

Department
of Political Sciences

Course of Comparative History of Political Systems

COVID-19 Pandemic : The impact of restrictive measures on democratic regimes

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Academic Year 2021/2022

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Abstract

The COVID-19 crisis led all the governments to implement restrictive measures and curbing liberty legislation. We have been living with this state of exception for two years and the persistence of legislations impairing fundamental liberties attached to political liberalism raise concerns regarding the short term impact, but also the structural aftermath, on democratic regimes. After establishing a general overview of how democracies have globally handled the skyrocketing spread of the virus, one will study the likelihood of a democratic regression. Based on the comparison of two democratic models, France and Sweden, one may assert that restrictives measures are the expression of structural features of the regimes, exacerbated by the crisis, rather than an authoritarian regression. However, the persistence of COVID-19 restrictions do affect democratic practices, indicating a mutation of democracy but also opening a breach for authoritarianism on the long run.

Introduction

As observed by Elizabeth Kolbert, « Just as there are many ways for microbes to infect a body, there are many ways for epidemics to affect the body politic. »¹ As a virus contaminates a body and hinders its functioning, it also deeply affects a political structure, altering its social, economical and institutional foundations. Viruses aftermaths either reinforce a body, through the creation of anti-corpses, either undermine its host. This also applies for political systems. Either institutions are resilient enough to overcome the disease, either it unsettles the structure.

Since the Coronavirus, an infectious disease caused by the SARS-CoV-2 virus, has been promoted to the rank of pandemic, the question of its effects on political systems has been repeatedly raised. Specifically, the governments reactions to contain and eradicate the disease, namely legal measures among which restrictive ones, nurtured worries on whether they would harm political systems more than the virus itself.

As the virus began to spread, all the governments, regardless of the political regime, have implemented regulations to curb the unfurling wave. Lockdowns, borders closing, citizens tracking... The significant interference of States in the private sphere has raised serious concerns on a potentially generalised democratic regression toward authoritarianism. Democracy can be defined in many ways. In its most classical acception, it refers to the power of the People, or as Lincoln describes : the “Government of the people, by the people, for the people”. Universal elements define democracy as a political regime : the presence of a partisan system, with at least two political parties, free and periodic elections, a rotation of power, the balance of power, freedom of speech protection and the supremacy of a constitutive document approved by an elected assembly.

A democratic regression refers to the erosion of democratic standards, a deterioration of the quality of a democracy. Schematically, we oppose democracy to authoritarian regimes. Arendt defines the concept of authoritarianism as a system that advocates absolute authority, and intends to impose itself by violence.² The Oxford Encyclopaedia of the Modern World

¹ Kolbert, E. (2020) Pandemic and the Shape of Human History, A critic at Large, *The New Yorker*, Issue, <https://www.newyorker.com/magazine/2020/04/06/pandemics-and-the-shape-of-human-history>

² Arendt, H. (1968) *What is Authority*’, in *Between Past and Future: Eight Exercises in Political Thought*, Viking Press, 91-141

considerers it as “a system of government centred on the strict subjection of citizens to the authority of the state.”³ This regime type circumscribes citizens autonomy and civil and political rights in the name of a purported greater good.

It is precisely the restrictions of such rights by democratic regimes public authorities that raised alarm bells. To contain the spread of the virus, governments have triggered a substantial legal arsenal, which significantly curbed fundamental liberties, such as freedom of movement, privacy and in many cases, freedom of expression. The alleged similarities among democratic and authoritarian regimes contributed to the widespread sentiment of a democratic backsliding. Those concerns are legitimate. In order to implement such restrictive measures, public authorities often resorted to extraordinary provisions, namely the states of emergency or exception, which are provided by Constitutional provisions or ordinary ones. According to the Venice Commission, they “may only be declared in cases of actual or imminent aggression by foreign forces, serious threat or disturbance of the democratic constitutional order or public calamity.”⁴ Those emergency measures must provide a legal framework to oversee public authorities. Considering the wide area covered by these states of exception, and the considerable expansion of powers detained by public authorities, questions arose on the protection and the guarantees against potential threats against the Rule of law. The latter can be defined as “the ascendancy of law as such and the institutions of the legal system in a system of governance.”⁵

