

Human Security for the 21st Century: Health Security Challenges Collection of students' papers



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Publishers

OSCE Mission to Serbia

Public Policy Research Center

Translation

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Design

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Print

Jovšić Printing Centar doo, Belgrade

Copy

100

ISBN

Belgrade, 2021

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FOREWORD

This year we are celebrating five years of work of the Svetlana Đurđević Lukić Fund, whose goal is to motivate students from all the faculties in Serbia to address in their research papers the current topics that can be related to the concept of human security. We hope that in our work so far we have managed to preserve the driving idea of the award competition - keeping the memory of our associate and founder Svetlana Đurđević Lukić, a human security expert, whose work is marked by searching for new, relevant topics that move people and introduce new content into established concepts.

Our scholarship holders have the same lively research spirit and a desire to speak up about current security challenges in a thoughtful way. In the past four years, a series of collections included papers dealing with the possession and misuse of small arms and light weapons, domestic violence, protection of privacy, natural disasters, but also health security challenges. In this fifth collection of papers, young researchers have focused on the impact of COVID-19, which has been changing almost all aspects of our lives.

Indisputably, the global pandemic is now definitely a turning point in redefining the states' national security policies, and in particular the policy of health security, and affects the daily security and prosperity of each of us, but also changes tomorrow's global post-COVID society.

This year, we have decided to award the authors of two papers selected on the basis of jury's evaluation. Author Milan Blagojević - PhD candidate at the Faculty of Political Science, University of Belgrade, in his paper entitled *Freedom of Expression vs. Conspiracy Theories - An Overview of the American experience* problematizes the issue of censorship and freedom of speech, and the effects of censorship and possible consequences. By taking the position that, despite the fact that conspiracy theories are not true and may be harmful, their censorship is not acceptable from the moral or practical point of view, the author of this paper leans towards an intellectual position that favours freedom of speech, believing that the Open Internet has the ability to “self-regulate” and discredit these theories without an external intervention. The au-

thor's conclusion is that punishing people for unacceptable opinions expressed online would do more harm than non-intervention, and that it would encourage a dangerous concentration of power, which could potentially compromise the principles on which modern democratic societies are based.

The second paper is co-authored by Milica Dukai - undergraduate student at the Faculty of Philosophy, University of Novi Sad, and Nenad Hrisafović - master's student at the Dr Lazar Vrkatić Faculty of Law and Business Studies, Novi Sad, entitled *Advantages and Disadvantages of Authoritarian and Democratic Regimes in the Fight Against the COVID-19 Pandemic - Selected Examples*. The authors examine the advantages and disadvantages of responding to the COVID-19 pandemic in countries with different political regimes, more precisely - countries with democratic and authoritarian orientation. Analysing the responses of the United States of America (USA), China, Russia and Taiwan, the authors conclude that despite the fact that authoritarian countries are successful in controlling and combating pandemics, they have achieved their results by relying on very strict measures potentially endangering the rights and freedoms of their citizens. The relative success of Taiwan in controlling the pandemic shows that accountability to people in democracies is crucial, that they are not substantially inferior to authoritarian countries in responding to the crisis, and that dictatorship is not necessary for achieving efficiency and effectiveness.

This is the fifth collection of student papers published by the Public Policy Research Center within the Svetlana Đurđević Lukić Fund with the support of the OSCE Mission to Serbia. We are very grateful to the OSCE Mission to Serbia, which has continuously provided significant support for the award competition and has recognised the importance of encouraging young students to think about key threats to human security. The Center also thanks the expert jury consisting of Vladimir Bilandžić, PhD, Vanja Rokvić, PhD and Srđan Korać, PhD.

In Belgrade, December 2021

Secretary of the Svetlana Đurđević Lukić Fund
Filip Stojanović

ADVANTAGES AND DISADVANTAGES OF AUTHORITARIAN AND DEMOCRATIC REGIMES IN THE FIGHT AGAINST THE COVID-19 PANDEMIC WITH SELECTED EXAMPLES

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Abstract: *The current pandemic has led countries around the world to review the success of introducing the measures of different scope and strictness by their regimes in times of crisis. The aim of this paper is to identify the advantages and disadvantages of responding to the COVID-19 pandemic in countries with different political regimes, more precisely - in democracies and autocracies, focusing on the selected examples. We will use the following indicators in the assessment: the average number of infected persons in the period of seven days (per million people), “excess mortality”, the percentage of fully vaccinated population, the degree of vaccine acceptance and success in preserving human rights and economic security of citizens. Our assessment will primarily cover the United States of America (USA), China, Russia and Taiwan. We conclude that despite the fact that authoritarian countries are successful in controlling and combating the pandemic, they have achieved their results by relying on very strict measures, potentially compromising the rights and freedoms of their citizens. The relative success of Taiwan in controlling the pandemic shows that accountability to people in democracies is crucial, that they are not substantially inferior to authoritarian countries in responding to the crisis, and that dictatorship is not necessary for achieving efficiency and effectiveness.*

Key words: *democracy, authoritarianism, political regimes, COVID-19, epidemiological measures*

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INTRODUCTION

Countries around the world have adopted numerous protection measures in order to change the behaviour of their citizens and stop the spread of the current pandemic. These measures include the closure of schools and workplaces, the cancellation of public events, restrictions on the number of people at gatherings, as well as travel restrictions, which include the suspension of international and sometimes intercity traffic and the closure of borders. Countries differ in the scope and strictness of these measures, which mainly depend on the degree of democracy or authoritarianism.

