

Technocracy and the Covid crisis: Are experts the new policymakers of democratic nations?

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ABSTRACT – KEY WORDS

Abstract :

ENG:

The COVID-19 pandemic has brought the world to its knees, highlighting the vulnerability of modern democracies to public health crises. In response, many countries have turned to technocratic approaches, emphasizing efficiency and expertise over democratic processes. This has sparked an ongoing debate about the merits and drawbacks of technocratic governance, and its compatibility with democratic values. Could technocratic processes of governance and policymaking be the solution to successful crisis management responses? And what of these methods outside of the context of the unprecedented COVID crisis? This paper will focus on establishing a definition of technocracy and technocratic methods, vast enough to embrace different approaches and debates on the matter. This will allow for close evaluation of the responses of Italy and the Republic of China (otherwise referred to as Taiwan) in the face of the pandemic, in order to highlight their technocratic character. This comparative analysis will provide an empirical basis for a theoretical debate on the different forms of implementation of technocratic attitudes in democracy, and their relevance in contemporary governance. This paper then concludes on the pivotal notion of Technocratic-Democracy as a potential solution to the pitfalls of democratic governance.

IT:

La pandemia dovuta al COVID-19 ha messo in ginocchio il mondo, evidenziando la vulnerabilità delle democrazie moderne di fronte alle crisi di salute pubblica. In risposta, molti paesi si sono rivolti ad approcci tecnocratici, enfatizzando l'efficienza, l'esperienza e la competenza rispetto ai processi democratici. Ciò ha scatenato un dibattito in corso sui meriti e gli svantaggi della governance tecnocratica e sulla compatibilità di quest'ultima con i valori democratici. I processi di governo tecnocratici potrebbero essere la soluzione per ottenere un risultato soddisfacente nella gestione della crisi? E che dire di questi metodi fuori del contesto della crisi del COVID? Quest'elaborato si concentrerà sullo stabilire una definizione di tecnocrazia e metodi tecnocratici, sufficientemente ampia da poter abbracciare diversi approcci e dibattiti in materia. Ciò permetterà di valutare meticolosamente le risposte dell'Italia e della Repubblica di Cina (altrimenti riferita come Taiwan) di fronte alla pandemia, al fine di evidenziarne i caratteri tecnocratici. Quest'analisi comparativa fornirà una base empirica per un dibattito teorico sulle diverse forme di attuazione degli atteggiamenti tecnocratici in democrazia e sulla loro rilevanza nella governance contemporanea. Quest'elaborato si conclude quindi sulla nozione cardine di Technocratic-Democracy come potenziale soluzione alle insidie della governance democratica.

Key words :

Technocracy; Covid; Italy; Taiwan; depoliticization; crisis management;

INTRODUCTION

The 2019 COVID crisis has affected every nation of the world on nearly all fronts; in the past two years politicians have had to deal with the unknown, the danger, the uncertainty, the pressure, and the unrest of the situation. In the face of the epidemic, most governments and international organizations have convened various experts of the scientific and medical fields to investigate the issue and formulate guidelines for policymaking, shaping political action. This emphasis on efficiency and expertise over democratic processes has sparked ongoing debate about the merits and drawbacks of technocratic governance, and its compatibility with democratic values. This paper will analyze the measures established and the legal framework of technocratic approaches during the COVID-19 in Italy and the Republic of China, in order to detail their role as a potential solution to the weaknesses of contemporary democracy and answer the following key question: Could technocracy and democracy, defined as opposing notions, be associated in times of unprecedented crisis through the establishment of ‘technocratic-democracies’?

1. Definitions

Technocracy and democracy are two contrasting modes of governance that have been central to the political debate in the past centuries. The former focuses on epistemic knowledge and technical expertise as key factors to orient political action, aiming at optimized efficiency. Decision-making processes are driven by empirical data and scientific evidence, which take primacy over democratic deliberations. The concept of technocracy originates from the XXth century, as scientists and engineers, as well as experts of the economic field, sought to apply their proficient skills to social and political matters. In its initial phases, technocracy was positively viewed and welcomed as a possible solution to the challenges of modern society, for which democratic governance was deemed unequipped to deal with. In stark contrast, democracy is a well-established system of governance, focusing on participation and representation of citizens in decision-making processes. Democratic systems lie on key pillars such as supremacy of the people, representativity, accountability of elected officials, participation...etc. Democracy in its primary forms can be traced back to ancient Greece and Rome, and has evolved throughout the centuries. Today, it has become a

fundamental element of contemporary societies, with many nations of the world abiding to democratic principles and codifying them in their constitutions.

The relevance of these modes of governance has fluctuated throughout history, with each system being portrayed as more or less suitable for various contexts and challenges. In the first half of the XXth century technocracy was valued as a solution to the obstacles faced during the industrialization and modernization period, especially given its emphasis on efficiency. However, in the latter half of the XXth century, values of democratic participation prevailed as concerns over individual freedoms developed, and technocracy was rapidly seen as a potential threat to these pillars of democratic rule. Democracy was then favored, it provided a solid solution to concerns of authoritarianism, but was and still is criticized for being slow, tedious, inefficient at times, and prone to vacillate with the ebbs and flows of the public opinion, particularly as populist influence rises. In recent years, the COVID-19 pandemic has brought to the forefront of public discourse the debate on the tensions between technocracy and democracy. Indeed, the crisis has highlighted the need for swift and efficient political action in order to protect populations in the face of unpredictable and rapidly changing circumstances. Subsequently, the technocratic responses adopted to meet this challenge raised concerns about the dismissal of democratic values in the pursuit of technocratic efficiency, and the implications of such attitudes in the future.

2. The COVID-19 pandemic

The COVID-19 pandemic has had a profound impact on the world, affecting every aspect of society, and particularly disrupting politics and governance as it exposed the weaknesses of traditional decision-making processes. After the initial outbreak of the virus in the end of 2019 in the city of Wuhan, in China, the coronavirus disease spread rapidly throughout the world, and urged politicians into crisis politics in the face of an unprecedented threat of global relevance. The necessity to make difficult decisions in an expedited manner has led many countries to resort to technocratic approaches to manage the effects of the pandemic. Drawing on the expertise of scientists, microbiologists, public health professionals, and other technical experts, elected officials were able to orient executive action towards the most efficient and reactive policies in order to maximize the safety of the population. As such, the pandemic has accelerated the trend towards technocratic decision-making, of which the influence was already growing in the past decade due to the increasing challenges faced in modern governance. Simultaneously, concerns have grown in regard to these technocratic attitudes and their

interaction with the democratic principles established in developed nations. Political decisions during the COVID-19 crisis were formulated by non-elected experts, at the expense of democratic processes. These contrasting performances have sparked discussions on the balance between technocratic expertise and democratic participation in crisis management responses, as well as in political action in general, and whether technocratic approaches could be compatible with democratic governance in order to reap the benefits of both systems. Would it be possible to associate and unite these two theoretically opposed concepts?

The implementation of technocratic approaches during the pandemic was established through regulative legal frameworks, which detailed the extent to which these methods could be resorted to. In many countries, emergency laws were put in place to allow for rapid decision-making and mobilization of technical expertise, but there have been recurring worries concerning potential abuses of such extraordinary powers, and their lack of democratic oversight. As such, the legal framework for the implementation, regulation, and limitation of technocratic approaches in democratic nations in instances of crisis is a crucial element to the debate on the compatibility of the two modes of governance. In this context, this paper will examine the legal framework for the adoption of technocratic attitudes during the COVID-19 crisis, in Italy and Taiwan, with a particular focus on the role of these norms in balancing technocratic expertise with core democratic values, and the interaction between these two aspects in the midst of a global crisis.

3. Case-studies: Italy and the Republic of China

Italy and the Republic of China – from here onwards referred to alternatively as Taiwan – have displayed different approaches to respond to the COVID-19 pandemic. Italy was one of the most affected nations in Europe, and it suffered great losses early on as it faced challenges in managing the spread of the virus. Taiwan, on the other hand, has been widely praised for its successful management of the virus, with relatively low numbers of deaths and contaminations. Despite these differences, both countries have relied heavily on technocratic approaches to handle the pandemic and its disparate effects. The case-studies of Italy and Taiwan are particularly relevant to this research as they provide illustrations of the relevance and uses of technocratic approaches in vastly different contexts and conditions. This is especially useful to provide a well-rounded overview of the benefits and risks of technocratic crisis management attitudes, in democratic nations with different political cultures, traditions, backgrounds, and beliefs.

The different approaches in the two countries can in great part be attributed to the different systems of governance established. The Italian Republic follows a parliamentary system of governance, in which the Prime Minister, head of government and appointed by the President, is accountable to the Parliament. During the pandemic, strict measures were implemented by the Italian government which reflected first and foremost the will of the Prime Minister, and were later approved by the Parliament; an extraordinary reversal of roles which reflects the times of unprecedented crisis the country was facing. The Republic of China, on the other hand, follows a semi-presidential system, in which the President is directly elected and shares executive powers with the Prime Minister. Taiwan did not apply the same strict lockdowns that were implemented in Italy, and contained the virus through proactive campaigns, mass testing, and digital tracing of contaminations. Despite these key differences, both countries resorted to technocratic attitudes, although in different forms and to varying degrees, in order to guarantee the efficiency of their crisis management strategies. By analyzing the legal framework, measures implemented, and results witnessed in these two countries, this research aims to shed light on the potential for technocratic approaches to serve as a solution to the weaknesses of democracy, while also exploring the limitations and challenges to such an approach.

This paper is divided in two main chapters, the first one sets out the theoretical and empirical framework for our analysis, while the second explores the debate and discussion on the relation between democratic values and technocratic attitudes, whilst drawing hypotheses on their potential compatibility. Chapter 1 establishes a definition of technocracy and technocratic approaches, which embraces the historical developments of the concept, in a general and non-reductive manner, in order to nourish inclusive debate on the matter. It then details the measures established in Italy and Taiwan, the reasons behind their implementation, and the legal frameworks that allowed for such technocratic, and arguably undemocratic, measures to be used. Building onto this research, Chapter 2 discusses the supposed conflict of value between technocracy and democracy, it explains their theoretical differences and incompatibility, and goes on to question this strict opposition, which is not supported by empirical observations. Finally, it introduces a modern concept of hybrid democracy, inclusive of technocratic attitudes in democracies in order to benefit from their efficiency and rapid results.

CHAPTER 1 : TECHNOCRATIC APPROACHES AND THEIR IMPLEMENTATION IN ITALY AND THE REPUBLIC OF CHINA

In order to establish the relevance and key role of technocratic approaches in situations of crisis, through our study of the situation in Italy and in the Republic of China, we must first establish a theoretical framework for our research. This chapter will be dedicated to specifying a definition of technocracy and technocratic approaches encompassing the different interpretations of these methods and their role in policymaking. Proper theoretical definition of the topic allows then for the scrutinization of the measures applied in the Republic of China and Italy in order to confirm their technocratic character. Hence, establishing the theoretical and empirical basis for our discussion and analysis in the second part of this thesis.

Section 1 : Defining technocracy and technocratic approaches

1. An unclear notion

Although of particular relevance in today's technology-driven world and given current events, technocratic approaches have yet to be properly defined, as their interpretation remains debated and nuanced. The general consensus lies in relating them to 'decision-making based on expertise' as per the etymological root of the word 'technocracy'. Indeed, the concept stems from the Greek word *technè*, which embodies the notion of art in the meaning of the general craft, technique, or skill¹. However, relating technocratic means solely to this approach of methodical problem-solving proves to be somewhat oversimplistic when studying the matter thoroughly. Offering an in-depth definition based on historical, empirical, and theoretical analysis allows for better comparison and understanding of the events in which technocratic methods are at play.

