

BRIEF CONSIDERATIONS ABOUT JUSTICE AND TRUTH DURING THE EMERGENCY PERIOD. THOUGHTS AT THE TIME OF RESTRICTION

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Abstract:

The supremacy of the constitution is a quality of the fundamental law that essentially expresses its supreme legal force in the legal system. An important consequence of the supremacy of the fundamental law is the conformity of the whole law with the constitutional norms. The notion of legal supremacy of the law is defined as "that characteristic of it which finds expression in the fact that the norms it establishes must not correspond to any norms other than the constitutional ones, and the other legal acts issued by state bodies are subordinated to it. in terms of their legal effectiveness. Compared to the constitutional requirements, the state of emergency established in order to manage the effects of the Covid 19 pandemic was marked in Romania by the excess of repressive measures. Who does not know how to protect and stimulate, repress.

Keywords: *Romania, Constitution, state of emergency, justice, truth, fundamental rights and freedoms*

1. Argument - warning or about the limits of power in a democratic society

In its evolution, human society has undergone major changes in political, social, cultural, economic and legal terms overcoming the insurmountable contradiction that exists between democratic regimes and those considered to be dictatorial, or more simply, between dictatorship and democracy. Dictatorship means the centralization and concentration of power, the denial of pluralism in all its forms, the absolute or discretionary power of rulers, the coercion and excessive limitation of individual freedoms, the rigid separation of rulers from ruled, the non-existence or formal existence of constitutional guarantees of human rights, non-existence or character. fictitious, formal of some principles essential for the state organization of the society such as, for example, the principle of the supremacy of the law and of the constitution. In short, dictatorship represents the annulment, abolition or at best minimization of individuality, the singular, diversity and the affirmation of unity as an abstract and compelling generality.

Unlike dictatorship, democracy is associated with the idea of the rule of law, focused on the principle that has become real and applicable to the rule of law and the Constitution. The centralization and concentration of power is replaced, as a way of organizing the powers of the state, by the principle of their separation and balance. Pluralism, in all its forms, is institutionalized and guaranteed. Individual freedoms are also enshrined and guaranteed, their exercise being governed by the rule that the limit of any individual freedom is the need to respect the similar freedoms of others. The legitimacy of state power implies the distinction between the being or essence of power, and on the other hand, its exercise. In a democratic regime it is not necessary to prove the legitimacy of power as such, because the axiom that "the holder of power is the people or the nation" does not require demonstration, being a premise for the entire political and legal construction of the state-organized society. Any democratic regime must find the means by which the exercise of power can be legitimized and legitimate. Such legitimacy is achieved when there are no irreconcilable contradictions between the essence and the forms of exercise. The legitimacy of the exercise of power in the case of democratic political regimes means the reflection of the essence of power in its phenomenality, respectively in the way of organization and exercise. Therefore, in the case of democracy there is always a conceptual but also a real distinction between the legitimacy of the essence of power that does not require demonstration - it results as such from the mere proclamation of the principle that power holds the people - and on the other hand, the phenomenal legitimacy of the organization. the exercise of power which is not a "given", but a construction made in the concrete forms of institutional organization and exercise of state authority. The legitimacy of the organization and exercise of power is external to the phenomenality of power, in the sense that phenomenality is not the source of its legitimacy, but it is built in a relationship whose content is the correspondence between the essence of power and forms of manifestation. Power, in its essence, can be considered "a thing in itself" in the Kantian sense, because full knowledge of the essence will never be possible. The reality of state power considered in the relationship between essence and phenomenon reveals another aspect: the phenomenality of power will never be able to fully correspond to the essence of power. The object of knowledge for the social sciences is formed by the

phenomenon of power and not its essence. Therefore, the legitimacy of the phenomenal manifestations of power represents an ideal to which the concrete forms of organization and exercise of power approach, without ever reaching it. The legitimacy of the phenomenality of power consists, among other things, in the realization of the principle of representation. This principle highlights very well the distinction between the science or essence of power and the phenomenon of power, on the other hand. The holder of power can only exercise it directly in exceptional situations. The essence is not the manifestation of power. The exercise of power reflects the science of power without comprehending it. Thus, state institutions exercise power without holding it; therefore, they need the recognition of the legitimacy of acts of power, a fact conferred mainly by the application of the principle of representation.