One must acknowledge that the period from 2020 to 2022 has seen the ascent of authoritarianism tendencies, gaining ground on democratic standards. As reported by the 2021 Democracy Index produced by The Economist, 47.7% of the world’s population live in a democratic regime, that is a decline of 3.7 points of percentage compared to 2020. Based on this report, it also appears that democratic quality deteriorates in the given period. The number of ‘full democracies’ decline from 23 to 21, while the amount of “flawed democracies” and “hybrid regimes” respectively rose by 1.

³ Stearns, P.N. (2008). The Oxford Encyclopedia of the Modern World, *Oxford Reference*

⁴ Law no 44/86, 30 September, as amended and republished by the Organic Law no no 1/2012, 11 May. Article 1

⁵ Waldron, J, (2020) The Rule of Law, *The Stanford Encyclopaedia of Philosophy*

This observation enables to hypothesise that restrictive measures, implemented to contain the virus spread, did unsettle democratic basis. However, we argue that the index computes sixty indicators : “electoral process and pluralism, civil liberties, functioning of government, political participation and political culture.” All those thematics have necessarily been impacted by restrictive measures, even in cases where those regulations were perfectly covered by the law. In addition, it hides the fact that those measures may have been decided democratically in some countries. Restrictive measures are not, as such, a relevant indicator of a deterioration of democratic quality. In crisis situations, States must resort to extraordinary process to protect its citizens and guarantee the continuity of its institutions. Yet, those restrictions are brainteasers in the case of democratic States. Indeed, their role as security providers conflicts with the their status of guardian of fundamental liberties. It raises the question of the powers of public authorities, and the possibility to expand it in critical situations. Which degree of coercion is acceptable in democratic regimes, and where is the impassable limit ?

Restrictive measures also affect a central actor in democracy : citizens. The latter have been particularly active during the sanitary crisis. Either they have directly been involved in politics, mainly through their representatives actions. Either they participated through more informal ways, for instance demonstrations to express their dissent or internet and social media. In that regard, the pandemic has revealed the profound divergences among countries. In some systems, governments strategy’s largely ignored representative democracy, favouring a centralised approach and entrenching their decisions on experts advices. In other cases, public authorities endeavoured to involve representatives and let a certain latitude to regional actors to regulate and adapt national directions.

However, wether citizens approved or contested their government strategy to contain the virus, one observes a general and relatively easy acceptance and compliance to restrictive measures. The fear of the virus, especially during the first wave, has led the people to abide by, almost naturally. Moreover, restrictive measures rapidly became part of the day-to-day routine, wearing masks, apply social distancing, getting tested... It is staggering to observe how easily citizens gave up on their fundamental liberties in the name of a greater security. This situation revived the spectrum of the Leviathan, absolute monarch controlling all the society’s spheres, and the concept of “*dérives toquevilliennes*” (Tocquevillian drift). That is, citizens abandoning their freewill and individual autonomy to the State, which places them

into a ‘golden straightjacket’. The State progressively expands its powers, under the guise of guaranteeing its citizens almost absolute security, and oversees every inch of individual life.

All the aforementioned problematics have led to our research topic : Are restrictive measures set up to counter Covid-19 pandemic leading to a regression of democratic regimes toward authoritarianism? Our researches have been guided by three hypothesis. First, undoubtedly, democratic standards have been harmed by restrictive measures. However, the diversity of experiences does not enable us to establish a generalised regression of democratic regimes towards authoritarian tendencies. Second, we assert that the Covid-19 experience could rather be analysed as the exacerbation of already existing patterns, specific to each democratic regime. That is, in some cases, it may indeed have participated to the further deterioration of democratic principles. In other cases, it did not unsettle democratic basis. Third, we argue that in any cases, the pandemic did impacted democratic regimes, modifying the way democracy is practiced, with elections and referenda postponements, increased digitalisation, voting behaviour transformation, leading to democratic mutation.