Technocracy is generally defined as 'the rule of expertise' – this is a very simplified explanation of the notion which presents deeper theoretical debates and elements, but it is the unanimously agreed upon definition of such a complex matter. Technocracy defines a form of government where policymakers are chosen based on their technical skills and/or proven performances. These technocrats are then to be

¹ James I., *Tekne*, Oxford University Press, 2019.

making decisions based on data and objective methodology, rather than fleeting public opinion. It is from this basic definition that arose the term “technicalisation”², which characterizes the process of allocating resources in order to support decision-making through evidence-based choices, in a manner “detached from social ideologies”². Technicalisation is thus the logical political process taking place in a situation of technocratic governance: the financial resources of the government are oriented towards sustaining its expert-based policymaking. However, there does not necessarily have to be technocratic governance to witness technicalisation; a nation of democratic governance can resort to technicalisation of its political action, especially in contexts of exceptional emergencies. For the sake of this research, this phenomenon of technicalisation which has been witnessed throughout the COVID-19 crisis will be referred to as ‘technocratic approaches’, as was already mentioned previously. Indeed, as the matter of focus lies in the establishment of technocratic attitudes in democratic nations, these processes of technicalisation constitute empirical evidence of the implementation of technocratic values in democratic governments, along with the use of experts, technology, and other technical solutions which constitute various elements of the technocratic method.

2. Historical developments

The birth and establishment of technocratic methods dates back to the 1930s and the context of the economic crisis of the Great Depression. The aim of these solutions was to implement the same rationale and logic applied in wartime strategizing to a major economic catastrophe, in order to steer the focus of politics away from what M. King Hubbert and H. Scott, the precursors of the movement in the United States, described as “scarcity-based economic systems”, to favor technical solutions instead as they considered those would better serve the population. The initial use of expert-based policymaking was thus limited to the economic realm, as it was easier to envision a technical solution in a rather technical field, and engineers and financial experts were deemed as more specialized and hence more reliable than government officials who were overwhelmed by the scale of the crisis. The concept of technocracy was later redefined in the 70s to specify the importance of the scientific approach beyond specific problem-solving. The movement of the 1970s focused on the role of the methodical

² De Nardis F., *Understanding Politics and Society*, Palgrave Macmillan, 2020.

approach in creating an optimal arrangement of society, instead of solely managing an imperfect order of the world. Technocracy has thus been transformed, from a single-angle solution to economic instability to an ideal of expertise allowing to reach objective knowledge and organization. This development is more reflective of the word's Greek roots which we have specified previously and embraces its theoretical implications.

3. The new wave of depoliticized politics

Removing the social component of governmental decisions in this way creates a seemingly neutral – almost apolitical – decision, which has been referred to as “depoliticized politics”². That is, by focusing on expertise, experience, and objective knowledge as opposed to public opinion and the general voice of the people, to be expressed through democratic processes. This phenomenon of de-democratization creates a conflict of value between the technocratic approach and the democratic mode of governing. Yet, despite these blatant challenges many established democracies have resorted to technocratic methods in the past two years in order to manage the ghastly events of the COVID-19 crisis, and their disastrous consequences. This tension between technocracy and democracy has been a great issue of present policymaking, and governments struggle to find a balance between the two, as technocratic methods seem inevitable but undeniably challenge the democratic processes in which these nations are rooted.

The main supporters of technocratic processes are unsurprisingly the neo-liberals, who are in favor of weak state presence and advocate for the dominance of technology in society in order to promote efficiency. However, another political group vastly inclined to technocratic methods is the populist movement. Populists distrust current politicians and claim them to be corrupt, overcompensated, and too passive and slow to instigate real action and change. However, the COVID-19 crisis has brought about a resurgence in support for expert-based decision, supported by more than solely the populists, and yet completely at odds with the liberal principle of non-intervention of the state. This crisis technocracy is rather characterized by heavy implication of the state, through various restrictions and dictated measures. The COVID crisis marks a turning point for the surge and support of depoliticized politics, which suddenly were put at the forefront of crisis management strategies and policies, and received overall great praise from all over the political spectrum for their efficient results, although their disparate effects remain questioned.

4. Theoretical framework

For the purposes of this analysis, technocracy is to be understood as governance based on technocratic methods, as detailed previously. Furthermore, the direct consequence of the application of technocratic approaches is the technicalisation of politics, which is a phenomenon that can be witnessed in democracies applying technocratic methods of governance. Indeed, technocracy is not meant to be read as a mode of governance or a political regime, rather it defines a paradoxically depoliticized political ideal for policymaking. Pure technocracy is unreachable once one considers that it would require the removal of the political component of political action in order to attain a completely objective and expert-based orientation of power. As per its etymological roots and general theoretical developments, technocracy describes an ideal order of society based on objective knowledge – expertise. For this reason, this thesis will address the various measures established as ‘technocratic’ because of their scientific and methodical character, while keeping in mind that the adoption of such approaches does not qualify an entire political system as technocratic; it is the balance between the concurring technocratic and democratic processes that is at play here.

Section 2 : Measures in Italy and their legal framework

1. Overview

The cabinet of Italy declared a state of national emergency on January 31st, 2020, after the detection of the very first COVID cases in the country, coming from two Chinese tourists who had arrived in the capital from Wuhan. The weeks that followed marked a particularly dark turn in Italian history, with the country facing an unprecedented crisis that led the government to be the first European nation to impose a strict lockdown, on March 22nd, 2020, as it suffered the most the effects of the pandemic in comparison to its counterparts. The COVID crisis is undeniably the worst public health challenge witnessed in modern day Italy. Merely two months after the beginning of the first wave of the crisis the estimated deaths in Lombardy, the region that suffered

the most losses and contaminations, were above the 23 000 deaths threshold³. In total the Italian nation has suffered over 188 500 deaths from the first victims of the COVID-19 in February 2020 to the beginning of March 2023⁴. The *Servizio Sanitario Nazionale* (National Health Service) had to answer the worst public health challenge in recent national history and was guided by the succession of the Conte and then the Draghi governments, which resorted to following the guidelines of the World Health Organization all the while implementing the National Plan for Preparedness and Response to an Influenza Pandemic, the only codified document of the country's legal framework drafting the attitudes and measures to be applied when facing a public health crisis of the pandemic type.

2. Measures established

Italy rapidly went from being the most affected country in Europe, and even in the world, to an example of possible recovery through the correct measures and adjustments. In July 2020, after the first wave had passed, the country was considered to showcase a number of new daily cases that was “one of the lowest in Europe and the world” according to Giovanni Rezza, director of the infective illness department at the National Institute of Health, the *Istituto Superiore di Sanità*⁵. After establishing an intense national lockdown, the Italian government established measures aimed at monitoring and preventing infections, in order to lower the pressure on the health services which were suffering from the overpowering outbreak of severe cases in the first wave of the pandemic. The decisions were made through consultation of epidemiologists, scientists, and technical committees, allowing for a decision based on epistemic knowledge of pandemics and their contagion cycles, as opposed to a set of *ex post facto* measures intended at mitigating the effects of recent events.

One of the initial steps taken as the epidemic grew was to declare the state of emergency, through the attribution of emergency powers to the government under authorization of the Parliament. Declared on January 31st 2020, this state of emergency was maintained up to the end of the pandemic, and extended throughout the crisis until March 31st 2022 when it was ultimately lifted. These emergency powers allowed quick and efficient action from the successive governments in charge – the Conte government,

³ Bosa I., Castelli A., Castelli M., Ciani O., Compagni A., Galizzi M., Garofano M., Ghislandi S., Giannoni M., Marini G., & Vainieri M., *Responses to COVID-19: was Italy (un)prepared?*, Cambridge University Press, 2021.

⁴ Statista, COVID-19 in Italy.

⁵ Horowitz J., *How Italy turned around its coronavirus calamity*, New York Times, 2020.

followed by the Draghi one. The lockdowns ordered began on the local scale, with the towns most affected when the spread of the virus in the country was still rather limited. These measures were then rapidly extended to the regional scale, starting with the region of Lombardy, as it has been the one most affected during the crisis. Finally, the crisis culminated with the decision from the Conte government to order a national lockdown on the entire Italian territory, including its islands, in order to put an immediate stop to the rapid and unmanageable spread of the virus, as well as to avoid migrations between highly contaminated regions with highly restrictive measures and less contaminated, and hence less constrained, regions. Simultaneously, the use of Personal Protective Equipment (referred to as PPE) was instated for any movement outside of one's residence, and social distancing regulations were put in place. This first set of drastic measures allowed for a quick decrease in transmissions and contaminations, although admittedly at a rather steep cost for the population, whether in social, economic, or ethical terms. The lockdown proved to be an efficient measure, as expected considering the sacrifices it implied, reducing inter-regional movements by more than 50%⁶. The lockdown measures were then gradually lifted in implements of two weeks in order to maintain close monitoring of the situation and in accordance with the incubation period of the virus.

As the pressure on hospitals and intensive care units finally lowered once the consequences of the lockdown started to take effect, the government's strategy shifted from a reactive to a more proactive response, guided by its taskforce of experts. As exemplified initially in the region of Veneto before it was spread to the rest of the nation, the second part of the pandemic containment measures lied in a "multi-pronged strategy"⁷; early extensive testing of symptomatic and asymptomatic cases and potential cases, proactive tracing of potentially contaminated individuals, strong emphasis on limiting movements, coupled with the use of at-home testing and regional analysis of the samples through local and university laboratories. These efforts were also associated with specific focus on the protection of healthcare workers and more generally essential workers. This last measure allowed for the safety of medical professionals and workers exposed to the public to be monitored and preserved, as they were both at high risk of contamination and necessary to the proper functioning of the nation as a whole, especially in these difficult times. As for the rest of the world, the end of the lockdown did not imply an end to all covid containment measures, quite the opposite as

⁶ Palladino A., *Coronavirus, l'Italia si è fermata o quasi: l'analisi degli spostamenti via gps*, La Repubblica, 2020.

governments attempted to monitor and manage the epidemic without having to resort to such drastic decisions another time. Hence, limitations were imposed on the capacity of public spaces, bars and restaurants were opened progressively, first only through the service of clients in open air spaces, then with limited amounts of people in the enclosed parts of their establishments. Simultaneously, masks and protective equipment were enforced in public transport and even in all non-private places at first, so anyone coming out of their house would be obliged to endorse a medical face mask. In Italy specifically, experts underlined the superior protective capacities of FFP2 facemasks, as opposed to regular surgical facemasks, prompting the government to enforce a degree making these highly filtrating masks mandatory throughout the epidemic. Finally, as the vaccine grew more available and vaccination campaigns began, the Italian government, just like its neighbors, established its ‘Green Pass’ in order to easily evaluate which citizens were vaccinated and allow them access to otherwise high-risk places, such as restaurants and night clubs. Although a rather generic approach to the crisis, reflecting the measures taken by the majority of countries in the world at the same time, Italy particularly distinguished itself in its covid management methods through its use of regionalism, a strong part of the country’s political culture, and its resort to technical governance in the midst of the epidemic.

3. Regionalism

Since the unification of the Kingdom of Italy (in the period spanning from 1848 to 1871) the nation has organized itself in regions, each with a certain degree of autonomy in regard to the state. As codified in the national Constitution:

“The Republic is composed of the Municipalities, the Provinces, the Metropolitan Cities, the Regions and the State. Municipalities, provinces, metropolitan cities and regions are autonomous entities having their own statutes, powers and functions in accordance with the principles laid down in the Constitution. Rome is the capital of the Republic. Its status is regulated by State Law.” – Italian Constitution, art 114

Out of these twenty regions, five possess special status, meaning that they retain more autonomy than the others. These are the regions of Friuli-Venezia Giulia, Sardinia,

⁷ Pisano G., Sadun R., Zanini M., *Lessons from Italy’s response to Coronavirus*, Harvard Business Review, 2020.