Its power and phenomenality are undoubtedly a central place of democracy. If the phenomenal legitimacy of power is an ideal that concrete forms of institutional achievement through the principle of representation can approach, then it follows that democracy, in its essence, is also an ideal in relation to which social and political reality is built and manifested, without for the democratic ideal to coincide with social and political reality. Professor Ion Deleanu's statement is relevant in this sense: "Democracy is a form of moral perfection. It measures both the organization and the functioning of power in order to humanize it, as well as the way of life of the citizens in order to shape it ". It is necessary to distinguish between the ideal democracy which is a purely speculative construction based on the possible coincidence between the essence and phenomenality of power, but also on an ethical imperative that would mean the unity of will between individual and society, and real democracy, on the other hand through the contradictory dichotomy between the essence and the phenomenality of power between the individual and society. Real democracy has concrete, multiple forms of manifestation - such as the form of "parliamentary or representative democracy - it is not an immutable right, but it is in a continuous evolutionary process which, in view of historical progress has as its purpose - never possible to be achieved, the ideal democracy. The science of law has as object of study the real democracy or more precisely its forms of manifestation of its realization. Paradoxically, however, the

legitimacy of any form of real democracy is conferred by the values and principles of ideal democracy, the latter being the object of study mainly of metaphysics.

Unlike dictatorship, democracy presupposes the rehabilitation of the individual, of the particular, which is no longer absorbed and dissolved in the general social abstract or of concentrated power. In a democracy, the individual has ontological value and manifests itself in existential coexistence with the social general. In other words, the individual has the meaning and power of the general, the latter being legitimate precisely by the fact that he recognizes the individual's existential and ontological dimension. Power, even in its concrete manifestations, is the expression of the general as such, reflected for example in the notion of "public interest." In a democratic society the legitimacy of the act of power does not consist in the reflection of its own generality (of the public interest), but in the respect of the individuality, of the diversity in all the specific forms of the existential pluralism. In constitutional terms, this aspect evokes the relationship between the "majority and the opposition". The essence of democracy is the forms and content of the concrete relationship between society and the individual. The report expresses a unilateral contradiction because society can contradict the individual, which is typical of dictatorship, but the individual does not contradict society, a situation specific to democracy. Moreover, the dialectical relationship between the individual and society specific to democracy is an affirmative one, not containing a negation - as Hegel argued. It is proper for democracy for society to affirm the individual, not to deny it: therefore, to consecrate and guarantee individuality and diversity. There is obviously a contradiction between dictatorship and democracy, but a unilateral one: dictatorship is in contradiction and excludes democracy, but democracy does not exclude forms of dictatorship. The space and object of this study do not allow us a broader analysis of this interesting issue, but we mention that the doctrine refers to forms of dictatorship that can characterize any democratic regime: the dictatorship of parliament, the dictatorship of the masses or the dictatorship of majorities. In all these situations of democratic reality, the affirmative contradictions highlighted above become negative. Consequently, discretion is exercised in a discretionary manner, which clearly contradicts the values of ideal democracy and inevitably leads to the discussion of legality and legitimacy.

2. Legality and legitimacy in the light of constitutional constraints

Legality as a feature that must characterize the legal acts of public authorities, has as a central element the concept of law. Andre Hauriou defined the law as a general written rule established by the public authorities after deliberation and involving the direct or indirect acceptance of the rulers. Ion Deleanu defines it as "the act that includes general and mandatory rules sanctioned by the coercive force of the state when its application is not made out of conviction and which is susceptible to application whenever the conditions provided in its hypothesis arise." In a broad sense, the notion of law includes all legal acts that contain rules of law. The law in its narrow sense is the legal act of the parliament elaborated in accordance with the constitution according to a pre-established procedure and which regulates the most general and important social rules. The constitution has a special place in the administered legislative system, defined as a fundamental law located at the top of the hierarchy of the legislative system, which includes legal norms with superior legal force, which regulate fundamental and essential social relations, especially those regarding the establishment and exercise of state power. . The state of legality in the activity of public authorities is based on the concept of rule of law. The supremacy of the constitution is a quality of the fundamental law that essentially expresses its supreme legal force in the legal system. An important consequence of the supremacy of the fundamental law is the conformity of the whole law with the constitutional norms. The notion of legal supremacy of the law is defined as "that characteristic of it which finds expression in the fact that the norms it establishes must not correspond to any norms other than the constitutional ones, and the other legal acts issued by state bodies are subordinated to it. in terms of their legal effectiveness. "Compared to the constitutional requirements, the state of emergency established in order to manage the effects of the Covid 19 pandemic was marked in Romania by the excess of repressive measures. Who does not know how to protect and stimulate, repress. The level of fines imposed by ambiguous regulations and the volume of amnesia applied was mind-boggling, exceeding the power of understanding and the ability to pay those sanctioned. Beyond these aspects, the issue of the constitutionality of those measures also arises. Weren't they hit by nullity because of constitutional flaws? We try to find the answer by analyzing the legal instruments for their

