. The objective and subjective sides of safety and security should coincide, however this is not always the case. Prior personal experience or the experience of members of our family and friends circle, existing narratives in society, media coverage and political campaigns are examples of what can influence people's perceptions about the levels of safety and security. The actual levels of safety and security can be very different from what the relevant levels are believed to be. So for example, even if an individual has never been ill with cancer or has never been mugged, he can be afraid of both options and take measures of protection, if he has seen a member of the family battle with this sickness, or if he heard the terrible victimization experience one of his friends had. Moreover, imagination and projections are powerful mechanisms of the human mind and individuals can develop their own sense of fear, insecurity, or on the other hand security, that cannot always be connected to real circumstances around them. This is exactly why propaganda can

be so effective, because it doesn't really have to relate to logic and data. Not just only because it can tamper with information and evidence, but because it can speak to the sentiment of fear that obeys to no information or evidence. Fear has no logic and it can mess with the logic.

Security challenges

While COVID-19 creates threats to safety, the measures states have resorted to in order to combat it seem have created (unwanted) side effects regarding the security in societies. The lockdown, restrictions to free movement and the right to assembly are the main measures to be examined in this paper, in order to map basic effects they have in security, based on several examples globally:

1. A clash between safety and security is evident for African Americans in the U.S., who are underprivileged members of the society. They seem to be more vulnerable to COVID-19 in comparison to the rest of the population (Pilkington, 2020), because of social reasons. Poverty, lack of social security can mean fewer chances to be treated by the health system in an adequate way, with practically less access to good medical treatment. Furthermore, living in overcrowded homes, using public transport, not having the chance to work online expose persons more to condition that can lead them to contract SARS-CoV-2[3]. At the same time police brutality has been endangering the lives, rights and dignity of African Americans. After the tragic murder of George Floyd, more and more incidents of police power abuse came to light. African Americans started to express the fear of possible victimization by the police, a threat that they can experience everyday. This has led them out on the streets and many have expressed that they live under the threat of death, either because of police violence or the novel Coronavirus. The quote "I'm just as likely to die from a cop as I am from Covid" (Stolberg, 2020) has been a shocking truth that revealed how African Americans feel their life has not the same value for the state like the lives of other Americans. But being out on the streets, protesting meant also that many African Americans became doubly exposed again to the dangers of both COVID-19 and victimization (Healy, 2020). The conditions of the protests (that also sometimes turned violent) were hardly those of social distancing. Additionally, they became once more the target of police violence, attacking them on the accounts of both breaking the health measures and rioting. Institutional racism expressed by the police against African Americans is a condition that affects both safety and security and this double threat gets exacerbated during the pandemic.

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[3] For health disparities that concern the vulnerability of African Americans, see Servaii (2020).

2. The economic aspect of the way states try to address the pandemic is another way by which African Americans in the U.S. are affected, but it also concerns all underprivileged groups of people, and even persons identifying with the middle class. Many anti-COVID-19 measures have had a direct and detrimental effect to economy[4]. Although surely the financially strong have also been affected, mostly this situation has caused middle and lower financial class people to suffer and stress about present and future economic survival. Some have had to close their shops and enterprises; some were fired because the employer could no longer afford to keep them in pay roll. The job market is changing and not all will survive this change, especially when its scale is unknown. We have been entering what many call the second phase of the pandemic (Cliffe, 2020), which means that more measures could follow. The severity of this second wave is unknown, thus there can be only speculation about the policies that will be followed. Although most countries agree that a second lockdown is not a preferable option, we see that for example Israel has not avoided it (Ayyub, 2020). And even without a lockdown, the market globally is affected negatively by the new way people live. Fear has altered the way of socialization, everyday habits and also consuming goods and spending money. Many prefer to do things online (shopping, classes etc) and this has changed also working conditions and the number of employers actively working and getting paid. We know that poverty and create conflict and in extreme cases, even criminality. If people run out of money and they are in conditions that threaten their survival, they will steal, they can even kill and all this is a threat to general security. In a sense the financial disaster due to Coronavirus is creating financial and class conflict again, shrinking – and maybe even diminishing – middle class population.