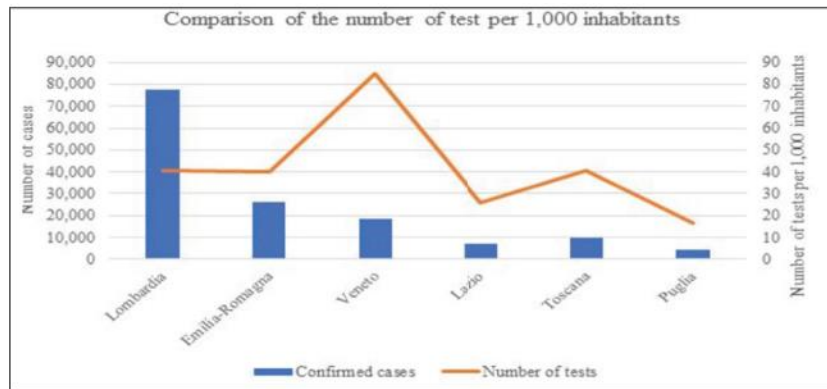
Sicily, Trentino-Alto Adige, and Valle d'Aosta, as specified in article 116 of the Constitution⁸.

During the COVID-19 epidemic, regionalism played a significant part in the implementation of containment and protective measures, as these decisions were applied unevenly throughout the national territory, according to each regions' executive powers, but also depending on how strongly impacted by the virus each of them was. Hence, the nation resorted to what has been referred to as "selective lockdown", applying disparate measures depending on each regions' evolution and contamination rate⁹. To avoid unnecessary movements between highly contaminated areas and the rest of the country, instructions to forbid interregional travels were established soon after, with the exception of "justified work needs, extreme urgency and health reasons"¹⁰. This gradual lockdown, reflecting the culture of regionalism in Italian politics, began in Lombardy and Veneto before being progressively extended to the rest of the nation. In the same manner, these measures were lifted on a regional basis, and the executive then put in place a contamination-based color code which allowed them to identify the least and most affected regions, and apply measures of different intensity accordingly. In addition to this, each region established its own local task force and advisory committees, in order to provide a multi-level analysis and a more localized response to the epidemic³. The nuances in contaminations, approaches chosen, and outcomes witnessed suggests that a complete and detailed understanding of the impacts of the COVID-19 crisis in Italy must consider the regional repartition of autonomy in the country. While the measures applied remain similar, such as early testing of potentially contaminated inhabitants, mass vaccination campaigns, use of protective equipment...etc, the degree to which they are enforced, and the timing chosen differs vastly between regions. To illustrate this, the following chart details the number of tests carried out in the regions of Lombardy, Emilia-Romagna, Veneto, Lazio, Toscana, and Puglia. The graph clearly highlights disparate numbers of tests per one thousand inhabitants, reflective of the different regional policies applied.

⁸ Italian Constitution, 1946.

⁹ Iyinoluwa Olufadewa I., Ayomikun Adesina M., Davis Ekpo M., Akinloye S., Ololade Iyanda T., Nwachukwu P., Dzifa Kodzo L., *Lessons from the coronavirus disease 2019 pandemic response in China, Italy, and the U.S. : a guide for Africa and low- and middle-income countries*, Global Health Journal, 2021.

¹⁰ Sanfelici M., *The Italian Response to the Covid-19 Crisis: Lessons Learned and Future Direction in Social Development*, The International Journal of Community and Social Development, 2020.



Source: Sanfelici M., *The Italian Response to the Covid Crisis: Lessons Learned and Future Direction in Social Development*

4. Legal framework

The measures applied during the pandemic were not simply organized and applied *ad hoc* as they seemed to be. Indeed, while the pandemic proved to be an unprecedented crisis for the world, the reorganization of power it triggered followed a particular set of rules and procedures, especially in democratic nations such as the Italian Republic. Although the country faced heavy backlash for its severe measures, presumed to pose a threat to the rights and freedoms of its citizens, the response was not deemed unconstitutional under the specifications conferred in Italian Law. The legal conditions that allowed for extreme measures such as the nationwide lockdown to take place lies on two pillars in particular: article 16 of the Italian Constitution, and article 77 of the Constitution.

“Every citizen has the right to reside and travel freely in any part of the country, except for such general limitations as may be established by law for reasons of health or security. No restriction may be imposed for political reasons. Every citizen is free to leave the territory of the republic and return to it, notwithstanding any legal obligations.” – article 16 of the Italian Constitution

Article 16 constituted the legal basis for justifying the restrictive travel bans and lockdown measures, as it clearly states that “reasons of health or security” may account for legal action to restrict freedom of movement of citizens, otherwise a guaranteed constitutional right.

“The Government may not, without an enabling act from the Houses, issue a decree having force of law. When the Government, in case of necessity and urgency, adopts

under its own responsibility a temporary measure, it shall introduce such measure to Parliament for transposition into law. During dissolution, Parliament shall be convened within five days of such introduction. Such a measure shall lose effect from the beginning if it is not transposed into law by Parliament within sixty days of its publication. Parliament may regulate the legal relations arisen from the rejected measure.” – Italian Constitution, article 77

The provisions of article 77 on the other hand concern the establishment of decree-laws in such situations of emergency. These decree-laws, referred to as DPCM – *Decreto del Presidente del Consiglio dei Ministri* (decree of the president of the council of ministers), are introduced by initiative of the prime minister and confer them temporary and limited legislative power. As specified, said decree-law is applied before being voted by Parliament, bypassing its ordinary legislative powers, but remains a provisional measure until transposed into law by Parliament within a timeframe of sixty days. This provision allowed for the executive government to take swift action during the pandemic, as the successive prime ministers Giuseppe Conte and Mario Draghi were able to apply the recommendations of the World Health Organization in an efficient manner. Following this exceptional legislative path, the measures are applied prior to being voted on by the Parliament, instead of the legal text pending approval and its provisions being applied solely after the vote has taken place.

Through these decree-laws, the Italian government launched the application of the National Plan for Preparedness and Response to an Influenza Pandemic, a document created in 2006 as a response to the H5N1 avian influenza outbreak. The plan has been created as the “national reference” detailing the response and attitudes to be adopted on the national and local level, it follows the guidelines provided by the World Health Organization and covers several areas such as surveillance, prevention, control, diagnosis, treatment, communication, coordination of different actors...etc¹¹. It is that very text that sets out the conditions according to which the executive can declare a state of emergency in the context of a pandemic. Section 8 on the “Management and coordination” of the epidemic details that if the crisis “requires to be faced with extraordinary means and powers” the Council of Minister can declare a state of emergency, exclusively on the basis of request or assessment of the Health Minister, and upon approval of the Prime Minister. Hence, the application of the National Plan for Preparedness and Response to an Influenza Pandemic through extraordinary DPCM

¹¹ National Plan for Preparedness and Response to an Influenza Pandemic, salute.gov.it.

procedures allows for the executive to take charge and concentrate both executive and legislative power, with paramount importance attributed to the Ministry of Health. Following these directives, the Department of Civil Protection, an operative branch of the Presidency of the Council of Ministers, was endowed the role and power to set up committees and task-forces, in order to monitor the evolution of the pandemic and help orient the crisis management response of the executive. The most notable one being the Technical and Scientific Committee, a technocratic task-force in charge of providing scientific advice to the government, composed of “high level civil servants from within the Ministry of Health, the National Institute of Health (ISS), regional governments, as well as clinical experts (public health experts, virologists, and clinicians)”³. However, while the National Plan for Preparedness and Response to an Influenza Pandemic has provided a framework for managing the COVID-19 crisis in Italy, its effectiveness has been challenged by the rapidly evolving nature of the pandemic and the logistical challenges of implementing measures at the national level. Some experts have also criticized the plan for not being adequately organized for the scale and severity of the pandemic, and the government had to adapt to the unfolding of events following the directives of the WHO and the advice of its task-forces, rather than focusing on carrying out the plan to the letter.

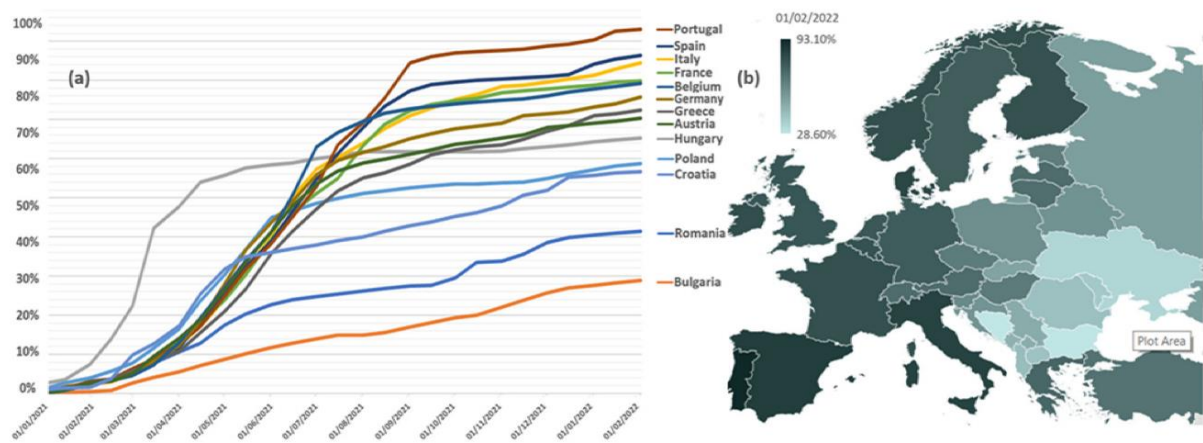
5. Executive framework – replacing the Conte government by the Draghi government

The beginning of the pandemic was monitored through the guidance of the Conte government, as the Prime Minister followed his second term in office due to widespread popularity of his measures. The 66th government of the Italian Republic led by Giuseppe Conte was sworn in on September 4th, 2019, with support from left and center-left groups of Parliament. After the political crisis of early 2021 the Conte government lost its majority support in Parliament, pushing the prime minister to resign on January 26th, 2021, in the midst of the pandemic. After Conte’s resignation, President Sergio Mattarella presented Mario Draghi, former president of the European Central Bank, as his replacement in order to form a ‘highly technical government’. The Draghi government was the 67th of the Italian Republic, and took office from February 13th, 2021, to October 22nd, 2022, after he lost the confidence of the Parliament and was then to be replaced by the current premier Giorgia Meloni.

The Draghi government is part of a recurring movement in Italian political culture to establish technical governments (*governo tecnico*) in times of great crises. The

two entirely technical governments the Italian executive has witnessed have been the Dini and Monti governments, the former assigned after the fall of the first Berlusconi government, and the latter as an interim cabinet aimed at mitigating the disastrous effects of the sovereign debt crisis in the eurozone. These two governments consisted exclusively of independent members, that were not politically affiliated. Governments like Draghi's, although comprising both politicians and non-politically affiliated experts, are still assimilated to technical governance, because of their specific make-up, their goals and aims, and the circumstances of their appointment. In this particular instance, the political, public health, economic, and social crises stemming from the COVID-19 pandemic constitute the basis for the resort to this technocratic approach to politics in Italy. The Draghi government, although highly technical and consisting in majority of independent experts, cannot be said to be a 'purely technocratic government' not only because of its mixed composition, but also due to its democratic implementation. Indeed, the appointment of Draghi's government still respected the democratic processes of the Italian Republic, as the Prime Minister was chosen by the President, then approved with his Cabinet by vote of the Parliament.