The aim of this paper is to identify the advantages and disadvantages of responding to the COVID-19 pandemic in countries with different political regimes, more precisely - countries with democratic and authoritarian orientation. The aim is also to contribute to identifying key differences in the actions of authoritarian and democratic political regimes in the situations of crisis, such as the COVID-19 pandemic, with reference to several significant examples. Our assessment will primarily cover the United States of America (USA), China, Russia and Taiwan. We believe that the United States of America, China and Russia are important because they are the three largest world powers and some of the richest and most influential countries in the world, while Taiwan's value in this assessment lies in its specific status of a collectivistic Asian country with a democratic regime. It would be logical to include the European Union countries in the analysis, but, due to the limited scope of this paper, as well as the significant heterogeneity of EU member states with respect to relevant characteristics, the responses of their governments to the crisis have not been considered. We will use the following indicators in the assessment: the average number of infected persons in the period of seven days (per million people), "excess mortality" (compared to the expected mortality), the percentage of fully vaccinated citizens and the degree of vaccine acceptance. It should be noted that the success in the fight against the virus should not be reflected only in these measures, but also in the preservation of human rights and economic security of citizens. Due to the aforementioned limitations, we should be careful in drawing general conclusions about all democratic or all authoritarian countries, and analyse the presented problem taking into account the specificities of the selected countries, which differ in many characteristics, not only in their political regimes.

A government can be considered authoritarian when it offers little or no political pluralism, gains legitimacy by appealing to emotions and sees the regime as a solution to social problems, suppresses anti-regime sentiment and/or activities, and has non-specific powers that can be arbitrarily changed (Linz, 1964, according to Alon

et al., 2020). As regards democracy, it has four key elements: voters are represented by officials elected in free and fair elections, citizens are allowed to participate in the political system, human rights are protected and the rule of law is enforced, and laws apply equally to all citizens (Diamond, Morlino, 2004).

The Democracy Index was compiled to measure the state of democracy in 167 countries and territories, relying on several criteria: pluralism, civil liberties, the functioning of government, political participation, and political culture. Based on their scores, ranging from 0 to 10, each country is then itself classified as one of four types of regimes: authoritarian regime, hybrid regime, flawed democracy or full democracy. According to this Index measured in 2020, the United States of America is a flawed democracy (7.92), while Taiwan is a full democracy (8.94). According to this Index for the same year, China with the score of 2.27 and Russia with the score of 3.31 are the examples of authoritarian regime (Index, 2020).

The current pandemic poses a serious challenge to both democratic and authoritarian governments. It has shown that both types of government have their specific strengths and weaknesses. In authoritarian countries, the centralised government allows for a decisive and rapid action, but their tendency to keep things secret can lead to suppression of information and problem ignoring. An autocratic government will most likely act quickly and strongly and mobilise resources effectively, without taking into account the election related consequences. Citizens of autocratic states may be more inclined to follow political instructions, but such states suffer from a lack transparency and overly harsh responses. For example, censoring the facts about the pandemic can lead people to become incautious. Such states may also have problems with responding to a pandemic due to corruption and inequality in resource availability (Karabulut et al., 2021). In a democracy, greater transparency makes it difficult to cover up threats and ignore citizens' demands to do something, but decentralised government can lead to a slow and potentially ineffective action (Stasavage, 2020).

The response of authoritarian states

The first response of the Chinese Communist Party did not prove to be successful, since the suppression of information led to the epidemic in Wuhan. Shortly afterwards, the Chinese government responded by introducing a strict quarantine. In addition, a policy of extensive testing and social distancing was adopted, as well as isolation and surveillance of the infected (Azman, Luquero, 2020; Stasavage, 2020). The Chinese government relied on war narratives against the virus to mobilise the public,

stressing group solidarity in the fight against the pandemic (Yan et al., 2020). Since the introduction of these measures, the number of deaths in many Western countries has been far higher than in China. The average number of new infections over the seven-day period (per million people) in China is .02 (Ritchie et al., 2020). It has been shown that China is among the leading countries in terms of the degree of vaccine acceptance by citizens, where 91.3% of the surveyed population was ready to receive it, while 70.8% of people were fully vaccinated. In addition to this success, no significant increase in mortality compared to the expectations was seen in China (Ritchie et al., 2020; Sallam, 2021). The question is whether the efficiency in suppressing the virus can be attributed to the fact that China is an authoritarian country or to another characteristic of Chinese society, such as collectivism. Asian countries, such as China, are collectivistic, which means that their citizens are more inclined to cooperate for the common good (Hofstede, 2015, according to Alon et al., 2020), while Western countries emphasize individualism. This distinction can provide a more thorough insight into crisis response differences between Asian and Western countries; East Asian countries respond more effectively, regardless of their political system (Alon et al., 2020). What leads to the conclusion that the country's authoritarianism has a significant impact on the effectiveness of the fight against the virus is the fact that in such countries it is possible to impose a very strict quarantine, regardless of human rights and civil liberties, which would mean, for example, no risk of protesters demonstrating against it or judicial challenge (Stasavage, 2020). Some authors give another potential explanation. In fact, the definition of confirmed cases used in China is different: China only counts people with symptoms, whereas the rest of the world counts people who tested positive regardless of whether they show symptoms. According to this, the number of confirmed cases is lower partly because many infected people do not show symptoms (Alon et al., 2020).