In order to validate or invalidate these hypothesis, we conducted a semantical analysis of a press corpus extracted from French newspapers. The analysis is structured as follow : we used three key words “Covid-19”, “Democracy”, “Authoritarian leeway” to collect newspapers headlines. The objective was to use neutral key words and observe how media tackled the issue. We used the platform “YouMean”, a semantic analysis software, which organises a words corpus according to different classifications : the universes, the sentiments, the values and the public. We chose three newspapers : Le Monde, centre-left oriented, Libération, decidedly left wing and Le Figaro, a right wing newspaper. For each, we have selected a sample of around 20 articles headlines for every year since the inception of the pandemic. The choice of a semantic study has been guided by two considerations. First, we believe that press articles, as primary sources, are very useful material to have an overview of the zeitgeist of the Covid-19 period. Second, in democratic regimes, media are powerful and central actors of the Agora. They both voice people claims and reactions and play a fundamental role in the politicisation of the society.

The thesis topic has been motivated by two aspects. First, as a French citizen, I have seen the pandemic from a specific glance. From the outside, the French experience has been

considered as highly concerning, with the head of State ruling as an absolute monarch, a very fragmented people, a decision-making process that privileged centralised and non democratic policy orientations. I strongly believed that it cannot be considered, *per se*, as a democratic regression, but rather as the expression of a specific political tradition created by the 5th Republic.

Second, the reflection on the impact of restrictive measures on democratic regimes is the result of a paper that I wrote during the first year of my Master Degree, in 2020. The thesis was the opportunity to expand the researches on this topic and validate or invalidate the conclusions of the initial paper.

Chapter 1 - Regime types and COVID-10 restrictive measures : a general overview

In this chapter, we aim at making an overview of how democracies have reacted to the sanitary crisis. Considering the skyrocketing spread of the virus, all governments, had to make a choice between two policy axes. Either count on citizens' self-restraining to apply restrictions, that is voluntary compliance and cooperation to observe social distancing. Either enforce invasive and coercive policies, with different degrees of implementation. In a majority of countries, regardless the political regime, authorities have set up coercive measures (lockdowns, travel bans, quarantines, mass surveillance...) that necessarily infringed citizens' fundamental liberties and basic civil rights. The presumed similarities between democratic and authoritarian regimes in the virus-containment policies have raised concerns on a potential regression towards authoritarianism. Those concerns are highly correlated to the security dilemma, that is, to what extent are citizens willing to trade-off liberty in exchange for safety. Democratic regimes must balance the duty to protect their population, which involves a certain degree of State interference, with the preservation of fundamental principles on which democracy is grounded, namely the Rule of law. The assimilation between authoritarian regimes pandemic management and democratic regimes' one has reactivated the spectrum of a democratic crisis. The thematic of a widespread democratic erosion is a recurrent topic, but COVID-19 pandemic has been interpreted as the herald of a generalised decline of democracy, to the benefit of authoritarianism.

Thus, it is relevant to study the theoretical framework delineating the State interference modalities, in order to understand what duties and powers public authorities possess in extraordinary situations. Based on this theoretical approach, we will adopt a comparative perspective on how democratic regimes and authoritarian ones reacted, to determine if one can identify a general trend of democratic regression.

I. Democracies in turmoil : exceptional situation and State interference

First of all, according to the social contract theorists, the essence of the State is to guarantee the security of its citizens. Citizens have willingly renounced to a part of their liberties, to put them in the hands of the Leviathan. In exchange, the latter must protect its people. It is interesting to observe that the primary function of an association of individuals is to ensure its safety and preservation.