The Draghi technical government played a crucial role in managing the COVID-19 crisis in Italy, especially after the critiques the Conte Cabinet faced in that regard. Being a technical group instead of a politically leaning one, they were praised for their transparency and consistency, since they provided clear and reliable information concerning the situation in the country and the evolution of contamination. Moreover, in the later stages of the pandemic their proactive approach to vaccine distribution has proved vastly efficient, making the country one of the leading European nations in terms of percentage of the population vaccinated, counterbalancing the difficulties faced at the beginning of the COVID-19 crisis under the Conte government. As of February 2022, the nation ranked 3rd, behind Portugal and Spain, in vaccination rates among European countries (see graph below).



Source: Ionescu T., Fetecau B., Giurgiuca A., & Tudose C., *Acceptance and Factors Influencing Acceptance of COVID-19 Vaccine in a Romanian Population*

As stated in Severgnini’s opinion article in the New York Times, most Italian citizens “have no direct experience of wars and epidemics”¹². Hence, Draghi’s highly technical government allowed for guidance from trained experts to ensure optimal protection of the population in such unprecedented times and was a response to the divide in the politics of the nation, a way to establish a government of “national unity”¹³.

Although stemming from a technical government and expert based decision-making, Italy’s approach is arguably technocratic, and remains in the realms of the democratic processes spelled out by the Constitution, from the appointment of its Prime Minister to the legal framework behind the application of emergency measures. Other nations of the world such as the Republic of China have been said to have taken a much more technocratic route in their crisis management strategy, due to the intensity of the containment measures they have applied, and the highly contrasting results produced as an outcome of such strategies. The implementation of digital tools and technologies in such nations allowed for a more efficient response, and while Italy now displays very high vaccination rates, one cannot ignore the disastrous effects of the virus on the population in the early stages of the pandemic.

¹² Severgnini B., *Italy, Europe’s Coronavirus Lab*, New York Times, 2020.

¹³ Amaro S., *Draghi’s political downfall : how power imploded in Italy and what happens next?*, CNBC, 2022.

Section 3 : Measures in Taiwan and their legal framework

1. Overview

Taiwan or the Republic of China, a democratic self-governing island of nearly 23,5 million inhabitants, has displayed very successful COVID-19 containment results throughout the first phases of the pandemic, whereas most nations of the world were paralyzed by the unprecedented severity of the crisis. Until April 2022, the stringent measures applied on the island led to a surprisingly low rate of COVID related deaths, amounting to a total of less than 870 deaths since the beginning of the pandemic¹⁴. Since then, unfortunately, Taiwan has suffered from the spread of the Omicron variant, which proliferated as the government had started to loosen its otherwise strict containment measures and travel bans¹⁵. For the purpose of this research this recent wave will not be addressed as our time frame focuses mainly on the initial reaction of countries around the world to the first and second waves of the pandemic, prior to the distribution of vaccines and the spread of different variants. Focusing on the government's initial response in the first stages of the pandemic, it stands out in contrast with the rest of the world for its proactive character, as well as its clearly technocratic and strategic approach. In comparison with Italy, it is rather clear that the Republic of China adopted a position to impose the primacy of collective health over everything else in this situation of unprecedented emergency. Moreover, in order to manage the threat and spread of the virus, Taiwan made use of its national advantages, as the country has been vastly investing in digital technologies and developments in the past years. As a measure of comparison, when Italy and France both displayed over 30 000 deaths each by September 2020, which can be considered as a measure of the victims of the first wave of the epidemic – after its initial outbreak in early 2020, Taiwan on the other hand merely displayed a cumulated total of 7 deaths¹⁶. While the populations of France and Italy are significantly larger, the efforts produced by the Taiwanese government attest for their undeniable success. The following table shows the evolution of the cumulative number of deaths – as recorded by the World Health Organization – in the abovementioned nations. This graph also includes the data on the matter in Australia, in order to facilitate visual comparison and highlight the efforts in the Republic of China.

¹⁴ Data retrieved from Worldometer statistics.

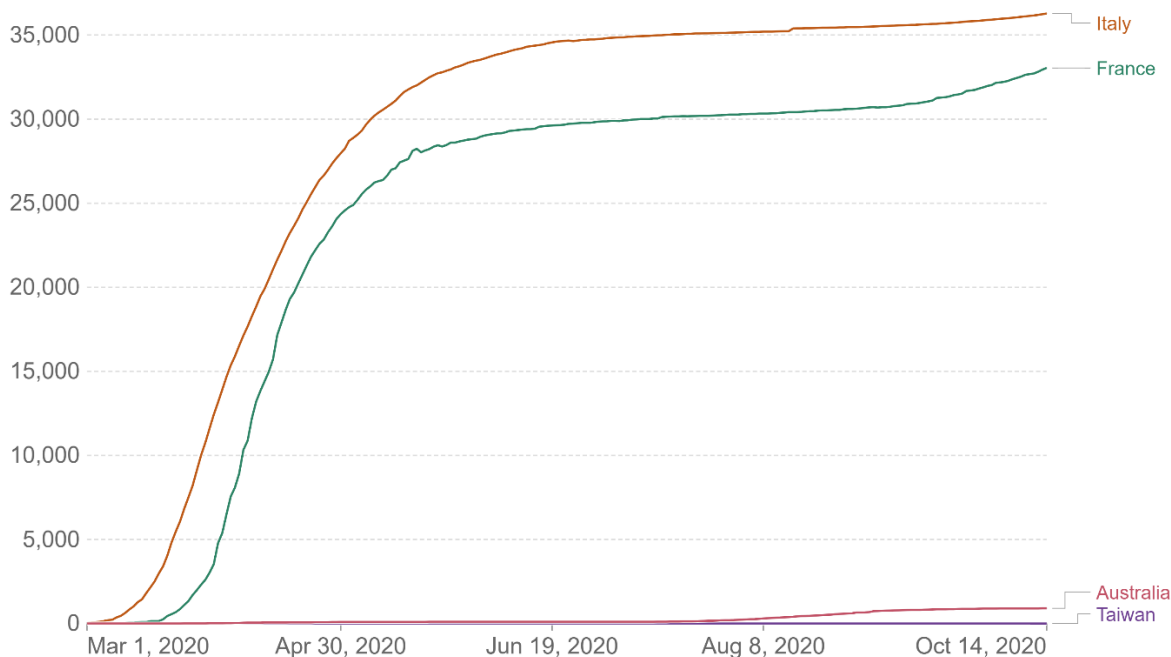
¹⁵ Toshniwal Paharia P., *How a major COVID-19 outbreak occurred in a naive and vaccinated population in Taiwan with a limited number of entry events*, News Medical Life Science, 2022.

¹⁶ Data retrieved from Our World in Data statistics.

Indeed, the total population of Australia amounts to a little over 25 million inhabitants, making it more comparable to Taiwan's demographics. Australia was also congratulated for its highly effective crisis management efforts, which reflected the technocratic processes adopted in Taiwan as well, yet the nation still was not as successful as it displayed a total of deaths after the first wave of approximately one thousand people. For clearer comparison, the deaths to population ratio in Taiwan amounts to a mere 0.00003%, against more than 0.004% for the Australian population, and 0.05% and 0.04% for Italy and France respectively.

Cumulative confirmed COVID-19 deaths

Due to varying protocols and challenges in the attribution of the cause of death, the number of confirmed deaths may not accurately represent the true number of deaths caused by COVID-19.



Source: Johns Hopkins University CSSE COVID-19 Data

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2. Measures established

The key factor that contributed to Taiwan's COVID management success include a proactive and science-based approach, a willingness to take quick and decisive action, and the use of technology and digital infrastructures, which the island's government was able to leverage from its recent investments in the field and hence quickly orient towards the monitoring of infected cases and tracking of contaminated citizens. Being a smaller nation, the Republic of China was faced with less obstacles in homogeneously implementing its measures, and overall, the surveillance of the population was easier given the smaller scale of the group to be protected. Another feature which undeniably

aided Taiwan in managing the pandemic was the intensity of its measures; the country has been recognized as one of the most restrictive among democratic nations in its COVID-19 response.

After the initial outbreak and spread of the virus in Taiwan, the government hastily adopted measures to close the country's borders as many cases and deaths witnessed seemed to be imported from European and American visitors, while also imposing a nationwide lockdown. Before the first cases were reported on the island the proactive attitude of the executive led them to impose close inspection by public officials of travelers coming from Wuhan, before allowing anyone to disembark aircrafts landing on Taiwanese grounds, starting December 2019 as the Chinese city was undergoing what was at the time qualified as an "unknown pneumonia outbreak"¹⁷. Through the Central Epidemic Command Center the island also started regular disinfection of public spaces, more specifically around schools which were considered high potential areas for contamination. In late January the first case of COVID-19 was reported in Taipei, the capital, after the arrival of a contaminated traveler from the region of Wuhan, and the country promptly banned all flights coming from the area in response. As masks were recognized a useful tool of protection, the Republic of China imposed a very specific rationing system, with quotas and limitations on prices, which protected the island from the protective equipment shortages witnessed in other industrialized nations. While on the national level, exports of masks were banned to ensure that the population would be prioritized, on the individual scale the citizens were allowed to buy masks in organized alternating turns, based on the odd or even number displayed on their identity documents. Moreover, each visit to purchase personal protective equipment was to be spaced seven days from the previous and following one, and specific quotas were defined and enforced for adults and children. Taiwan's production and supply of masks kept increasing throughout the pandemic, as it was one of the main measures of protection enforced up until the very final stages. The obligation to wear said protective equipment was lifted only in February 2023, and it remained mandatory in public transportation until mid-April 2023¹⁸, while the obligation to endorse masks in ambulances and healthcare facilities is still implemented to this day.

Early on in the pandemic, the government announced the resort to a zero-tolerance COVID policy in the territory, in order to protect collective public health while proper vaccines were being developed and tested. Strict quarantines in dedicated

¹⁷ *Center for Disease Control implements extra inspection measures for Wuhan flights*, Taiwan Today, 2020.

¹⁸ Lin S., *Taiwan to discuss lifting mask rules on public transport in mid-April*, Radio Taiwan International, 2023.

centers were imposed on the few resident travelers who were allowed in the country after the global travel ban, which were closely monitored. Thanks to widespread support from the Taiwanese population towards this approach, the country's activities were maintained throughout the year of 2020, while most of the world was going through strict lockdown measures. The zero-covid policy was enforced with the help of the various digital technologies available in the Republic of China, which permitted efficient tracking of contaminated individuals, and anyone they had come in contact with, so that all potential carriers of the virus could undergo strict quarantines. Said quarantines were also monitored with technological devices; the use of digital fencing tools allowed for monitoring of the activities of citizens under quarantine, by defining digitally the perimeter of the facilities in which they were quarantining, and hence be alerted of any movement outside of this perimeter. This "electronic fence"¹⁹ uses localization information from mobile phones to allow the government to ensure that people who have been exposed to the virus remain in their homes during the quarantine period. The system was initiated by Jyan Hong-wei, head of Taiwan's Department of Cyber Security, and is an unprecedented measure in crisis management, combining digital investments and human efforts. Hong-wei explained that if the perimeter is crossed or the phone is turned off, local authorities receive an alert and have instructions to take action in less than fifteen minutes. Additionally, local officials called quarantined citizens twice a day throughout their isolation to ensure that the potentially contaminated person would not leave their home without their mobile phone in order to bypass the digital fencing tool. Complaints about the severity of this method and its intrusion to privacy have been made, but the stellar results of the zero-covid approach have led the bulk of the population to comply regardless.