In some other cases, such as Russia, authoritarian regimes have applied an alternative tactic, such as ignoring problems and suggesting that someone else is responsible. Vladimir Putin decided to ignore the problem, suppress information about it and leave it to regional governors to manage the crisis (Stasavage, 2020). Russia initially trivialised the threat of the epidemic and then undertook incomplete and incoherent measures. The Russian policy during the pandemic consists of the suppression of bad news, while a major feature of the public discourse are competing claims between the authorities and civil society about the number of cases. The President was careful not to take responsibility for any restrictive actions, but left it to regional governors who are not used to taking initiatives. As a consequence, different regional governors did not coordinate their policies, which naturally became inconsistent. Over time, more and more restrictive measures have been introduced in a hasty manner. Russia also adopted two standard economic anti-crisis packages, which have

been assessed as modest compared to the country's capabilities. Health care professionals were dissatisfied because the country sent large quantities of personal protective equipment to Italy, Serbia and the United States of America, leaving its medical staff without sufficient supplies (Åslund, 2020). A potential and partial consequence of this deprivation could have been the excessive mortality of Russian citizens compared to the expected 22.1%, as well as the fact that the average number of new infections over the seven-day period (per million people) in Russia is 147.08 (Ritchie et al., 2020). Russia is introducing compulsory vaccination for workers in the service and transport sectors, and unvaccinated workers are threatened with suspension (Dixon, 2021). As regards the number of fully vaccinated people, it is only 28.6% of the population of Russia, which is partly in line with the data on vaccine acceptance, which showed that only 54.9% of surveyed citizens were ready to be vaccinated (Ritchie et al., 2020; Sallam, 2021).

The response of democratic states

The United States of America is a democratic country in which the leader with the authoritarian approach has compromised the flow of information by adopting a destructive and denying approach to the epidemic, which contributed to the impossibility of successful action (Greer et al., 2020). Despite warnings about the danger of the virus, President Donald Trump assumed that the threat would simply disappear, ignored the virus control methods proven to be successful (contact tracing¹ and complete lockdown) and decided to close the borders as late as one month after the outbreak. After his mandate expired, the response of the U.S. government fell into the hands of Joe Biden, who faced the challenge of maintaining the country's economic strength, and the vaccination of citizens. Shortly after assuming office, President Biden introduced a \$1.9 trillion coronavirus relief package, additional funding and expansion of the U.S. medical care system, and government aid to states (Kapur, 2021). Despite numerous anti-mask and anti-vaccine protests, the U.S. government is not giving up on introducing mandatory vaccination for all public sector workers and certain private businesses (Brennan, 2020; Ogrysko, 2021; Wiseman, 2021). In fact, the Biden Administration plans to impose mandatory vaccination for employees on private companies that employ over 100 workers through the Occupational Safety and Health Administration (OSHA), while non-compliance with these measures would lead to weekly COVID-19 testing or disciplinary measures (Wiseman,

1 The process of identifying people who have recently been in contact with a person diagnosed with an infectious disease for the purpose of their treatment or isolation.

2021). The vaccination mandate for private sector employees is currently in its initial phase, which supports the argument that democratic states respond more slowly than authoritarian ones. When it comes to the vaccination of public sector employees, the Biden Administration has implemented this mandate through an executive procedure that bypasses Congress and the Senate, which demonstrates that democratic countries are still capable of acting quickly to control the virus. Regarding mandatory vaccination, the majority of the population supports the mandatory vaccination of those who travel by airplane, go to restaurants and go to office or work site; 52% of employees agree, while 38% are against (Newport, 2021; Jones, Agrawal, 2021). The initial response of the U.S. government to the pandemic was completely inadequate and resulted in the death of hundreds of thousands of Americans, with the number of deaths being 14.15% higher than expected; during this period, the anti-vaccination sentiment emerged among citizens and hindered the increase in the percentage of vaccinated persons, which is now 55% (Ritchie et al., 2020). In addition, the average number of new infections over the seven-day period (per million people) in the U.S. is 345.49 (Ritchie et al., 2020). Because of all that, the U.S. institutions are facing a great challenge - it is necessary to respond to the threat as successfully as possible and in the shortest possible time.