3. An important security situation that has emerged during the lockdown measure enforced in many countries regards gender. Female victimization because of domestic violence has been a matter for which awareness has been raised by several human rights organizations and UNWomen has talked about a "shadow pandemic" (UNWomen, 2020). Domestic violence should be considered a security threat and treated as such. Actually it has been argued that it constitutes a form of "everyday terrorism" (Pain, 2014). It is a situation actually that puts women at risk – far more than terrorism, though deliberate actions of another person, the male partner. The harm caused to a woman, ranging from light injuries to life threatening situations, can vary. We also know that it is not very possible to have an accurate number regarding the victimization, as there are many reasons why such cases may never

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[4] For a summary of the effects of COVID-19 on individual aspects of the world economy, see Nicola, et al (2020).

get denounced to the police or reach courts, generally and during the pandemic[5]. COVID-19 has not been of course the reason why men abuse their partners, as the phenomenon is far more complicated[6]. However the lockdown measure provided important time-frame for action and opportunity to the perpetrator. It is not only that the violent actor spent nearly all day in the same space with the victim. It was also that the victim was at his mercy and with minimal, sometimes none connection to the world outside. So there was no chance for neighbours and friends to see the signs of the abuse (and serve as witnesses during a legal case), no possibility to seek for help and support to other members of the family (for example parents, etc). Spending all day together with the abuser and being under his control and surveillance meant that the victim probably could not even telephone for help or just to reach a friendly voice for psychological support. Denouncing the victimization became even more difficult. No woman would like to spend a day at the police station and risk getting exposed to the virus and even reaching a lawyer could prove a challenge during the lockdown period. Additionally, with the health risk of contracting SARS-CoV-2, it could be a difficult decision generally for women to leave home (especially taking their children with them), even if they had the practical possibility to escape. Where would they go? The fear of the virus would be a hindering factor to leave home. Social distancing would be difficult to achieve in a shelter, where a woman and her kids would have to stay with other women and children. The dilemma "where am I more in danger? At home or outside home?" must have been paralyzing for many women, making them endure the violence in order not to expose their children and themselves to the risk of contracting the virus.

4. The financial crisis and the possible scarcity of goods are situations that the organized crime can and will take advantage of. This is another matter for consideration that can concern the wider are of security. In countries like Italy, already the fear of how the pandemic could be exploited by the Mafia has raised awareness (Brancolini, 2020), as a very alarming prospect. Whatever needs in local societies can not be met by the state, Mafia can step in and meet them, substituting the state in its role of caring for its citizens. This is a way for criminal organizations to gain and perpetuate their power and manage to keep their roots well into local societies. In a sense, this pandemic can help criminal organizations like Mafia become essential for the survival of a local society, despite all the efforts law enforcement agencies and justice

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[5] Shrikrishan (2020) gives an example from San Diego, about how police records during the stay at home period showed a decline, however service providers who handle calls with victims gave a very different account.

[6] For a classic work on explaining the complexity of domestic violence as a social problem, see Warshaw (1996).

mechanisms made for decades to fight the phenomenon of organized crime. A "state within a state" is a situation that endangers public security to the extent of challenging state authority and democratic institutions.

5. Another problem during the pandemic is that there are many cases that the state body entrusted with safeguarding security, is actually undermining it. Several instances of police violence are portrayed by the media[7], with people getting tortured, injured or dying because of police arbitrary actions and abuse of powers. Police violence of course is not a phenomenon that is caused directly by the pandemic. Lack of accountability, institutional racism, democratic deficit, are some of the pre-existing conditions that make the ground fertile for police brutality to flourish. Policemen perpetrate abuse of their powers, when they feel or know they can get away with it. The excessive powers of control given to police officers during the pandemic so that they control people's obedience to the measures have given more opportunity for the abuse of powers to take place. Although not usually been considered as such in public discourse, police brutality is a very serious form of criminality and one that is leading to conflict between state and citizens and challenge democracy. The recent riots in the U.S. are a very good proof of that (Alvanou, 2020).