concretization in social practice. Let's take them one at a time: first about establishing a state of emergency.

3. About the establishment of the state of emergency in Romania

3.1. Specifying issues

The state of emergency is a fact before it becomes a legal regime. Therefore, we are dealing with a state of affairs that can be transformed into a state of law, at the initiative of the President of the Republic. He notes this by a presidential decree, thus allowing the executive to turn it into a legal regime by establishing exceptional measures of a binding nature, for the administration of the situation. In other words, the President's decree does not give rise to a state of emergency, but only establishes it, as a matter of fact, and gives the Government the possibility to administer it on the basis of normative acts adopted by it as a matter of urgency. The decree by which the President ascertained the state of emergency and thus initiated the consecutive procedures provided by law, affects the balance of powers. That is why the constituent legislator elected the President to ascertain it, because the President is not part of any power, being a mediator between them. The election of the President was also justified by the urgency of solving the problems posed by particularly serious threats to untimely values such as public health, national security, etc. A one-person institution can manifest faster than a collective one.

The regime of the state of emergency is not provided by the Constitution, but by a special law. The Constitution provides only the regime of ascertaining the situation that attracts the application of that special law. It is only that law that changes the normal balance between the powers of the state. Noting, by his decree, the existence of factual reasons for the implementation of the law on the state of emergency, the President creates the premises for the initiation of the subsidiary mechanism of exceptional governance, previously defined by the Parliament. In addition to the fact that the presidential decree is only an act of finding, not of disposition, it is issued under the resolute condition of approval by the Parliament. Its only full and unconditional effect is to force Parliament to meet within a maximum of five days to decide whether to approve the transition to a state of emergency identified by the President or not.

Parliament cannot ignore the decree, but has the right to reject it. Why did it settle like that? Because the Parliament is, among the state powers, the most affected by the change, be it temporary, to the relationship between prerogatives (the one who acquires increased prerogatives being the executive), but especially because he is the supreme representative of the Romanian people. The president is not the supreme representative of the people, the latter being the holder of national sovereignty. The president is neither the "head of state", but the "symbol" who personifies the state. It is logical, therefore, that the perception of the President, who has come to the conclusion that a state of affairs has been created that makes it appropriate to govern in an emergency system, should be subject to censorship by the people (the one who bears the consequences of such governance).

3.2. Legislation and governance in an emergency system

The specialized doctrine discussed whether or not the President's decree on the state of emergency can be amended by Parliament. The constitution says that parliament has the ability to approve or reject it. From here, some concluded that it would be impossible for the legislature to amend it. Such a conclusion ignores two long-established principles of law: *ubi lex non distinguit nec nos distinguere potemus* și *qui potest majus potest minus*. According to the first, if the law (in this case the Constitution) does not distinguish between partial and full approval / rejection, in the application of the law no one is allowed to make such distinctions. However, the constitutional text does not forbid the Parliament to approve the presidential decree subject to its censorship, with modifications. According to the second principle, the one who can more or less completely reject the decree in question, can even less, respectively to reject it only in part. These being clarified, it should be noted that the "only legislative authority" in Romania is the Parliament. Under certain conditions, the power to legislate may be delegated to the Government, but it does so *ad referendum*, ie under the control of the Parliament, respectively under the condition of subsequent parliamentary approval. Nowhere does the Constitution give the President the right to legislate. It would also be illogical, as he is a mediator and not a power. Any attempt to do so is unconstitutional and is therefore struck by absolute nullity. What happens, however, if the presidential decree on the state of emergency also contains legislative provisions? If through this

tool dedicated to ascertaining a situation, is an attempt to establish binding rules of conduct? If the President legislates? Obviously, such an abuse cannot change the Constitution, especially in the matter of fundamental human rights and freedoms.