As regards other democratic countries, some of them, such as Taiwan, have been far more successful than the U.S. in controlling the pandemic thanks to early testing and contact tracing. In Taiwan, an early focus on prevention has reduced the need for extensive restrictive measures used in authoritarian countries. Taiwan and China share common culture and ethnicity, but have different political regimes: Taiwan is a democratic and China is an authoritarian country (Index, 2020). Taiwan was in a good position to deal with the crisis because of its previous experience with disinformation from China and its exposure to SARS. The state responded quickly by combining airport surveillance technology, tracking technology, big-data and health data analysis (Scher, 2020). Transparent and open communication, which is a feature of democratic countries, has enabled Taiwan to respond in a more effective and less invasive way than China. Taiwan has been successful in rapidly implementing strict control measures, rationing masks and implementing a travel ban from China and Hong Kong. In addition to these measures, Taiwan quickly produced a welfare programme for infected citizens, encouraging them to honestly report symptoms. Because of all this, the government of this country did not suffer a loss of legitimacy and protected its citizenry (Alon et al., 2020). The average number of new infections over the seven-day period (per million people) in Taiwan is .34 (Ritchie et al., 2020). Regarding the success of vaccination in Taiwan, it should be noted that the low percentage of vaccinated citizens, only 9% (Ritchie et al., 2020), may be partly the consequence of geopolitical problems with Shanghai, due to which 33% of the population has refused

to receive the vaccine that passed through that place. The lack of trust in the specific vaccines produced by AstraZeneca and Medigen, which citizens consider to be less safe than Western vaccines, also contributed to the insufficient number of vaccinated citizens (Tiberghien, Zhao, 2021). Despite the current failure to vaccinate its population, the Taiwanese government's response was among the best, resulting in one of the lowest rates of new cases per day, as well as a negligible difference (-1%) between the expected and the actual mortality rates (Ritchie et al. 2020).

What do the research say?

The 2021 research, conducted by Karabulut and associates on a sample of 99 countries, shows that the infection rate is currently higher in democratic countries, but that these countries have a lower mortality rate. Regarding the government's attempt to censor the media, the same research found a positive link between this variable and the infection rate, as well as a negative link with the mortality rate. It was concluded that democratic countries may react slowly but place a higher value on human life and health (Karabulut et al., 2021). Although authoritarian countries impose more stringent lockdowns and rely more on contact tracing, democratic countries have proven to be more successful in reducing the geographical mobility of their citizens (Frey et al., 2020).

The question that arises during the current pandemic is why there are such huge differences in the response to the pandemic and the success in its control depending on the political regime. Some authors offer several assumptions that are not mutually exclusive (Cassan, Van Steenvoort, 2021; Annaka, 2021). The "efficient autocracy" view suggests that autocracies, or authoritarian countries, are simply more efficient at putting in place policies that contain the spread of COVID-19. The assumption of "efficient autocracy" is supported by the fact that China reacted quickly by introducing a strict quarantine regime, while the U.S. government reacted slowly. On the other hand, "biasing autocracy" view underlines that autocracies may be underreporting their COVID-19 data (Cassan, Van Steenvoort, 2021). The assumption of "biasing autocracy" is supported by the aforementioned conflict between the Russian authorities, suspected of suppressing the information on the number of infected people, and the Russian citizens. And finally, according to the third view, democracies and autocracies have systematically different characteristics independent of their political regimes (Ashraf, 2020, according to Cassan, Van Steenvoort, 2021).

The 2021 research conducted by Annaka and covering 108 countries took into account the hypothesis of "efficient autocracy" and "biasing autocracy" and after in-

roducing data transparency as a control variable showed that the political regime was not correlated with the number of COVID-19-related deaths. Their findings do not support the view of “efficient autocracy” and suggest that data manipulation is a more significant source for the seemingly low casualty rates in authoritarian countries (Annaka, 2021). In contrast, the research conducted by Cassan and Van Steenvoort on a sample of 137 countries (Cassan, Van Steenvoort, 2021) goes a step further and includes control variables related to country characteristics and government action plan to eliminate as many inter-regime differences as possible. The findings of this research do not support the hypothesis of “efficient” or “biasing autocracy”, but support the third hypothesis. The findings of Cassan and Van Steenvoort also indicate that the underreporting of data mainly depends on the different characteristics of countries that correlate with the political regime, rather than being a direct consequence of the regime. Although it is possible that autocracies underreport COVID-19 death rates, the reason for that may be their overall incapacity to link death to its cause rather than to a direct attempt at data manipulation. Furthermore, the lower reported death rate in these countries may in part be due to the lower level of development of both public health infrastructure and statistical apparatus (Cassan, Van Steenvoort, 2021). Cassan and Van Steenvoort offer a pro-democracy argument by saying that while it does not seem to have been differences across political regimes for COVID-19 death rates, this may hide the fact that autocracies have focused on decreasing COVID-19 death rate at the expense of deaths from other sources. They further argue that democracies have higher COVID-19 mortality rates because they are better at preventing non COVID-19 deaths, leading to a population which is on average older and therefore more likely to die if infected by COVID-19 (Cassan, Van Steenvoort, 2021).