6. The dynamic of surveillance and tracking policies is also possibly undermining the security of citizens. In countries where the governing system is already accused of abusing human rights and liberties[8], the technology that is supposed to serve tracking health incidents so that the spread of the virus is monitored and eventually stopped can be a weapon to crush even more the freedom of citizens. The pandemic serves as an ideal alibi for authoritarian governments to use surveillance in mass scale and prevent any resistance of people against the regime. For other countries, of democratic tradition and institutions, although surveillance seems a remote danger, it cannot be excluded. No one can guarantee that monitoring citizens through mobile applications and other types of technology won't be used in the future for undemocratic purposes. Or that the data gathered won't be used as part of intelligence and incriminating evidence for crime cases prosecuted. Once surveillance mechanisms are put in action, the extent of their use cannot be stopped easily. Today it is the threat of COVID-19 that dictates monitoring; tomorrow the reason presented could be another eminent danger, or even a

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[7] Human rights organizations like Amnesty International have raised awareness for this phenomenon, (Amnesty International, 2020).
[8] Human Rights Watch gives the examples of Russia and China in its call to states to be careful with technology used in the framework of addressing the pandemic (Human Rights Watch, 2020).

criminal behavior to be combated. The main point is, if surveillance infrastructure is accepted for use now, the danger of slippery slope is here.

Public vs. individual safety and security

The terms public safety and public security have in common a very important word and concept: "public". Thus, safety and security are seen as a common good, of collective character. What is important is the level of society, people as a whole. Referring to public safety, Spiegel (2002) considers it a "non-excludable" and "non-rivalrous commodity" as well as a "public commodity that is non-tangible". One could argue the same stands for public security too. What seems to be important though on policy level is that the safety of many and respectively the security of many are the priority, what states are looking to protect and take measures for. However in democracies it is not just people as a whole that count. People cannot be considered without relation to individuals. Individuals are also entitled to safety and security, to enjoy their rights. It is dangerous for a democracy to appeal to the greater wellbeing of the many and ignore the wellbeing of individuals. The argument that there is need for sacrifice of the rights of individuals for the benefit of the vague rights of the public has been used in the rhetoric of authoritarian and totalitarian regimes to justify their human rights infringing policies. Anything can be justified with a vague reference to the common wellbeing, public safety and security. In democracy each and everyone has value as citizen that cannot be overlooked for the wellbeing of others, even if they are more. This is why the respect of human rights cannot be an issue of majority. Even if the majority wishes so, human rights of the minority, of one single person cannot be abused. During the fight against the pandemic it is important to make sure no human rights abuses and state actions against the security of individuals take place, using the alibi of the greater public good.

Concluding remarks

Common sense dictates that states must take measures to address a health crisis. The pandemic is indeed a health menace that has to be addressed. States cannot and should not stand by when people are at risk of getting sick and dying. It is their duty to intervene, taking every measure possible. However, the same way doctors consider the possible side-effects of the medicines they are going to distribute to their patients, also states have to seriously consider the side effects of the measures they resort to. A doctor knows quite well that serious side-effects can kill a patient and in that case the medical therapy

with the specific drug won't be successful. States must understand too that safety cannot be achieved, at the serious expense of security. At the end of the day, it all comes down to how states and citizens view and evaluate safety and security, how far states consider they can go to ensure safety and how much will people tolerate in order to be or feel safe. Two questions can help people and states realize the necessary limits: How possible is it for humans to enjoy a life of full and absolute security and safety? Is it logical and ultimately protective of human lives to sacrifice security for safety?

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