These stringent measures applied nationwide in the Republic of China reflected the country's zero-covid policy, this approach follows the "Find, Test, Trace, Isolate and Support" method in order to curb the propagation of the virus and keep contaminations close to zero²⁰. This process, although highly intrusive and impeding on citizens' freedoms, was adopted thanks to mass support and compliance from the population, but also judiciary obligingness. As will be detailed in the following sections, the previous experiences that the Republic of China has gone through have set precedence for an attitude of minimal judiciary interference in executive decision-making. Through the use of the Communicable Disease Control Act, the Health Minister and Prime Minister were

¹⁹ Lee Y., *Taiwan's new electronic fence for quarantines leads wave of virus monitoring*, Reuters, 2020.

conferred paramount authority in declaring the pandemic and the state of emergency that it implied, as well as seizing power over the judiciary, and establishing a taskforce of scientific experts responsible for articulating all guidelines to follow in order to handle the matter. This technocratic taskforce acted as a “centralized command center”²¹ and ensured interministerial coordination in order to allow for a proactive and consistent national response.

3. Historical precedence

Taiwan’s response to the COVID-19 crisis stood out in stark contrast with the rest of industrialized nations in the world, behind their proactive, efficient, and rapid response lies a national history of lessons drawn from previous crises that have deeply marked the population of the island. The 2003 SARS outbreak constitutes a turning point in the country’s recent developments, which has created the basis for many of the measures implemented during the COVID-19 pandemic. The historical implications of Taiwan’s policies are profound; the government has drawn lessons from the 2003 SARS crisis in order to avoid any logistical and legal mishaps in handling the larger, yet very similar, 2019 COVID epidemic. The issues faced, scientific observations made, and developments witnessed after the 2003 outbreak served as a strategic framework in this not-so-novel situation. As such, it provided the government with a basis to go from in order to avoid difficulties in applying homogeneous and effective strategies, as was observed in other countries. Similarly to the COVID-19 crisis, the 2003 SARS outbreak was a coronavirus triggered respiratory disease outburst, which lasted from February 2003 to May 2004. However, it was much less significant than the COVID epidemic, as the SARS outbreak contaminated a total of 8 098 people around the world, of which 774 died over the span of the outburst²². Although of a smaller scale, the 2003 SARS virus spread harshly in Asia where it originated, and Taiwan rapidly became part of the nations most brutally affected. Indeed, due to its lack of experience in handling such virological diseases the Republic of China saw its contaminations jump from zero to over 600 between the eight weeks spreading from March to June 2003²³ after a single contaminated traveler from China arrived on the Taiwanese territory and started

²⁰ Llupià A., Rodriguez-Giralt I., Fité A., Alamo L., De La Torre L., Redondo A., Callau M., Guinovart C., *What is a Zero-COVID strategy and how can it help us minimize the impact of the pandemic?*, Institute for Global Health, 2020.

²¹ Lee T.-L., *The Rise of Technocracy and the Covid Pandemic in Taiwan*, Cambridge University Press, 2021.

²² Official data published by World Health Organisation.

²³ Taiwan Center for Disease Control.

contaminating the inhabitants of the island. The tragic outcome of the 2003 SARS epidemic deeply affected the population, and efficacious response was expected of the government as concerns rose in the initial stages of the COVID crisis, in order to avoid any repetition of the confusion and ignorance of the past.

The heritage of the 2003 SARS outbreak spreads across the executive, legal, and logistical organization of the nation, but particular instances have triggered the mechanisms that explain the island's attitudes in the recent pandemic. The mask quotas, intensified production, and distribution rules applied diligently throughout the pandemic are a direct reflection of the chaos witnessed in 2003 around equal repartition of protective equipment, which proved to be lacking at the time as prices skyrocketed and citizens showed a tendency to accumulate masks in order to protect themselves at all costs. These measures were an initiative of the National Health Command Center (NHCC), a special agency formed in 2004 in response to the SARS outbreak. The NHCC was intended as a disaster-management center focusing on large outbreak response, it acts as the operational command point for communication among various national and local authorities. It also builds on the guidance provided by the World Health Organization on how to develop command centers for public health emergencies. The NHCC provides information on such matters for decision-makers, in order to orient policymaking and crisis management responses. This taskforce includes the Central Epidemic Command Center, the Counter-Bioterrorism Command Center, the Biological Pathogen Disaster Command Center, and the Central Medical Emergency Operations Center. Creating in this way a unified and joint framework to serve as a comprehensive platform for preventing and managing major epidemics. The NHCC is to account for Taiwan's swift actions as the first contaminations were witnessed, as it is responsible for the executive decision to interrupt flights from Wuhan in January 2020, a measure implemented more than two months prior to the official announcement from the World Health Organization declaring the global pandemic.

The Heping Hospital quarantine scandal is arguably the most pivotal heritage from the 2003 SARS outbreak. The judiciary dispute that followed this controversy provided the legal precedence for the interpretation of the Taiwanese Constitution regarding infringements on personal freedoms. When in April 2003 a cluster of contaminated patients started forming in Heping hospital in Taipei, the government ordered a general quarantine for the entirety of the hospital's patients, but also for their families, and all the doctors, nurses, and workers of the facilities. In two weeks, over 150 patients and staffs were infected, as the 2003 SARS virus – echoing the current

COVID-19 modes of transmission – was communicated through close contact and contact with infected surfaces, resulting in a total of 31 deaths due exclusively to the decision to quarantine the premises of Heping. Dr Chou, who deserted the hospital lockdown despite threats, took legal action upon the Taiwanese government for mishandling the situation and endangering the lives of all patients and workers of the hospital, claiming criminal action on their part. The ruling of the Court favored the executive of the Republic of China and established the premises for the support of utilitarian reasoning during similar crises. Hence, during the pandemic, the Taiwanese government relied on the experience acquired from the events of 2003. When the epidemic broke out, the government took the utilitarian route of focusing exclusively on the protection of public health in the collective meaning of the word.

4. Legal framework

As previously established, the heritage of the 2003 SARS crisis constitutes a true turning point in establishing a solid framework for triggering efficient emergency responses. The Heping Hospital judiciary dispute, led by Dr Chou against the Taiwanese government, created legal precedence for the interpretation of article 23 of the Taiwanese Constitution in such situations of public health emergency. The Constitutional Court of the country ruled in favor of government officials and not the plaintiff in this dispute over their role in the deaths of the 31 victims of the Heping Hospital quarantine. The Court's decision was made according to the provisions of article 23 of the national Constitution, which states that constitutional freedoms can be infringed upon in order to “avert an imminent crisis”²⁴. Hence, it was decided at the time that the quarantine imposed in the premises of Heping was a necessity to protect public interest in a situation of emergency, as provided for by article 23 of the Constitution. The Heping case constitutes jurisprudence and is famous for legally establishing this clear distinction between the “deprivation of liberty during a public health crisis”²¹, and blatant criminal action. These events explain the attitude of minimal interference of the judiciary in executive decision-making that was displayed during the 2019 COVID crisis and in the aftermath of these decisions.

Indeed, the Taiwanese government relied heavily on the experience and expertise acquired from the events of 2003; in order to organize a rapid crisis management strategy they prepared the jurisdiction behind the decision to give paramount power to the executive and its subordinated experts. This decision, backed by the provisions of

the Taiwanese Constitution, stems from the regulatory framework provided by the Communicable Disease Control Act, another legacy of the 2003 SARS outbreak, which provides the guidelines to follow for the management of the “occurrence, infection and spread of communicable diseases”²⁵. This legal act designates the Ministry of Health and Welfare as the “central competent authority”²⁶ along with the Prime Minister, conferring them paramount authority in officially declaring a pandemic and its subsequent state of emergency, but also in seizing power over the judiciary, and most importantly in creating a taskforce of experts responsible for articulating the guidelines to handle the predicament. Thus, the COVID jurisdiction to give power to the executive and its subordinated experts was all prepared far in advance of the beginning of the pandemic, allowing swift adaptation of the different branches of power in order to protect the livelihood of the Taiwanese population.

²⁴ Taiwan Constitution, 1947.

²⁵ Communicable Disease Control Act.

²⁶ Lin C.-F., Taiwan : *Legal response to Covid-19*, Oxford Constitutional Law, 2021.

CHAPTER 2 : TECHNOCRACY V. DEMOCRACY, A CONFLICT OF VALUES?

The technocratic measures adopted in Taiwan and Italy have been met with heavy backlash claiming their unconstitutionality and highlighting the important threat they pose to the democratic functioning of these nations. It seems the COVID-19 crisis has brought attention to the debate on technical governance in democracies, and many agree that by nature, technocratic values and democratic values are incompatible. However, the relevance and efficiency of the former in crisis management responses is undeniable, and this phenomenon has generated a new form of governance attempting to associate the two in contemporary policymaking.

Section 1: A conflict perhaps not as insuperable as it seems

1. Technocracy is inherently undemocratic

The technocratic fantasy is described by Lorenzo De Sio²⁷ as the ideal solution to all problems; free of the blackmail, and personal and/or concurring interests of politics, it puts in power competent technicians that are supposed to take the best possible decision for the country. However, this ideal is not flawless, and studying its implications in democratic nations highlights the threat it can pose to the pillars of their mode of governance, whether it be pluralism, representativity, or trust. The most obvious point of incompatibility between democratic and technocratic means of governance lies in the representativity principle. Democracy was constructed around the notion of pluralism of political opinions, and the vote was established to decipher which opinions were representative of the majority of the population. Technocracy is inherently opposite to pluralism, defined simply as “recognizing that society is characterized by people who have ideas, and most importantly interests, that are diverse and opposed to each other”²⁷. The assumption behind the technocratic belief is that there is a single ‘correct’ solution to a given problem, and that experts are the best equipped to find that solution. Thus, there is no assessment of potential “opposing values or

conflicts of interests”²⁸. Pluralism does not exist in technocracies because there cannot, by nature, be differing opinions on the solution to be reached as it assumes there is a correct answer for any problem. In a diverse society, it is almost impossible to have a purely technical decision that is fit for all²⁷; decisions are necessarily political as they require a choice between values and interests to be prioritized. This assumption implies that for any measure taken by technocratic leaders or experts, there will be a forsaken angle to that problem, as political solutions are rarely beneficial to all. Further than threatening pluralism, technocratic views prove to be dangerous to the core democratic value of representativity. Since solutions are to be found by experts, who are the sole competent authority in finding *the* solution to a given issue, the voice of the people expressing its contrasting opinions is rendered completely irrelevant. It is not merely the pluralist aspect of democratic society that becomes irrelevant, but the overall notion that the people is sovereign in electing political representatives. Democracy was born as the solution to the concurring opinions in a society, in order to make citizens responsible for the decisions taken so that they won’t resort to violent protests against illegitimate governments. Hence, decisions made by a technical government, although they could be exercising as a technical government in a democratic nation – such as the Draghi Cabinet, are much less legitimate because they do not come from a body of elected representatives chosen by the people. This is what De Sio refers to as “*legittimazione elettorale*”²⁷ or electoral legitimacy, and he highlights the dire consequences such governments can have on the stability of an otherwise heavily democratic country, as well as the relevance of imposing a technical government in the midst of an unprecedented crisis such as the COVID-19 pandemic, already causing unrest and divides among citizens.