By its nature, the State has a constitutive duty to protect its people. But what do we mean when we refer to security ? We define security as a state where the individual is not exposed to any risk. The concept of risk is also ambivalent, evolutionary and brings with it a part of subjectivity. Yet, based on Ulrich Beck conception of risk, we consider this concept in a wide acceptance, that is social, economic, environmental and technological factors that jeopardise citizens lives.⁶ The claim for security necessarily involves State interference in individuals lives, which necessarily involves to legislate to create a legal framework to both limit and protect citizens rights. According to the regime type, the legal framework is plus or minus loose. In democratic regimes, the framework is the result of a consensus among the citizens, which grants more rights and liberties than it restrains.

Nevertheless, in specific situations where citizens lives and community stability are threatened, the State is legally entitled, by the social contract, to preserve and protect both. Doing so, it may have to limit people's freedom in order to protect their lives, but also the general interest. The latter is crucial within an individual association. The community lifespan does not rely on individual self interest. It is anchored on the definition of a superior interest, that enables the emergence of the greater good. Nevertheless, modern democratic societies are characterised by a prevalence of the individual over the collective. A stark illustration is the unlimited legal arsenal developed since the end of WWII to guarantee and protect individuals fundamental rights. According to the Article 2 of the Déclaration des Droits de l'Homme et du Citoyen, *"The aim of every political association is the preservation of the natural and imprescriptible rights of Man. These rights are Liberty, Property, Safety and*

⁶ Adam, B., Beck, U., Loon, J. V. (2000). *The Risk Society and Beyond* (1st ed.). SAGE Publications. n. p.

Resistance to Oppression.”⁷ And Article 3 of the Universal Declaration of Human Rights to add : “*Everyone has the right to life, liberty and security of person.*”

The direct consequence of the explosion of fundamental rights and liberties declarations is the centrality of the ‘plural’, at the expense of the ‘one’. Democratic States are now also expected to protect individuals fundamental rights. Yet, the extension of the State as a guardian and a protector of rights came second. This means, that from the very beginning of Human organisations, security came before liberty. The role of the State as the protector and the guardian of liberties is a product of modernity. Frontiers between primary and secondary State functions are now blurred. Liberty or security, which one prevails over the other nowadays ?

The aforementioned Articles 2 et 3 literally put liberty before security. And here, arise a fundamental characteristic of democratic systems. They cannot protect at all cost. As Robert Castel notices, the existence of constitutional principles, the balance of powers, the limitation of the use of coercion necessarily constrain the exercise of power. The more a State takes distance from the Leviathan and arrays a complex legal system, the more it may failed to guarantee absolute protection.⁸ Democracies face an unsolvable equation, named the security dilemma. On one side, reinforcing liberties means limiting State capacity to protect. On the other side, reducing State’s capacities to implement coercive measures to protect its people means infringing their rights. The only way to overcome this contradiction would be for all citizens to be virtuous, as Rousseau points out.⁹ Yet, if anything, COVID-19 pandemic has shown that, in many countries, if the State leaves a degree of latitude for citizens actions, they tend to fulfil their own interests. Of course, there are exceptions. For instance, in Switzerland, the government did not impose a lockdown. Citizens voluntarily restrain themselves. In Sweden, restrictive measures were also lighter than in other European countries. Respiratory masks were never compulsory¹⁰ and the population naturally applied social distancing.

⁷ Article 2 of the Declaration of Human and Civic Rights : “Le but de toute association politique est la conservation des droits naturels et imprescriptibles de l’Homme. Ces droits sont la liberté, la propriété, la sûreté, et la résistance à l’oppression. ”

⁸ Castel, R. (2003), *L’insécurité Sociale Qu’est-ce qu’être protégé*, Édition Seuil. p. 21

⁹ Trotignon, G. (2019). La vertu et l’homme vertueux selon Jean-Jacques Rousseau et Chŏng Yagyong : comparaisons et mise en perspective, (Publication No. 2019MON30048) [Doctoral dissertation, Université Paul Valéry - Montpellier III]

¹⁰ Faux, F. And Versieux, N (2022, May 16), Covid-19 et port du masque : les stratégies très différentes en Allemagne et en Suède, *France Info*.

