

related to digital space (cyberspace) are the subject matter. In most of former Soviet countries this new sphere is called „information law” [2; p. 15].

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THE CHALLENGE OF WRONG EXPRESSIONS AS «SOCIAL DISTANCE» AND CONTEXT-BASED INFORMATION MISMATCH ON THE PILLARS OF CIVIL SCIENCE

The measures on civil liberties imposed in 2020 were unprecedented in modern society, and they're coercive and limiting nature has shifted the perception of justice. The principle of *legality* and *equality*, as main pillars of democracy and modern civil science, in the form of current and proposed regulations is losing the public support and acceptance, since formulated expressions do not behold the original meaning of *rights* and *freedom of choice* anymore. Before establishing a new rule of law with another collective consensus, the rule of man might become the transitory phase during the shifts of social paradigms, representing the protective mechanism for human rights, family and justice.

Changes of social nature are triggered by dissonant views among community members regarding concepts as justice, equality, development and the imperative need to find consensus for establishing a new social structure that would satisfy the critical mass in a society [10]. Social changes imply transformations not only of inter-personal relationships, but also of family relationships, labor environment, welfare structure, normative acceptance and first of all – repositioning of „self” within the social picture [6]. Previous radical social disruptions were caused as a consequence of technological progress [9]. Metallurgy as the main tool of first industrial revolution, offered efficiency character to the society of hunters and gatherers, steam power revolution reshaped agrarian society, mass-production and automation industrialized society and launched the continuous process of urbanization [8]. For the past few decades, with the development of Internet, online platforms

and disruptive technologies based on electricity [9], the society is exponentially creating informational content that can often (yet not always) substitute tangible products in terms of externally assigned value. The transition period from one type of social organization to the following one knows fluctuation in terms of its course's direction and it is elongated across decades [10]. Looking back at previous social changes in history, we can offer comprehensive explanations based on analysis of observed factors, however for the people living during that transition period, the discussions upon social modifications were only probabilistic and could not encompass multitude of factors that impact such historical events [9]. In the same manner, as we are today at one-step closer to the next social disruption, we can offer only probabilities regarding the direction of upcoming social changes, and one of this probability is the loss of *freedom of choice* as a consequence of informational uniformity pushed by new technological arrangements [2]. Freedom of choice is equaled with freedom of life.

In 2020 most countries have known perturbations in the development process of socio-economic domain. The expression „*because of the virus*” is incorrect, as the decisions to insert lockdowns, mobility restrictions, limitation of economic activities and forced unprecedented behavioral rules have administrative nature, thus, the correct formulation to express the cause that launched first social changes is „*because of the imposed measures*”. Another expression that was incorrectly used in the mainstream media across all countries is „*social distance*” [4, 12]. „*Social distance*” was the formulation to explain a new behavioral rule during declared emergency state. The correct formulation is „*physical distance*” not „*social distance*”, as emergency state has a temporary nature and „*physical distance*” represents a clearly determinate physical measure with temporal nature to answer at a temporary need, whereas „*social distance*” is an expression that pictures the discrepancy between members of a society during an undetermined (unspecified thus continuous) period of time. Discrepancy in a society is perceived through class segregation, and the repetition of expressions that denotes a separation of people by economic rationale - psychologically programs the individuals to accept further measures that increase this discrepancy [5]. Also, in this context, „*social*” is an adjective with synonyms as „*cheery*”, „*friendly*”, „*companionable*” [1], (since adverbs are used to describe verbs and „*distance*” is not a verb, meaning „*social*” is not an adverb in this configuration), and denotes a measure that is directed to discourage the emotional relationships between people. A law norm and an administrative measure cannot regulate emotional domain (*criminal actions are a completely different category). According to Britannica encyclopedia, „*social structure*” is an arrangement of institutions where human beings interact and live together; implying an establishment with a continuous nature [1], where the insertion of „*distance*” within this concept would import its continuous nature and deform the concept of natural societal order in

people's long-term perception. Therefore „*keep the social distance*” is **not a legal measure** by default and also, by Constitution [3].

Nevertheless, if ruling power would recognize and adopt only correct measures, war would have been an unknown concept in our history, and as errors are the ”building” elements of changes, the impact of such widely spread incorrect measures should be taken into account during the attempt to offer civil solutions for the changes triggered by their impact in the first place.

The perception of justice and equality is shattered and this challenges the civil law per se. Law is a normative equivalent of a consensually accepted concept similar to justice, as it offers the possibility to appeal and argument regulations via clear procedural instruments [3, 6]. The situation has changed in 2020 by imposing measures that are (a) highly disputable and clearly divide society in opposite views regarding their efficiency, and (b) removes personal right and ability to access procedural instruments for appealing and discussing the legal character of the measure itself [4]. Thus, the principle of „*legality*” and „*equality*” as fundamentals of democracy, are trembling under the pressure of their theoretical incongruences with reality. Further, as the issue of (absence of) „*fairness*” has been addressed with a sufficient frequency to become omnipresent during diurnal activities of society members for over a year, the society itself witnesses the situation when the association between „*not following the rules*” and „*doing the wrong thing*” is explicably disbanded. This split was caused by the disruptive example of how the *legislative, executive and judicial* power have adopted measures, the essence of which, is clearly contradicting their formulation: „*for your own good, by the government*” and „*not in our interest, by the people*”. Reversal of concepts, definitions and categories, is not without serious reverberations in legal domain. One pivotal example of definition reversal is the recent tacit modification made by World Health Organization (WHO) – if previously it was consensually accepted that *herd immunity* is a concept used for describing „*protection from an infectious disease that happens when a population is immune through natural immunity*”, the WHO has changed overnight the same term with an opposite definition „*herd immunity is a concept used for vaccination*” [11]. Such radical definition and expression modifications have a domino effect for entire normative structure of the systems tangential to the matter at hand. And although WHO does not have coercive power in separate countries (it has a recommendation power not a mandatory one from legal stand-point), it still raises great concerns regarding the institution of precedent and normative volatility, thus – implicitly picturing to the people that their rights also do have, similarly, a volatile nature.

In fact, the discussion upon previously established concepts is inevitably directing the collective towards the need to redefine its paradigms, and as law is the protective layer of society's paradigm, entire normative structure is prone to significant changes. The question is not whether the law will „*be or not*” modified, it is an issue of „*how*”. Will the modification follow the precedent of

WHO's tacit alteration for unknown interests, or will these modifications follow the need to reaffirm personal freedom after social turbulences requests it? It is however obvious that *legality* and *equality* do not have same normative formulation to ensure their enforcement anymore. *Rule of law* knows its critical test during this decade, and most likely, until a new rule of law is established, *the rule of man* might become the safest transitory phase for keeping the *freedom of choice* and *freedom of life* respected for our next generations.

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