CONCLUSION

The aim of this paper was to identify the advantages and disadvantages of responding to the COVID-19 pandemic in countries with different political regimes, more precisely - in democracies and autocracies. The aim was also to contribute to identifying key differences in the actions of authoritarian and democratic political regimes in the situations of crisis, such as the COVID-19 pandemic, with reference to several significant examples. In explaining the differences between the countries with different political regimes, it is important to pay attention to other factors, such as cultural orientation (collectivism versus individualism), level of health care system development and transparency of data on COVID-19-related cases. The advantage of authoritarian countries in the fight against the pandemic is their centralised government, which enables a decisive and fast action, as well as the fact that their citizens are more inclined to follow political instructions. Despite the fact that authoritarian countries are successful in controlling and combating the pandemic, they have achieved their results by relying on very strict measures, potentially endangering the rights and freedoms of their citizens, which is a weakness of authoritarian regimes. While China has managed to vaccinate a large number of its citizens and keep the new infections and mortality rates at the normal level, Russia, as another example of an authoritarian state, has not proven to be equally successful.

The advantage of democratic countries in the fight against the pandemic is the attention paid to human rights in introducing epidemiological measures, and transparency that makes it impossible to ignore the threat. The most important advantage of democratic countries is the lower mortality rate compared to authoritarian countries. One of the weaknesses of democracies is their decentralised government that prevents the rapid introduction of epidemiological measures. Despite the slower crisis response of democracies, the United States has managed to introduce a coronavirus relief package, while paying attention to human rights and the economic security of its citizens, which is a characteristic of democracies, including Taiwan. Moreover, the United States has taken the insufficient number of unvaccinated citizens seriously and introduced mandates that apply to workers regardless of their sector, unlike Russia, which focused only on the sectors of services and transport.

Based on the examples of Trump's USA, Putin's Russia and the initial response of Xi Jinping's China, we can conclude that ignoring and trivialising the threat and suppressing information, which is a characteristic of autocracies, is not a good way of overcoming the pandemic. The relative success of Taiwan in controlling the pandemic shows that accountability to people in democracies is crucial, that they are not substantially inferior to authoritarian countries in responding to the crisis, and that dictatorship is not necessary for achieving efficiency and effectiveness.

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FREEDOM OF EXPRESSION vs. CONSPIRACY THEORIES - AN OVERVIEW OF AMERICAN EXPERIENCE

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Abstract: *Even before the beginning of the global SARS-CoV-2 pandemic, there were heated debates on the limits of freedom of speech and (in)acceptability of conspiracy theories in academia, political circles and among enthusiasts gathered in various forums of the vast internet space. The emergence of an objectively dangerous crisis, such as the coronavirus pandemic, has made the existing ideological debates more serious, introducing an element of responsibility that usually did not have to be taken into account in previous discussions: the possibility that someone's opinion expressed in the relatively deregulated internet endangers the health of people or, in extreme cases, leads to fatality. However, the challenge that has persisted since pre-pandemic times is how to evaluate the views that float in a kind of grey zone. In other words, while explicit hate speech can be treated with intellectually unproblematic ostracism (although without a legal sanction in the American system), issues where it is possible to "read between the lines" require a much more cautious approach. The issue of accountability for public speech exists in the case of coronavirus, where in addition to often bizarre and almost comic views that can be classified as quackery and the spread of panic, we also encounter a class of views that cannot be unambiguously defined as such, in particular because science does not have yet the final word on the virus, which in many respects is still terra incognita.*

By taking the position that, despite the fact that conspiracy theories are not true and may be harmful, their censorship is not acceptable from the moral or practical point of view, the author of this paper leans towards an intellectual position that favours the freedom of speech, believing that the Open Internet has the ability to "self-regulate" and discredit these theories without an external intervention. In this context,

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the paper analyses the arguments of the American Civil Liberties Union (ACLU). The main conclusion of this brief analysis is that punishing people for unacceptable opinions expressed online would do more harm than non-intervention, and that it would encourage a dangerous concentration of power, which could potentially compromise the principles on which modern democratic societies are based.

Key words: *freedom of speech, public interest, censorship, conspiracy theories, ACLU*

INTRODUCTION - ABOUT THE FREEDOM

As a norm generally accepted by most national legislations in the world, freedom of speech was established long before the emergence of what would be known as the “Digital Era”. Since its Anglo-Saxon beginnings in the “glorious” English Revolution (Acemoglu, Robinson, 2012: 199-211) and the First Amendment of the American Constitution (ACLU, 2021a), this right has spread to most of the world and today is an indispensable article of the constitutions of formal and actual democracies, from Latin America to the Far East. Its importance as one of the main democratic principles is evidenced by the fact that even in the Stalinist USSR, this freedom was recognised, at least superficially and nominally, in Article 125 of the 1936 Constitution of the Soviet Union (Towe, 1967: 1254). In Serbia, freedom of opinion and expression is guaranteed in Article 46 of the Constitution (Constitution of the Republic of Serbia, 2007: 29), while Article 19 of the Universal Declaration of Human Rights defines it as a fundamental human right (United Nations General Assembly, 1948).