Resorting to expert-based attitudes has led to a rise in technocrats in government, as was observed with Italy’s technical government, but also Taiwan’s implementation of scientific advisors for its executive decisions. This process necessarily induces a reduction in the presence of ministers and government officials with proven and established political skills, that have been “tested in elections”²⁸. This obviously poses issues of democratic accountability, but also brings about concerns regarding the overall political expertise of such a government. Scholars go as far as questioning the ability of such experts to formulate political guidelines, this “paradox”²⁷ of trusting non-politicians with political choices is highlighted by Lorenzo De Sio through a parallel

²⁷ De Sio L., *Due o tre cose che so dei governi tecnici*, LUISS Open, 2021.

²⁸ Tronconi F., Verzichelli L., *Mario Draghi: Is Italy’s addiction to technocratic leaders a cause for concern?*, The Conversation, 2021.

with the nuclear weapon; it seems indeed unreasonable to consider relying on nuclear physicists when pondering whether or not to trigger the use of nuclear weapons, instead of maintaining this power in the hands of the president (taking the United States during WWII for reference). Questioning in such ways the competence of experts in policymaking raises concern of trust in governments and elected, or non-elected, public figures. While technocrats have arguably proved their abilities in their field of expertise, their political expertise remains unproven at best. One of the most concerning hazards stemming from such an approach lies in technocrats' tendency to either focus on short-term crisis management over long-term changes, or to fall for the bias of overfocusing their attention on their sphere of proficiency, to the detriment of other considerations. Indeed, the effectiveness of the technical responses used by countries such as Taiwan has legitimized them and supported the praise they have received. However, the spectacular results yielded have diverted public opinion from assessing its limits and accounting for the discordant effects it has imposed on different population groups. As the technocratic method is a general prescription, it works on the model of assessing a population as a big group to be managed and protected, in a utilitarian manner. By creating a task-force like the one anticipated by the Taiwanese Communicable Disease Control Act, made up of doctors, epidemiologists, virologists, and other scientists, governments are reinforcing the false assumption that the pandemic is solely a health crisis and nothing more, when it has spread so widely across activities that it has become an environmental, social, and economic crisis as well. While technocrats may be well equipped to respond to immediate emergencies, in the scope of action of their expertise, they often will lack the vision and abilities to anticipate their disparate effect, as well as their social significance. This can cause their measures to perpetuate social injustice and inequalities, and hence limits their potential for transformative change. The exacerbated focus on the protection of the health of the population has led to manifest disregard for the growing stigmatization of minorities as the crisis intensified. Whether it be healthcare workers or infected patients, but also evidently vaccinated versus non-vaccinated people. Technical executive groups can only assess solutions for issues in their spectrum of expertise, and thus while solutions to reduce contamination such as quarantines were easy to decide on, other issues have been greatly overlooked, such as the health and stability of frontline healthcare workers for example. On a macroeconomic scale, the economic impacts of the pandemic have substantially deepened the divide between the rich and the poor, and receded efforts towards gender

equality²⁹. Just like Taiwan, most nations of the world took the utilitarian and technocratic route of favoring limiting transmissions and creating a healthy environment over the protection of social rights. Overlooking and not anticipating the deep impact of the pandemic on the social and economic fields, causing inequalities and recessions all over the world, which will take decades to recover from fully. The primacy of public health in the context of the COVID epidemic has led politicians to nearly complete oblivion of any other aspect of human life and society, which puts nations at great risk of witnessing unstable and unbalanced progress, with certain fields developing solely at the cost of regress in others.

Issues of trust in experts and political figures during the pandemic inevitably remind us of populist antidemocratic attitudes, which were already resurging before the COVID-19 crisis, and have since then grown exponentially. Numerous right-wing populist movements have achieved undeniable electoral success in European nations recently, such as in Hungary, Poland, the Czech Republic, Austria, France, Sweden, Italy...etc³⁰. Daniele Caramani draws a strong parallel between populist and technocratic attitudes, arguing both as “unitary, non pluralist, unmediated, and unaccountable visions of society’s general interest”³¹. Nevertheless, it is important to acknowledge the main difference in the orientation of trust in these two alternative forms of political representation; populism emphasizes citizens’ support towards a leader ‘of the people’ who will truly echo their general will and interests, whereas technocracy stresses political belief in authorities and experts in a given field, who will solve technical problems through scientific and rational reasoning. Interestingly, the COVID-19 pandemic has brought about a phenomenon of rising popularity of technocratic-populist figures; recognized ‘experts’ (here intended as certified professionals) expressing and supporting the controversial opinions of certain groups of the population. Such was the case of Didier Raoult, leading figure of the opposition to vaccines in France. Dr Raoult is a French microbiologist and professor, specialized in infectious diseases, he is a qualified scientists with more than eight degrees in various fields, including a doctorate in human biology³². He became famous during the pandemic through his searing speeches against vaccination campaigns, and his claims for the support for Hydroxychloroquine-based treatment for severe cases of coronavirus, despite lack of scientific evidence to prove its effects in Dr Raoult’s very own research. The danger of

²⁹ *Covid threatens four ‘lost decades’ for gender equality*, UNCTAD, 2021.

³⁰ Lazar M., *European Populism, From Left to Right*, Institut Montaigne, 2021.

³¹ Caramani D., *Will v. Reason: The Populist and Technocratic forms of political representation and their critique to party government*, Cambridge University Press, 2017

³² Curriculum Vitae of Didier Raoult, InfectiopoleSud, 2010.

this “scientific populism”³³ lies in the disorientation of the electorate, tending to trust the expertise of qualified and certified experts – one of the founding arguments in support of technocratic attitudes, without further questioning and hence without considering potential diverging opinions, and plural views of society.

This is a threat to the very core of democracy that we are witnessing, not solely in regard to competence, political expertise, or representativity, it extends to the established functioning of democratic nations, which is being disturbed in these unprecedented circumstances under the pretext of increasing efficiency. In Italy, the state of emergency allowed the government to bypass the Parliament through “decrees of the Prime Minister”³⁴ (or DPCMs), although not unconstitutional, this approach blurred the separation of powers, essential to democratic governance. In Taiwan, as observed with the example of the Heping Hospital case, the judiciary applied an approach of minimal interference, even in cases of impediments on Constitutional rights and freedoms. The concerns towards the “depoliticization of politics”² spreads to the very concept of democracy, which was established more than two centuries ago, as it leads to a discreditation of the founding institutions of democracies. The loss of trust in the performance not only of ‘traditional’ political figures but also of traditional democratic practices and institutions could lead to the demise of democracy as a whole. This argument is also supported by Vivien Schmidt³⁵, as she argues that technocratic attitudes are only acceptable so long as they produce functional policies, widely supported by the population and without significant risks or controversies. She argues a general “democracy deficit”³⁵ in the European Union, namely in the Greek economic crisis. The lack of participatory input, and hence democratic legitimacy, in the austerity measures put in place according to the expertise of financial advisors are a prime example of the concurring values guiding technocratic and democratic modes of governance. These two orientations of power can work together in certain instances, as popular support could very much favor the technical solution put forward by technocrats, but this is not always the case and can lead to conflict and unrest.

³³ Gavois S., *Populisme Scientifique, la virulente charge du comité d'éthique du CNRS*, NextImpact, 2021.

³⁴ Bosa I., Castelli A., Castelli M., Ciani O., Compagni A., Galizzi M., Garofano M., Ghislandi S., Giannoni M., Marini G., Vaineri M., *Response to COVID-19: was Italy (un)prepared?*, Cambridge University Press, 2021.

³⁵ Schmidt V., *Can Technocratic Government be Democratic?*, Telos, 2011.

2. Can technocratic processes become democratic?

Regardless of these heavy concerns towards the adoption of technocratic processes, their undeniable relevance in the COVID-19 crisis has proved their efficiency and purpose in crisis management. The Italian and Taiwanese responses have both led to great success in protecting the population, whether it be with concerns over the legitimacy of the government or their general competence with the heavy health implications of the pandemic. Although fully aware of the pitfalls of technocratic methods, government officials all over the world have recognized their unmatched potential to resolve the coronavirus outbreak, and in democratic nations they have ensured to resort to Constitutional means of implementing such processes, in order to maintain their policymaking within the scope of democratic decision-making.

In order to render technocratic methods somewhat democratic, and hence not succumb to authoritarianism in the panic of the pandemic, governments have resorted to specific and defined means to implement them, in an attempt to ensure a monitored and limited framework for the application of these processes. In Italy, the Draghi technical government was put in power through presidential appointment by President Sergio Mattarella, as per article 92 of the Italian Constitution⁸. Furthermore, the President of the Council of Minister and its chosen Council have also received the confidence of “both houses of the Parliament”⁸ as required in ordinary circumstances according to article 94 of the country’s Constitution. Hence, although an uncommon form and composition of government, the Draghi Cabinet still followed the usual Constitutional requirements in order to gain access to power. Subsequently, the executive used the state of emergency to establish the different norms and obligations that ruled the population during the various lockdowns. This extraordinary measure is formally restricted in time; it can last a maximum of 180 days, and be extended in exceptional circumstances for that same period of time. As explained in Chapter I, section 2 (see supra), during the COVID-19 crisis the government of Italy issued decrees having the force of law, without needing prior approval of the Parliament. These DPCMs are not a mean to bypass the separation of power, nor the supremacy of Parliament, rather they are a way to ensure quick and efficient response is applied in situations of crisis. The DPCMs are regulated in the Constitution³⁶ and as such they still have to be approved by Parliament, or they will lose effect *ex post facto* – retroactively. The Constitution also clearly states that these decrees are only to be resorted to “in case of necessity and urgency”³⁶. Thus,

³⁶ Article 77 of the Constitution of the Republic of Italy.

unlike many claimed during the pandemic, the Italian technical government was not unconstitutional and anti-democratic, rather, it was a closely monitored temporary solution to an extraordinary situation of unprecedented crisis.

In the Republic of China, the Constitution also provided sufficient legal basis for the democratic implementation of emergency responses. The jurisprudence from the interpretation of article 23 of the national Constitution in the Heping Hospital Case led to rapid implementation of restrictive measures without judiciary resistance, and the guidelines of the Communicable Disease Control Act created a binding framework that clearly defined the processes and methods to be used, based on scientific evidence and prior experiences drawn from the SARS 2003 crisis. The Communicable Disease Control Act consists of a total of 76 articles conferring the “central authority”³⁷ the right to instate highly restrictive measures³⁸, or derogate to ordinary laws of the country³⁹, in the context of a pandemic. The Act also spells out the penal provisions to be applied in case of breach to the regulations it imposes, which are detailed in articles 61 to 71⁴⁰. It is a text of law to be implemented under formal request by the Ministry of Health, which it recognizes as the central competent authority solely for the duration of its implementation. Although Taiwan’s legal framework for extraordinary crisis management measures is less limited than that of Italy, the provisions of the Communicable Disease Control Act are thoroughly detailed, allowing executive decisions to be not only guided but also finite, as they necessarily have to be cited among this exhaustive list.

Section 2: The benefits of technocratic approaches in crisis management

1. Utilitarianism

Expert-based crisis management strategies are undeniably a risk in democratic nations, and they produce disparate effects depending on their implementation and the degree to which they are allowed to take over democratic processes. However, they have constituted a truly effective response in the countries implementing them wisely, such as

³⁷ Article 2 of the Communicable Disease Control Act of the Republic of China.

³⁸ Article 58 and article 59 of the Communicable Disease Control Act of the Republic of China.