3.3. Restriction of fundamental human rights and freedoms

A special problem arises when the management of the state of emergency requires the restriction of the exercise of fundamental rights. The Romanian Constitution includes in this respect a special norm of protection. Thus, it provides that "the exercise of certain rights or freedoms may be restricted only by law." In the face of the explicit form of such a text, it remains to be discussed whether the law can be adopted in a first phase by the delegated legislator - the Government. The Constitution speaks of "law", and not of "ordinance" (emergency), the latter being the name under which the normative acts with the force of law are adopted by the executive. Admitting the restriction of the exercise of fundamental rights by ordinance would be not only an inadmissible addition to the Constitution, but also a violation of the constitutional logic that requires that, when it comes to limiting such rights, the interpretation of reasons and procedural rules be as more restrictive. This is one of the reasons why the Constitution stipulates that during the state of emergency, the Parliament be in session and, at the same time, prohibits its dissolution. Being in office, the parliamentarians can adopt in the emergency regime, compatible with the general state of the nation, all the legal restrictions that are imposed. Therefore, the request of some that such restrictions be established at least by the GEO, is an unacceptable compromise, both in terms of the procedure established by the Constitution and in terms of the substance, circumscribed by the paramount importance of the values to be defended. And yet, what do we do if the presidential decree also "legislates" the restriction of some fundamental rights, as happened with the decrees issued by the President? We cannot give a formalist answer to these questions, as the debate takes place against the background of a state of affairs marked by great dangers and which demands urgent, radical solutions. What would be the answer?

One possible answer would be for the presidential decree containing provisions exceeding the President's powers to be rejected, and for him to issue another decree in accordance with his constitutional prerogatives. Another would indicate the exclusive

approval of that part of the decree that remains within the presidential powers, the rest being either eliminated or taken over by the Parliament in a separate normative act, with the force of law. A third solution would be the full approval of the decree in the form in which it was submitted by the President. The first formula affects one of the fundamental principles of urgency, namely the shortening of the time between the notification of the problem and the establishment of measures for its management, as well as from the definition of these measures to their implementation. The time taken to agree the presidential decree with the Constitution could be fatal from the perspective of the targets to be achieved. From such a perspective, the second solution is likely to reconcile constitutionality with opportunity. In doing so, another principle of law is applied according to which "interpretandus est potius ut valeat quam ut pereat". Which means that the law, but also any other manifestations of will that seeks to create rights and obligations, must be interpreted in such a way as to produce effects, and not to remain without any consequences. By approving from the presidential text only what the President had the power to propose or establish, his manifestation of will does not remain sterile, but can be capitalized according to objective needs, eliminating those components that exceeded his powers. And this without at least the latter being completely lost, as it would be the subject of a law adopted by the legitimate legislative authority.

The Romanian Parliament has chosen, in the case of the Covid 19 pandemic, the third formula. Which triggered other disputes. Some have said that the entire presidential decree would be null and void, as the legal basis (which should have been a valid decree) is missing, the government's state of emergency regime would be illegal in its entirety. It's like a lot; and all that is excessive is ridiculous. Others stated that the approval given by Parliament would have been likely to require only the establishment of a state of emergency from a legal point of view (ie to allow the Government to apply the law on the state of emergency), but did not validate the limitations of fundamental rights contained in that decree, as well as other provisions thereof having a legislative character. In such conditions, the mentioned limitations do not exist, and the sanctions for their violation are absolutely null. You cannot sanction (contravention or criminal) deeds that are not defined by law as contraventions or offenses (nullum crimen sine

lege, nulla poena sine lege - there is no deed punishable by contravention or criminal if it is not defined by law and no penalties can be applied which are not established by law, for committing such illegal acts). This was also observed by the People's Advocate when he asked the RCC to establish the unconstitutionality of the military ordinances by which contraventions were established consisting in violating certain restrictions that no law clearly defined, as well as the GEO by which sanctions were applied of these so-called contraventions. To those who replied that, however, the Parliament approved the presidential decree without being hindered by any of its provisions and that the legislature took over the provisions that were within its competence, and not the President of the Republic, it was replied that the instrument by which the approval was adopted was a "decision" and not a "law". In other words, if part of the decree had been approved by decision and another had been adopted by law, it would have been something else. However, we appreciate that such an approach is excessively formalistic. In fact, both the decisions and the laws of the Parliament have the same binding force, the difference between them being given by their object, and not by the consequences they produce.