Apart from philosophical and altruistic motives, what would be the real practical social significance of freedom of speech as a fundamental right? The essential answer would have to be that it is actually the main driver of any kind of development. Possibility of free exchange of ideas, i.e. the right of everyone to “seek, receive and impart information and ideas through any media and regardless of frontiers” (United Nations General Assembly, 1948), is a major destroyer of dogma and anachronistic exploitative relations, the first cornerstone of inclusive political institutions without which inclusive economic institutions are unthinkable (Acemoglu, Robinson, 2012: 102). Historically, the existence of free “market competition” of ideas meant much less room for error (and much more room to correct possible errors) than in the rule by decree of kings, emperors, presidents, clerical councils and non-elected committees that had no competition to force them to constant improvement and accountability for public speech. Freedom of speech meant only one thing for economic and civilisational development: the possibility to use human potential fully, to activate a huge existing reservoir of talents and to attract talents from outside the country.

In that context, when the Internet appeared in the early 1990s, it was an invention in the rank of the printing press. For the first time in history, the global population had at its disposal an open forum with far less sovereign control of states than was the case with all previous media, which raised the issue of regulating the limits of the flow of

information in this space.¹ The American Civil Liberties Union, a lobby group chosen to be an example because it has advocated the idea of freedom of speech in public and before the U.S. courts since 1920, offers a logical viewpoint in this regard. According to them, the Internet is “a vast free-speech zone deserving at least as much First Amendment protection as that afforded to traditional media such as books, newspapers, and magazines”. (ACLU, 2021b). This group is responsible for the fact that the protection provided by the First Amendment was extended to the Internet content after the Supreme Court of the USA in 1997 in the case of “Reno v. The American Civil Liberties Union²” ruled that the provisions of the Communications Decency Act, which would censor “indecent content” for minors, were unconstitutional (Reno v. American Civil Liberties Union, 1997). In other words, “the government can no more restrict a person’s access to words or images on the Internet than it can snatch a book out of someone’s hands or cover up a nude statue in a museum” (ACLU, 2021b).

Based on the above, it is clear that freedom of speech on the Internet must also refer to “unpopular opinions”. Otherwise, the ACLU states, the very idea of freedom of speech would not make sense, because “constitutional rights must apply to even the most unpopular groups if they’re going to be preserved for everyone” (ACLU, 2021c). Obviously, the term “unpopular groups” is defined very broadly and in today’s online world it is impossible to exclude even the most bizarre conspiracy theorists, who, with the legal protection unique in the world, certainly do not miss the opportunity to share their creativity with global Internet audiences.

1 This type of dilemma, as well as other issues raised in the paper, primarily relate to the United States for two reasons. Firstly, with over 1.56 billion IP addresses (which makes up 36% of the total number of IP addresses in the world, followed by China with 7.7%), the United States indisputably has the primary role in regulating and defining the Internet trends (World Population Review, 2021). Secondly, with freedom of speech as an ideological ideal, this issue leaves room for debate, which is less meaningful in the cases of China, Turkey or Russia.

2 Acting upon appeal by the ACLU and nearly 50 other professional associations, the Supreme Court, by a majority of 7 to 2, made a historic decision to declare unconstitutional the provisions of the 1996 Act which, with unusual strictness and a rather vague definition of “indecent” content, prescribed criminal liability for anyone who (not necessarily directly, knowingly and for commercial purposes) made such content available to minors on the Internet. The decision is explained by the fact that the law “regulates more than necessary to protect the public interest”, and that content-based restrictions are unacceptable, that criminal liability means that citizens should know exactly what is illegal, and that the Internet, unlike the traditional media, has no “invasive nature” that would require direct regulation (Cox, 1998: 766-780).

A place for “bad” ideas

this paper will not discuss whether the Internet only provided a platform for conspiracy theories that would emerge anyway, or whether it is a catalyst *per se* that contributes to their creation and development, since this issue deserves separate research.³ What can certainly be stated is that they exist, that they are numerous, that they can often be comically bizarre, and that the Internet has undoubtedly increased the scope of rumours by erasing the physical boundaries of their spread (Andrade, 2020: 508). Some of the now classic theories include those about the “global Jewish conspiracy”, the assassination of President Kennedy, the attack on Pearl Harbour or September 11 (Räikkä, 2018: 6). Of course, new ones are constantly being generated, so today we have the flat Earth theory, a whole series of theories about the disappearance of the Malaysia Airlines flight MH370 in 2014 or, more recently, the theories about the coronavirus. Some of the most famous names in the contemporary world of conspiracy theories are Erich von Däniken, Alex Jones, and probably the most prominent in the media David Icke, a creator of an irrational and anti-Semitic “reptilian theory” that attracted so many followers that even became the subject of research of some credible researchers of religion (Robertson, 2013). However, it is clear that this is a very heterogeneous group, which can be classified to some extent and ranked according to the possible credibility and potential impact on the public.

It is harder to define conspiracy theories than it seems at first. The modern Finnish philosopher Juha Räikkä stresses that some accepted definitions are not sufficiently precise in describing the phenomenon. For example, the view that they are “imaginary alternatives to official versions” (the emphasis is therefore on “imaginary”) does not consider the possibility of proving their accuracy at some point (Räikkä, 2018: 4). At the same time, the definition according to which a conspiracy theory is “any explanation of events that has an element of conspiracy” (emphasis on “conspiracy”) is too broad. Because, as Räikkä states, saying, for example, that in 2011 six Afghan students were arrested for “conspiring” to assassinate President Karzai is not a conspiracy theory (Räikkä, 2018: 4). David Robertson believes that the term “conspiracy theory” can only be a rhetorical form that would serve as an excuse to discredit opponents, i.e. to “disregard... or even repress a political protest”, and it would be more appropriate to use the term “conspiratorial beliefs” (Robertson, 2013: 29).