³⁹ Article 55 and article 56 of the Communicable Disease Control Act of the Republic of China.

the Republic of China which monitored and framed the technocratic methods, while also accepting to let experts and the Ministry of Health take the lead of the executive for the duration of the pandemic. This decision stems from a utilitarian decision put forward by the government, promoting the protection of public health at all costs, in the collective meaning of the word. The utilitarian reasoning behind technocratic methods has led states to impose heavy restrictions, as individual self-regulation was not considered a reliable option in the face of a crisis as important. The considerable intervention of the state, associated with unconventional routes of policymaking and law-enforcement, all stem from this utilitarian philosophy of protecting the masses, the biggest number of citizens possible. Historically speaking, we have assessed that technocratic methods are inspired by wartime strategizing⁴¹, in such events utilitarian reasoning guided the army and the nation as a whole, as they united to reach victory while preserving soldiers and citizens and trying to minimize potential losses. While the COVID-19 crisis was a public health issue, the parallel with the utilitarian philosophy assumed by world leaders is undeniable, and it has been voiced out explicitly by political figures. On March 16th, 2020, French President Emmanuel Macron clearly illustrated this notion in his speech to the nation announcing the very first nation-wide lockdown: the President proclaimed the now famous words “*nous sommes en guerre*”⁴² [we are at war], and then later asked the citizens for their general mobilization in this common effort against the “enemy”⁴².

While potentially producing imbalanced effects, technocratic attitudes are especially fitting in these exceptional circumstances, for their legitimacy, their efficiency, but also for their power to unite a nation as a group. Such reasoning would be highly debatable in ordinary circumstances, for it is the role of democratic politics to ensure representativity of all citizens, and to promote the supremacy of the people. However, in the COVID-19 crisis this utilitarian thought-process proved necessary to establish the correct rules and protect the populations of the world. As much as scholars claim the dangers of “depoliticized politics”², the underlying assumption behind these attitudes are rooted in the need to maximize the safety and protection of a people, in times of urgency and instability, so as to ensure that the State fulfills its positive duty to protect the life and health of its citizens.

⁴⁰ Chapter 6 of the Communicable Disease Control Act of the Republic of China.

⁴¹ See supra, Chapter 1 of this paper, section 1, “*Historical Developments*”.

⁴² « *Nous sommes en guerre* » *le verbatim du discours d'Emmanuel Macron*, Le Monde, 2020.

3. The pursuit of progress

The recent forms of technocracy developing throughout the past decades, and booming during the pandemic, are characterized by their abandonment of methodical approaches to favor adaptability and focus on the changeability of reality. This new focus on ongoing events as opposed to “textbooks of the past”⁴³ created the ‘Crisis-Technocracy’ put at work during the COVID epidemic. It is the pride of developed countries to function with efficiency and rationality and be guided by “the power of reason, science, and technique”⁴⁴. These nations have witnessed unprecedented progress thanks to technological advancements, and they have been the source of betterment in many aspects of economic and social life, especially in their yearning for constant economic growth. Therefore, progress in developed nations is understandably and evidently praised and chased. Modern democracies adopting technocratic attitudes are thus realistic, anchored in the unstable world we live in, and determined to be proactive and ever-evolving. The main attraction for technocratic approaches lies in the following principle: technocracy yields real results. In the chase for quick and tangible progress their appeal becomes obvious, and it seems that resorting to more technocratically-oriented means is inevitable if the pursuit of progress at any cost is to remain a goal in modern societies. In the cases of Italy and Taiwan, technocratic processes have produced undeniable positive outcomes, and they have not threatened the democratic processes of these nations to a concerning extent, since they were limited by the legal framework of the national Constitutions, and the regulatory acts enforced in situations of emergency.

Technocratic approaches are particularly appealing to the capitalist world order that dominates in developed nations of the 21st century. The main argument in their favor, and the reason they were so widely implemented, is that of efficiency; expert-based policymaking is more productive than democratic processes. Thanks to the specific proficiency of experts, and the utilitarian concern that it assumes, technocratic governance is aimed at guiding through the prism of reason, rationality, and science. Progress, understood as the relatively desirable goal of “improving the human condition”⁴⁵, has been a sustained goal of policymakers since the 19th century, marked particularly by the events of the industrial revolution. From that time came the idea that reforms, revolutions, or simply governance by and educated elite would “put societies on a bright ascending path”⁴⁵. It is the main pursuit of modern societies to chase

⁴³ White J., *Technocracy after Covid-19*, Boston Review, 2020.

⁴⁴ Radaelli C.-M., *Technocracy in the European Union*, Routledge, 2017.

⁴⁵ Dommen E., *Le Progrès, le chemin tortueux du nihilisme à l'espérance*, Triglav Circle, 2008.

progress – particularly technical progress, in its utilitarian understanding, so as to improve the economic conditions of their citizens, and then by extension the social conditions, as per the capitalist reasoning they have been abiding to since the end of the 18th century, when this mode of production was established as the dominant mean of generating profit.

4. Epistemic knowledge

This pursuit of progress relies heavily on the technical and technological advances uncovered and exploited. This notion comes from the idea that expert-based knowledge holds more value, because it is the most viable way to achieve sustainable and tangible progress, but also in a vaster understanding it is believed to be more reasoned, unbiased, and hence more universally true. This technocratic ideal follows meritocratic premises according to which those “most competent”⁴⁶ to make a decision should logically be the ones in charge, following epistocratic beliefs. Matthew Cole explains that this depoliticization of policymaking aims at favoring the “cooler logic” of utilitarianism⁴⁶, his argument is also supported by Jason Brennan, who explains that if democracy is to be judged by its results – in order to ensure its effectiveness for the citizens it supposedly serves, then the rationality of technocratic governance is helpful in guaranteeing a “competent government”⁴⁷. Brennan explains that social science has shown the downsides of excessive political participation and democratic participation, which tend to make people “more irrational, biased, and mean”⁴⁷. Given these observations, he supports the technocratic claim towards epistemic knowledge ruling in political decision-making. This political philosophy welcomes the notion of governance as “the rule of the knowledgeable”⁴⁷; this is what the philosopher referred to as “epistocracy”, following the same understanding of what we have defined as technocracy, in a comprehensive meaning of the concept which does not limit itself to purely technical expertise, but rather policymaking through proficient and specialized authorities in a given field.

The rule of epistemic knowledge is a pillar of the notion of technocratic governance. While epistocracy and technocracy can be assimilated as analogous notions, although with debated understanding depending on a scholar’s interpretation of the word, they must not be mistaken with scientocracy. Indeed, scientocracy promotes governance by a ruling community of scientists, in the restrictive meaning of the word,

⁴⁶ Cole M., *What’s wrong with Technocracy?*, Boston Review, 2022.

⁴⁷ Brennan J., *Against Democracy*, Princeton University Press, 2017.

imposing strictly scientific disciplines as the basis for policymaking. However, scientocracy follows a common assumption to technocracy; that of science as a source of “objective knowledge”⁴⁸, although technocrats interpret science in the general sense of epistemic knowledge. Epistemology refers to the philosophical concept of reasoning according to knowledge⁴⁹, in politics this epistemic knowledge constitutes the basis that qualifies experts to rule – technocracy is an “inherently epistemic enterprise”⁵⁰. Especially relevant in the context of crisis management responses, expert knowledge allows for proper information of the population and responsible orientation of policymaking efforts; it is the knowledge acquired through consultation of task-forces of scientists that has guided democracies in handling the COVID-19 crisis, and their analysis of the functioning and modes of contamination of the virus played a central role in the guidelines formulated by governments, and on a larger scale by the World Health Organization.

Section 3: Technocratic-Democracies: balancing representativity and efficiency in a post-pandemic world

1. Technocratic-Democracies: compatibility

Having the potential to be highly adaptable and nuanced, technocracy is not as antipolar to democracy as it appears to be; they have been associated with great success throughout the pandemic, and were previously applied in certain democratic nations, although admittedly to a limited extent. Italy’s recurring resort to technical governments is one of many examples of such instances. This novel assumption, that technocracy and democracy are not mutually exclusive and opposed notions, presupposes that there could be varying ‘degrees’ of technocracy⁵¹, implemented in democratic nations, in order to reap the many benefits of these approaches which we have enumerated throughout this research. Indeed, governments are rarely fully technical, and technocratic attitudes are implemented unevenly in various democratic nations. There are “technocratic-led

⁴⁸ Michaels P., Kealey T., *Scientocracy, the tangled web of public science and public policy*, Cato Institute, 2019.

⁴⁹ Stanford Encyclopedia of Philosophy, *Epistemology*.

⁵⁰ Friedman J., *Power without Knowledge : a critique of Technocracy*, Oxford University Press, 2019.

⁵¹ McDonnell D., Valbruzzi M., *Defining and classifying technocrat-led and technocratic governments*, European Journal of Political Research, 2014.

cabinets”⁵², such as the Draghi government in Italy, but also governments of elected politicians resorting to the counsel and guidance of experts, as is the case for the Republic of China in the COVID-19 crisis. There is a rise in the appointment of technocrats in “*political* governments”, but not necessarily in entirely technocratic executive cabinets⁵². There is no dichotomous divide between technocratic and non-technocratic governments, because there are not solely expert-free governments and experts-only governments. Research studying democratic governments and their degree of technocracy have used different indicators, namely the partisan/technocrat composition of governments⁵¹, or the affiliation of ministers and lack thereof⁵². Certain works of research on the matter assume only three manifestations of technocratic attitudes in democratic governments: “technocratic cabinets”, made up exclusively of non-partisan experts, “non-political ministers appointed in otherwise partisan cabinets”, and, naturally, fully partisan political governments⁵³. This common oversimplification is not reflective of empirical observations, and the pandemic response of democratic countries over the world has provided abundant evidence to support claims on the nearly unlimited degrees of technocratic intensity for a given government. As previously stated, technocratic processes and methods are highly adaptable⁵⁴. It is this adaptability that allows their implementation on a case-by-case basis, with a plethora of factors and methodologies impacting the degree of technocratic attitudes that a nation will enforce.

The initial assumption that technocracy is incompatible with democracy thus proves erroneous, as supported by the attitudes of democracies during the COVID-19 pandemic. Although their implementation has been irregular, and at times criticized for its lack of accountability – such as was the case with critiques of the Draghi cabinet and its effect on the party democracy established in Italy²⁷. But when imposed through constitutional means and with supporting evidence to highlight their necessity, these measures can be welcomed by the population, acknowledging their incomparable potential. Such was the case in Taiwan, where the population had been heavily marked by the events of the SARS 2003 outbreak and recognized the efficiency of technocratic methods in such times of crisis. After careful consideration of the unfolding of events in Taiwan, one can certainly assume that the events of the COVID-19 pandemic will play a pivotal role in future crisis management strategies, creating a fast-track way of implementing technocratic attitudes. Indeed, just like the SARS 2003 response created

⁵² Emanuele V., Improta M., Marino B., Verzichelli L., *Going technocratic? Diluting governing responsibility in electorally turbulent times*, Routledge, 2023.

⁵³ Chiru M., Enyedi Z., *Who wants technocrats? A comparative study of citizen attitudes in nine young and consolidated democracies*, The British Journal of Politics and International Relations, 2021.

⁵⁴ See supra, Chapter 2 of this paper, Section 2, “*the pursuit of progress*”.

precedence for the implementation of expert-based guidelines in 2019 in the Republic of China, the success of technocratic processes in the COVID pandemic has legitimized them in the eyes of the electorate. It is then safe to assume that in possible future crises of similar scope and importance, democratic nations will resort to technocratic means faster, and with less backlash from the population, as they will build upon the events of the pandemic.