Then, in qualifying the nature of a legal act, it is not the title that is given to it that matters, but the content that it has. And if we are dealing with a heterogeneous content, there is nothing to stop us from concluding that in a single package, which was labeled with a single label, two distinct legislative products were packaged. Otherwise, we cannot believe that Parliament could have given the green light to the establishment of a state of emergency in conditions that violated both the Constitution and the fundamental rights of citizens. It is not like that? That this is the case is proved by the decision approving the decree extending the state of emergency. Based on the experience of the first time in which it was observed and probably inspired by the criticisms and exceptions of unconstitutionality formulated by the People's Advocate, the legislature did not take over the texts aimed at limiting fundamental rights, included in the presidential decree, in imprecise form author, but asked the government to define and make all these limitations mandatory by law. Until such legislation is adopted, all restrictions on rights are null and void and therefore do not produce any binding effect.

Therefore, the presidential decree extending the state of emergency was divided by the Parliament into two parts. One concerns the right of the government to continue to act with the special powers conferred by the law of the state of emergency and this, the only one that falls within the competence of the President to refer to Parliament, has been approved. Another included the provision to extend legislative measures, and in particular those restricting the fundamental rights of citizens, included in the first presidential decree (the one that triggered the state of emergency), and it was not approved as not within the competence of the President, the issuer of the decree. Summarizing all these considerations, where do we end up? We conclude that all acts by which fines have so far been imposed for violating the limits on the fundamental rights of citizens, on the grounds of urgency, have been null and void, as those limitations, as adopted by Parliament in the decision approving the presidential decree of 16 March 2020, as well as by subsequent military ordinances, did not clearly establish the content of the prohibited acts, the commission of which attracted the contravention sanction. According to an even more radical interpretation, these acts are null and void also because the prohibitions were not established by law, but only approved by a decision of the Parliament, thus itself in constitutional defect. From the end of the first period for which the state of emergency regime was established, however, things are even clearer. After the first thirty days of the state of emergency expired, the military ordinances that imposed the restrictions in question also expired. They could not be extended by law, as the presidential decree on the extension of the state of emergency was adopted by Parliament subject to all limitations on civil rights, under the conditions of that state, being made by law. Which didn't happen. Therefore, the ordinances which could initially be adopted only for a specified period of 30 days, as long as the state of emergency had been declared, expired at the end of that period (as would have happened and if the state of emergency had not been extended), without others having been adopted by law. Basically, it could also be a law that would receive them and adopt them as such, giving them the power of a parliamentary normative act. Which was not done. This means that not only unconstitutional ordinances but now expired unconstitutional ordinances apply. A constitutional chaos that is painfully reflected in abuses whose effects the citizens bear. This is what our contempt for the

Constitution and for Parliament leads us to. And, leaving our brief legal exegesis, let us turn to a paradigm that, in the economics of our study, represents a possible opinion to consider. More clearly, some thoughts on justice and legal imagination in times of pandemic.

4. About justice and truth in times of pandemic

In times of trouble we do not know what to do. Some lament and think of the end of the world and the predictions of Nostradamus. Others bravely speak and rite that we are not afraid of anything, but deep down only we know what it is. Most of us are silent, we look around and we can't believe it. I know that there is no one with a miraculous solution to make us optimistic these days. We think about what's worse, we look at those who are hit harder than us, we sink into gloomy thoughts. Obviously, we also have some remedies, some only palliative. Then we think that this is not the first planetary catastrophe that humanity is going through. There have been sudden colds or warming of the climate, there have been deadly plagues, from the Black Plague which killed, in the middle of the fourteenth century, between 30-60% of the population of Europe to the Spanish Influenza at the end of the First World War, which killed more people than the war itself. And, each time, life won. But we still think, these days, about others and we encourage ourselves with our word, often savior, that in all evil there is also a good. Since when have we not breathed cleaner air, especially in big cities? For now, we can walk - because God has given us feet to walk with them and not just put them on the accelerator pedal of the car or to force them to the elevators - through safer places, on paths long forgotten and bypassed . We always hurried past the buildings and did not see an original architectural detail, we did not have time to appreciate a street corner, a statue or a bust of a man once famous and today forgotten. Since when have we not had time to watch a goose that rises after the winter? Maybe in the long evenings, we, like Blaga, will be able to hear "how the moonbeams knock on the windows". Maybe we haven't listened to our parents and grandparents in a long time, with their pains, with their old stories, with their obsessions with old and sick people. It may seem to us that their fixed ideas, their annoyances, their advice and even their memories, the nostalgic thoughts of their past life, are suddenly full of charm and heart. Since when have we not played seriously with our grandchildren or children, without

haste, in peace, with an open soul? Now we have time to put ourselves in their shoes and understand that "their joy and love is the game", that they also need childhood and that it is so simple, necessary to be a child sometimes.