3 The author of this paper finds the opinion of David Robertson, a religion expert, acceptable. He believes that the main merit of the Internet is that it “shifted” conspiratorial narratives into mainstream and popular culture, where they are no longer “exclusively related to right-wing and Christian discourses” (Robertson, 2013: 30).

Therefore, some type of classification would be inevitable and in this sense we could distinguish between four groups: warranted conspiracy theories, rejected conspiracy theories, so-called deceptive conspiracy theories, and open conspiracy theories, which are neither confirmed nor denied (Räikkä , 2018: 5). The existence of the first group is precisely the key element in the arguments against the government restriction of freedom of speech when it comes to conspiracy theories.

In fact, the negative connotations associated with the notion of conspiracy theory begin with the assumption that these are “false” beliefs that should be suppressed. Such a view, however, implicitly recognises the existence of some kind of a central or “high-priestly” authority that would have the power and moral obligation to suppress such phenomena in society on the basis of its unmistakably accurate assessments. Apart from the fact that an omniscient authority does not exist, it is quite legitimate to assume that too much concentration of power within a system created to ensure control and security would certainly encourage such a system to abuse power, which ultimately reduces the freedom and security of all. In short, if there is at least one in thousand probability that a particular claim may be true, an open debate on the issue would be in the public interest. The Watergate affair challenged the official version of the Administration of Richard Nixon and today is considered a historical fact. Unethical human experiments in which the CIA tested the effects of LSD use in the Project MKUltra (Andrade, 2020: 508) were also confirmed. In addition, the claim that the Federal NSA, together with its Five Eyes partners and in cooperation with the largest technology companies, collected data from millions of Internet users without court orders would have been considered a conspiracy theory before it was disclosed in 2013 by Edward Snowden (Harding, 2014). Juha Räikkä concisely defends the freedom of speech: “We should regard bad conspiracy theories as an acceptable price to pay for the good ones” (Räikkä, 2018: 3). Simply put, the Internet has allowed the almost morbid “Pizzagate”, but has also spread the word about perhaps the most significant whistle-blower ever.

Finally, the unrestrained spread of “bad” theories already contains a mechanism to suppress them. While prohibitions, as a sign of fear and recognition of legitimacy, may fuel their further development, non-response in the manner of Marcuse’s “passive tolerance” (Wolff et al., 1965: 86-122) may be the best way to discredit them, while assuming that the mere possibility of launching information without any real impact would be a sufficient satisfaction for their authors. In addition, rejecting certain claims in an open market of ideas, which today’s Internet is, would leave no room for doubt about the error and its possible truth, unlike a situation in which it would be discouraged by an authoritarian “top-down” ban.

A place for “dangerous” ideas

however, the question arises what about the Internet speech that can have potentially harmful consequences. There are authors who believe that the dissemination of conspiracy theories should be prohibited by law in certain cases (Räikkä, 2018: 3). This issue has become especially important with the beginning of the global pandemic. In addition, the problem is worsened by the fact that celebrities with millions of followers often contribute to the spread of conspiracy theories on social media, and that Millennials, the most frequent consumers of such content and the generation most present in the digital sphere, have become the largest generation since 2019 in the USA (Fry, 2020).

If we define conspiracy theories as “attempts to explain particular events or situations, as the result of the actions of a small, powerful group, with perverse intentions“, it is clear that a large number of them will refer to the field of medicine (Andrade, 2020: 506). Therefore, their current expansion is not a novelty, and we could even say that they are a constant side effect of every new breakthrough in medicine. From the first smallpox vaccine in the late 18th century and the belief that it caused the growth of horns to the belief that doctors knowingly vaccinated children with harmful vaccines (which 20% of Americans believe in), that the cancer cure was deliberately hidden (37%) and that polio, HIV and COVID-19 were created by governments to control certain populations, we see that attributing a “political agenda” to medical practices is not uncommon.⁴ However, these beliefs can have very harmful consequences, as evidenced by the fact that in the developed world there are sporadic measles epidemics due to the refusal of parents to vaccinate their children for fear of autism (Andrade, 2020: 506-507). Such health risks certainly increase because many celebrities tend to publicly popularise their alternative healing methods⁵, such as the famous TV presenter and podcast host Joe Rogan, who said in a CNN show that he had treated the coronavirus with ivermectin⁶, a known antiparasitic medication for animals (Wemple, 2021).

4 A 2013 survey conducted by the marketing agency “You-Gov” showed that as many as 49% of Americans believed in at least one medical conspiracy theory, while 18% believed in three or more of them (Oliver, Wood, 2014: 817).