2. Expert-consultants

Acknowledging that technocratic attitudes are a rather fluid notion leads us to understanding the expert-led dynamics already implemented in democracies. Consultants in specific fields have been used as efficient counselors for elected officials to make informed and reasoned decisions, and that even prior to the COVID crisis. This traditional approach of “having the experts on tap but not on top”⁵⁵ is a common occurrence for politicians in democracies and has rarely been confronted with claims of being anti-democratic like technocratic processes have. Experts prior to the pandemic were consultants, but they were not rulers – they provided insight but did not hold supreme power or knowledge over the elected government. Alfred Moore details three forms of integration of experts in democratic policymaking: “representative expertise”, “participatory expertise”, and “associative expertise”⁵⁶. These mixed models of democratic expertise classify the integration of experts as consulting and advising bodies in democracies.

In a situation of representative expertise, experts exercise “limited and delegated powers”⁵⁶ framed and supervised by political institutions; in this model politicians have the secondary responsibility of scrutiny and control over the experts they are consulting and delegating powers to. Hence, citizens are not required to be informed on the matters experts rule on, nor do they need to formulate policy wishes to be executed. Rather, in representative expertise models, citizens have the informant role of communicating micro-level issues to their representatives, in order to prompt them to seek a solution, through consultation of experts – among others. Political bodies such as the executive and the Parliament should be the ones in charge of evaluating expert policy guidelines and limiting their powers in order to maintain the democratic order of the nation.

The second model listed by Moore is that of participatory expertise, which involves experts through “direct participatory processes”⁵⁶. In this model ordinary

⁵⁵ Shapiro M., « *Deliberative* », « *Independent* » *Technocracy v. Democratic Politics: Will the Globe Echo the E.U.?*, Duke University School of Law, 2005.

citizens take part in citizens' juries to formulate policymaking guidelines, under the assumption that they are fully capable of "making informed judgment of complex expert claims"⁵⁶. Citizens are not considered the experts, but they are the ones in charge of evaluating and scrutinizing the claims made by them. In contrast to representative expertise, the participatory process places the informed scrutiny of experts in the hands of citizens directly, as opposed to elected political officials. Participatory expertise can also be used as a "supplement"⁵⁶ to representative expertise, as the evaluation of politicians can then be followed by scrutiny of a jury composed of randomly selected citizens.

Finally, the associative expertise model lies on the mobilization and creation of expert knowledge on the basis of the aims of "self-organized associations"⁵⁶. These advocacy groups have the role of formulating expertise to support or challenge policymakers' guidance, so as to defend the interests of their members. Moore illustrates this complex notion with the efforts of AIDS activists, who mobilized knowledge in aims of protecting those affected by the disease and managed to challenge previously established science on the matter. However, associative forms of expertise are not inherently part of the democratic process of decision-making, and their democratic value is subjective. Associative expertise is also less common as it not only challenges the traditional notion of what an 'expert' is, but it is also clearly and openly partial: it is organized around competing "group interests"⁵⁶ and defends its participants first and foremost, not the general population.

In current democracies the use of representative expertise is a rather common occurrence, and it has been the most vastly resorted to means of contracting expert knowledge during the COVID pandemic. Participatory processes are implemented in certain circumstances, through concerns of representativity and sovereignty of the people. However, it is more uncommon for politicians to openly contract expertise through the associative model, which is too often associated with interest groups and lobbies, which are deemed arguably anti-democratic by many. Through these channels of mobilization of epistemic knowledge, politicians can follow a specific framework in implementing the counsel of proficient experts in their policymaking. This classification illustrates the expression of the "need for expertise and technical administration in a deliberative democracy"⁵⁶. The recurring threat of the rule of experts associated with technocracy is hence moderated through the expression of an exhaustive repertoire of democratic inclusion of experts in policymaking, through one or more of these models.

⁵⁶ Moore A., *Three Models of Democratic Expertise*, Cambridge University Press, 2020.

This argument in favor of the democratic oversight of experts is supported by Matthew Cole as well, as he explains that technocratic institutions “lack in meaningful mechanisms of oversight and accountability”⁴⁶ and could constitute a highly productive addition to policymaking efforts if they were to be framed by significant rules promoting democratic scrutinization, and transparency.

3. The ideal of the Technocratic-Democracy

Today’s technology-driven world, relying on trusting reason and science in order to reach bigger and faster progress, might need to integrate more technical processes to its democracies in order to keep them contemporarily relevant. Otherwise, democratic nations face the risk of their mode of governance becoming obsolete. Technocracies were born as a solution to bring peace among a people and between peoples of the world (as per Liberal beliefs and the Democratic Peace Theory), nowadays they need to answer to modern challenges and adapt to the times in which they are evolving, along with the citizens they represent. The rise of populism and the far-right in many European nations⁵⁷ highlights this crisis of democracy that the continent is witnessing. Citizens are dissatisfied with current politics, namely in Italy where surveys on the matter show that in 2018, 70% of respondents expressed dissatisfaction with the nation’s model of governance, a percentage that has been increasing steadily over the years⁵⁸. In such a context, the need for implementation of epistemic expertise could be a potential solution to make up for the pitfalls of democratic systems, by improving the results of government’s policies, rendering democracies more effective, but also more productive and more transparent, which would increase trust in political figures, and satisfaction of the electorate.

Technocratic responses are undeniably the most efficient route in utilitarian crisis management responses, and recent debate on the implementation of expertise in democratic policymaking highlights their potential to a larger extent in ordinary politics, and not just crisis strategizing. This progressive notion bases itself on the positive outcomes witnessed from technocratic attitudes over the years, whether it be through reaction of the electorate, or tangible results yielded. The ultimate argument supporting the inclusion of experts in modern governance in ordinary circumstances, and not solely crisis management, puts forward the notion that epistemic professionals formulate policies that produce successful results in a timely manner, whereas politicians are

⁵⁷ See supra, Chapter 2 of this paper, section 1, “*Technocracy is inherently undemocratic*”.

driven by their need to be supported by the electorate. As technocratic approaches are anchored in scientific methods, and exclusively focused on rational and optimal problem-solving, they will provide guidelines based on efficiency and success rates, not legality, public opinion, or popularity. While obviously harmful to democratic functioning when applied as such, if scrutinized under the processes articulated by Alfred Moore⁵⁹ these attitudes could be safely implemented by elected politicians. A notable example to illustrate the relevance of technocratic stances to make politics in democracies more effective is the climate change crisis. Scientists have been studying the effects and causes of climate disturbances for years, and they have countless articulated detailed guidelines for policymakers. Nevertheless, these measures have never been fully implemented, judged too drastic by politicians who refuse the sacrifice they imply, and the negative impact such a request would have on their popularity and that of their party. The blatant lack of progress on this front translates this incapacity from executive officials to impose the necessary measures, which would not be an issue in a more technocratic order of governance, as the technical issue would be attributed primacy over mere popularity contests. The situation foreshadowed in this case is rather logical: as climate issues grow more alarming, politicians will be forced into applying radical measures, overseen by technocrats⁶⁰.

Under specific frameworks and routines of control and scrutinization, technocratic attitudes have the potential to be implemented in democratic nations outside of the scope of crisis management response. Resorting to experts as an inherent part of politics and informed policymaking, in a proactive manner instead of simply responsive action. In depth and careful implementation of the consultation of technicians could prove to be the panacea for the failing concept of democracy that has been facing unprecedented challenges and crises in the last decade, if political institutions manage to integrate technocratic and democratic values in a common notion of Technocratic-Democracy, which does not sacrifice one for the other but rather embraces them as possibly complementary ideals.

⁵⁸ Wike R., Silver L., Castillo A., *Many Across The Globe Are Dissatisfied With How Democracy Is Working*, Pew Research Center, 2019.

⁵⁹ See supra, Chapter 2 of this paper, section 3, “*Expert-consultants*”.

⁶⁰ Khanna P., *The Pandemic Proves Only Technocrats Can Save Us*, Foreign Policy, 2021.

CONCLUSION

As humanity faces an increasing number of challenges, politics have been faced with the necessity to shift from reactive policies to proactive and anticipatory responses. The COVID-19 crisis has highlighted this need for strategic crisis management and problem-solving, and the nations of the world had to draw conclusions from past lessons and experiences in order to protect the population in such unprecedented times. To formulate their policies, governments such as the Italian and Taiwanese ones have resorted to experts, and most have largely embraced the technocratic mode of governing to benefit from its efficiency and supposed accuracy. While these methods are undeniably to be characterized by their reactivity and speed – as clearly illustrated through the notable success of Taiwan and Italy’s policies, the relevance of these approaches in democratic nations is to be questioned, and their results scrutinized thoroughly. Technocracy is often claimed to be too authoritative, and incompatible with democracy and its pillars of representativity, power to the people, and separation of power. Yet, experts provide precious epistemic knowledge in the face of highly technical matters, such as the COVID outbreak and its virological implications. Thorough analysis also shows that technical knowledge has been involved in policymaking in various forms long before the COVID-19 crisis, and the pandemic has merely unveiled this already advanced phenomenon.

Epistemic knowledge is being recognized for its political values in modern politics, and more than for its mere potential in guiding political action and improving its efficiency, politicians and scholars are beginning to acknowledge its power to work for the legitimation of governments, such as was the case with the Draghi cabinet, as well as the role it plays in increasing trust of citizens in elected officials. Nonetheless, technocracy is no panacea, and the claims over the threats it poses to democratic pillars, and the disempowerment it operates on citizens, are not to be taken lightly. When experts prove just as dangerous to democracy as they are relevant to emergency or epistemic policymaking, the need for a compromise arises. The notion of Technocratic-Democracy embraces this idea that technocracy and democracy are not mutually exclusive and opposed ideals, but rather that they can be assimilated into a form of hybrid system of governance, which would be organized in such a way that protects democratic values, whilst also promoting epistemic and technical influence in political action, as it produces rapid and effective results – within the limits of a utilitarian interpretation of policymaking. Such a model would balance efficiency and

representativity, maintaining democratic scrutiny of government action even in the context of technically oriented decision-making. The legal limitations imposed in Taiwan and Italy, most importantly in the country's respective constitutions, are a prime example of such democratic supremacy regulating the implementation of technocratic attitudes, although for some they remain too weak and vague to ensure the protection of democratic values outside of the context of the crisis. As illustrated by the events of the pandemic, technocratic approaches are a deeply beneficial addition to crisis management strategies, and the key common denominator in nations that displayed rather successful protection of their population lies in a proactive and science-based approach, and a willingness to defer power to the experts of the field. However, outside of the scope of the pandemic, it is essential to balance technical expertise with democratic participation, transparency, and accountability. This helps ensure that policymaking is responsive to the needs and interests of all members of civil society, while still promoting sustainable and inclusive solutions to complex challenges. Hence, the implementation of technocratic attitudes in established nations is far from impossible, and could in fact present undeniable advantages, as well as remedies for the shortcomings of traditional democracies. However, this coordination process proves difficult to organize and scrutinize, and control over the degree of technocracy to be implemented is essential in order to guarantee that the mobilization of epistemic knowledge will not pose a threat to the essential processes of the democratic state.

Given the recency of the events of the COVID-19 crisis, it is important to note that extensive literature on all aspects of the matter has yet to be published, and the long-term observation and interpretation of the lingering effects of technocratic processes in non-health focused spheres of society have yet to be witnessed. The assessment of the social impact of these policy-making choices remains either hypothetical, or based on short-term observations and predictions, and would require attentive reevaluation in a wider timeframe and focus in order to confirm the findings of this research. Additionally, this paper used facts and information available and made public by governments and relevant public health agencies, it is worth noting that there has been recurrent questioning of the veracity of these facts, as many organizations and nations (although mostly non-democratic ones) have been accused of displaying inaccurate numbers and lacking transparency. These limitations to the findings expressed in this paper provide a basis for the reinforcement of such statements in the future with more reliably sourced facts, however they do not bring into question the very functioning of technocratic processes, nor their results, use, and relevance in modern democratic nations.

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