Some of us are surprised that Romanians come home from afar and we think that they should stay where they are. Yes, comfortable and safe for us and, perhaps, even for them, it would be so, only that human nature is not always guided by the rules of reason. In addition to the mind, we also have a heart, and the heart draws us to our home, next to ours, those who can understand our "joy and bitterness", longing and pain. Now it is clear that globalization cannot separate us from the "birthplace", that we express our worries better in Romanian, even if we also speak English, French or German. Tired of the hectic life, tired of the daily running, kicked out of the passing jobs, sometimes humiliated for the hard-earned money, scared of the danger of extinction among foreigners, Romanians take the country. Some realize only now that once, when the temptation of substantial gain could blind them, they blasphemed the country, instead of upsetting only the bastards, the reluctant institutions, the unfortunate circumstances. How many times have I heard people say that they no longer need Romania, that they are tired of Romania or that they will not return to Romania! The soul does not bend, however, according to cold reason, after momentary pride, nor after copious material income.

Many are now listening to the national anthem with other ears, and to some Ciprian Porumbescu's "Ballad" gives them different thrills. The house at home, no matter how humble, is now more valuable than all the money in the world. The word "to cling to the Gentiles" now seems to have a different meaning. And this is happening in the middle of the isolation at home to which we are urged. We isolate ourselves, of course, but we isolate ourselves in unity, and this unity also consists of the great family that is our nation. We often consider ourselves more stupid than others, more uncivilized, more uneducated. We rush into stores, we stock up too much, we bend our elbows and scream, we lie that we are not infected and that we have not been in risk areas, we behave irresponsibly. But how do others - faced with this extreme situation - do? Are they much better, more humane, more supportive? Not always and not all! I saw huge queues in London or Los Angeles, I saw pushes, insolences and pretensions

in Paris or Madrid. People are people everywhere, for better or worse. But peoples are not good or bad, moral or immoral, selfish or generous, but only people are like that. This is not the time to complain, but we have to adapt as best we can to the circumstances and move forward. Let us consider that, in the midst of this immense evil, we have gained in communication, dialogue and humanity. I see Romanians every day who go to feed other Romanians, who share food and masks, who carry vitamins to strengthen the body's immunity, who take care of the pets left alone. They must be valued and encouraged. I also see careless, selfish, reckless or cynical Romanians, irresponsible or evil. They must be withered and punished.

Current and exceptional laws, the rules of living and living together are not discussed, but applied. Now is not the time to be original, to show off our pride and initiative, to try to "manage". It is true that "the Romanian was born a poet", but now, in public life, law and order must reign, not "poetry". On the other hand, Romanians are not German or Swiss and do not have a whole history of freely consented citizenship and democracy. I would like to see politicians who explain this state of emergency for everyone to understand, not to speak only in sentences, from the height of their podium of leaders, not to hide their trembling words, to show us that they live our drama and that they share our hope. Sweet but firm speech can move mountains. Let's be gentle, kind to doctors and teachers. The former heal our bodies weakened by disease, and the latter heal our souls, carry on education, cultivate trust in man and humanity. We would also like to feel the politicians as ours, with our fears and beliefs, with our simple words. But, in addition, beyond all these naiveties of mine, they have another duty: to take good measures, to have the appearance of leaders, to be aware of their role as elites, so that they can instill confidence and hope in us. If they can't or don't know how to do this, then it's serious, because these people need good guidance, the right guides. Otherwise, "we gladly take them all," because we know we are transient and vulnerable. If we don't always do it, it means that we have great deficiencies in education, that we didn't go to school properly, that we stayed at an inferior stage.