5 It is interesting that back in 2011, the film “Contagion” about a fictitious deadly pandemic showed a conspiracy theorist whose blog “erodes trust in science” and promotes treatment with improvised drugs (Metz, 2021). Presenting such personalities as negative in films and popular culture could be considered one of the legitimate ways to discredit conspiracy theories (author’s note).

6 Although Rogan’s “quackery” is overly stressed in the media because he did state that it was a “human version of medicine” taken in line with the doctor’s instructions (Wemple, 2021), it is known that the level of education is a variable that influences the inclination to conspiracy theories (Andrade, 2020: 511), and it is not difficult to assume that such statements may increase the abuse of veterinary ivermectin (author’s note).

Another good illustration is the recent example of pop singer Nicki Minaj, with over 22 million followers on Twitter, who tweeted about her acquaintance from Trinidad whose reproductive health had allegedly been seriously harmed by vaccination (Bateman, 2021). Knowing that such information can deter some people from being vaccinated and potentially endanger their lives, the question arises what way is correct to treat such speech on the Internet.

The author of this text believes that the policy of the Twitter company in such cases is the right solution. Unlike YouTube, which has been removing all anti-vaccine content (Bergen, Nix, 2021) since recently, more precisely since March 2020, Twitter has been implementing a new system of labels and warnings for potentially harmful and inaccurate content related to the coronavirus pandemic in order to inform users that the information they are exposed to “conflicts with public health experts” (Roth, Pickels, 2020). Accordingly, the company will group problematic content into three categories: misleading information (confirmed to be false) - which can be removed depending on its propensity for harm; disputed claim (its accuracy is contested) - which is marked with a label or warning; and unverified claim (its accuracy is unconfirmed), with an explanation of the context ⁷(Roth, Pickels, 2020). Such an official policy is in a way the least bad solution, a middle ground that satisfies both ideological groups in the collision of freedom and security, a permissible intrusion into freedom of speech according to the existing legal framework of the USA and an example that could be applied to other online forums. It does cost to maintain a huge army of “live content controllers” with limited competences, but that would still be an acceptable price for other benefits that the Internet has brought to modern life. This model of regulating controversial speech corresponds to the recommendations of Juhe Rääkkä, according to which the state should not intervene in open debates; however, it should not be passive, but should ensure that “the views of the scientific community receive enough publicity” and that “people have sufficient skills to interpret media” (Rääkkä, 2018: 3). Andrade is the author who similarly believes that “health literacy, critical thinking, and general education as a whole, can reduce belief in conspiracy theories”, and recommends more intensive educational campaigns, empowerment and better health care of marginalised groups prone to believing in conspiracy theories, dialogue instead of intimidation that would only deepen the polarisation and, finally, the “weapon” that gives conspiracy theorists the greatest power - Twitter and social media (Andrade, 2020: 508-518).

7 This is still a grey area, which is demonstrated by the contradictory policy that “personal anecdotes or first-person accounts would not violate the platform’s rules on misleading content”. Sanctions were not imposed in the case of Nicki Minaj, so the Ministry of Health of Trinidad and Tobago, the United States Centres for Disease Control and Prevention (CDC) and the European Medicines Agency (EMA) had to separately deny that the mentioned problems were side effects of vaccination (Bateman, 2021).

CONCLUSION - THE UNITED STATES OF AMERICA AS A ROLE MODEL?

Finally, what can we learn from the US approach to free speech? It is indisputable that this is a different political culture and that a mere transplantation of public policies from a system created by a unique two-and-a-half-century-old evolution would not be the right solution. From the perspective of a European observer, the ACLU, with its absolutisation of the freedom of speech, may seem almost fundamentalist. Paradoxically, the same group that zealously defends the right to abortion, gay and trans rights must in principle defend the freedom of speech of neo-Nazis and the Ku Klux Klan as long as it is in line with the Supreme Court decisions according to which speech is punishable only if there are clear intentions and a high probability of producing “immediate illegal actions” or if untrue claims about public officials are made with a malicious awareness of their inaccuracy (ACLU, 2021a). One of the problematic side effects of such a broadly defined freedom of speech is that the protection of the First Amendment in some cases can even refer to a wrong professional medical opinion (Schweikart, 2018: 1041-1048). This, of course, does not mean that the US experience should be rejected completely, but that examples of good practice should be treated pragmatically.

At the same time, this is not about amnesty for conspiracy theorists. Most such theories are intellectually poor, unprovable and sensationalist. Discussions about post-truth and the “death of expertise” could go back to Socrates and his skepticism towards democracy and odium towards the masses (Vilhar, Pavlović, 1983). However, the most substantial lesson that may be learned from the US approach to this issue is related to the control function of the freedom of speech. With the historically justified expectation of the abuse of too much power in the hands of an authority, which may even have the best of intentions, a scenario in which the “cure” is worse than the disease cannot be considered a successful solution. It would just be a matter of time before the control system, perverted into tyranny, would attempt to put *forum internum*, the space of sovereign freedom of each individual and a precondition for self-realisation, under its political and legal jurisdiction. Faced with the possibility of such a dystopian scenario, technically already achievable at the current level of technological development, it seems like a lesser evil to tolerate conspiratorial constructs in obscure forums or condensed into 280 characters and marked with clear “disclaimers”.

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