This unexpected crisis has taught us what to value in life, how to separate values from nothing, what great wealth is the wealth of the soul. We run moment after moment for money, we seek to live in great material comfort, we often hide our true feelings, and

now we realize what wealth we have in ourselves and how we could pour that wealth upon our fellow men. Maybe, after this hard test, we will otherwise arrange our individual and social life, we will wake up to be better and fairer, we will pour our overflowing soul towards the world and the country, that is, towards our corner of the world, which we do not love him because he is perfect (he is not!), but because he is (still) ours. But we also know that the desire for truth is the engine of the life of each of us, and the cornerstone on which our personality is built, from which springs the desire for justice, is the only perfect synthesis between being and having. However, the fulfillment of this wish would not be possible without a space of freedom. But at the end of the last century, excited by the implosion of the communist system, Francis Fukuyama hurried to proclaim the end of history and the rule of freedom in a globalized world; a late disciple of Hegel, this American philosopher associated the end of history with the last man, so that the desire for truth and justice could have been fulfilled from that moment in a space of freedom extended to the dimensions of the entire planet. Perhaps this philosopher did not understand that the fulfillment of the desire for truth of one man would need the gradual expansion of the space of freedom, to a global dimension; this extension would be only the necessary condition for all people, regardless of their affiliation (ethnic, racial, national, religious or cultural) to have access to the space of freedom in which it is possible to achieve the desired goal. It is easy to identify in this evolution the utopian project of the universal republic, present, explicit or implicit, first in the ideology that prepared the French Revolution, then, on a larger scale, in the ideology that prepared the Bolshevik revolution, and finally in the globalizing ideology of political correctness. But it is not the desire for justice and truth that is to blame for this evolution, but the rational fervor from which the utopian project of a universal space of freedom, undifferentiated, capable of dissolving the boundaries of diverse and often adverse community identities. It is reasonable to believe that in order to fulfill the desire for truth we need a space of freedom, but it is equally reasonable to link the realization of this desire to the virtues of our fellow men, as well as a decent state of prosperity, understood not as a goal but as a premise on which natural efforts to search for and identify the bed of personality can be based. Now, in a world that can

hardly keep its temper, it is difficult to have such a thing, as we will develop in the concluding assertions that will follow.

5. Conclusions

It is no coincidence that today I share these thoughts about the desire for freedom and truth, about the protection of fundamental rights and freedoms. The pandemic has turned this paradigm into a real crisis. Internationally, we have encountered a borderline situation, occasioned by the acute conflict between globalists and nationalists. The latter have slipped into national exclusivism and sometimes even xenophobia and chauvinism, and globalists have become contaminated and sometimes dominated by neo-Marxism, anarchism, "progressivism", agnosticism, cynicism, anti-Christianity, etc. The values of Western European civilization - spread over several continents - are, for the first time in centuries, questioned, challenged, abused and even destroyed in effigy, that is, by their symbols. We, the Romanians, could not stay out of these great challenges. We look, in full health alert, at a world that no longer resembles ours, with the settled human society. It is an insecure, unstable world, without trust in values, in honor, fairness, in the cult of work, in the virtues of education. . We have come to believe that we will be able to live forever from now on outside of direct, natural and natural socialization, like robots, which is very serious. Why are all these things happening? It's very hard to say! We had come to believe that the good is eternal and that we must no longer strive to perpetuate this good. We were deceived by illusions, we put appearances before essences, forms before substance, facilities before effort, pleasure before work. Or, for at least two millennia it has been known that "nature gives nothing to man without much perseverance". The solution: to return to humanity, that is, to the human essence, to those simple issues that make us human. And because the year 2020 was one of elections, I voted with justice, with the true glory of civilization, with self-respect, with the appreciation of values, against statue-breakers, those who ban books and writers, those who burn goods and rob shops, who believe that one can live in society without order and discipline; I would vote with those who still know what Greek-Latin classicism and Judeo-Christianity are, with those who defend the faith in God and do not set fire to cathedrals, with those who know that without a book you have

no part, with those who build houses, who I plant trees, which make families and have children, in order to take the world further because in the face of deception and betrayal of foreigners, "only trust in ourselves and in our Romanian people can save us". If we have the strength to trust ourselves, if we respect and love our country and the people we belong to, we will certainly find the most suitable allies. If we continue to flog ourselves, if we blame ourselves, if we always take the world in our heads, then we will destroy ourselves and we will not need any allies.

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