Castel adds that it is impossible to force citizens to be virtuous. One staggering example is the virtue policy conducted by Robespierre, and the consecutive Terror. The concept of Terror did not have the same meaning than today. Back then, it referred to the fear of Justice in a specific social and political system, the “Despotisme de la liberté.” That is, the tyranny of liberty. In Robespierre conception, Virtue must be imposed in order to reform, and even regenerate, recreate a people. This would be the basis for a model, to be transmitted to Humanity.¹¹ Nevertheless, this virtue policy has led to numerous massacres, arbitrary executions and severe social disturbances.

Thus, if virtue is not natural and cannot be imposed in democracy, then one must acknowledge that absolute security would never be achieved without harming the Rule of law, and limiting individuals liberties. In the event of extreme situations, such as the Covid-19 pandemic, democratic States face a crucial dilemma between their original duty, and the a duty that stems from their political system orientation. Citizens have agreed to restrict State ability to act without the public approbation, by means of a strong legal arsenal development. But the fundamental question remains : which one prevails over the other in an extraordinary situation? To answer this eternal question, one shall turn to Hannah Arendt and Thomas Hobbes. According to the Arendt paradox, the supposedly “inalienable” Human rights are only granted and guaranteed within a political community.¹² Which is eminently true. In the state of nature, individuals do not have rights. Or rather, as Hobbes asserts, individuals hold unlimited rights to “all things.” They decide what is right, according to their own judgment.¹³

Thus, gathering within a political community, individuals agree to renounce to part of their unlimited liberty. In exchange, States grant them “inalienable” rights, attached to their condition of Human being. Yet, as Wickham argues :

¹¹ Poussou J.P. (1991), Massacres, Terreur et Vertu. In: Histoire, économie et société, 10e année, n°1. Le concept de révolution. pp. 55-69;

¹² Bauman, Z. (2002). The fate of humanity in the post-Trinitarian world. Journal of Human Rights, 1, p.283

¹³ Hobbes, T. (1996 [1651]) *Leviathan, or the Matter, Forme, & Power of a Common-Wealth Ecclesiastical and Civil*. In: Tuck R (ed.) *Leviathan*. Cambridge: Cambridge University Press, p. 91

“[S]overeign rule is concerned with only one norm, the maintenance of peace and security; it will allow the ‘thousands of normative desires for the good life’ to flourish, but only if they do not disturb the one overriding norm.”¹⁴

Based on this argument, one may assert that the modern conception, which considers the State as being the guardian of liberties before being the protector of the political community and individual lives, prevails ordinarily. However, if “normative desires for the good life”, that is individual fundamental rights, conflict with the ‘overriding norm’, namely the primary function of the State to guarantee security, those normative desires must be restricted. Nevertheless, in the case of a democratic State, the overriding norm cannot be applied blindly. Legally, States are legitimate to take extraordinary measures in order to safeguard society superior interest. Article 12 of the ICCPR¹⁵ stipulates that fundamental rights restrictions “are consistent with the other rights recognised in the present Covenant.” if they are provided by the law and aim at protection “national security, public order (ordre public), public health or morals or the rights and freedoms of others.”

However, those restrictions must fulfil conditions. Riddle highlights three cumulative conditions: proportionality, non-discrimination and temporal limitation.¹⁶ That is, the limitation of a specific right must be precisely defined and must not exceed its legitimate purpose. It must be enforced for the entire population and serve the general interest. In addition, the duration of the emergency measures must be carefully circumscribed.

Back to Covid-19 pandemic, democratic regimes had to deal with all those problematics while implementing containment measures. The sanitary crisis involved to temporarily renounce certain rights and fundamental liberties in order to protect the society superior interest. In the view of the difficult balance between safeguarding people’s rights and protect public health¹⁷, warning bells have been raised all around the globe, denouncing a general democratic backsliding. Yet, in order to validate this assumption, one has to study

¹⁴ Wickham, G. (2014) Hobbes’s commitment to society as a product of sovereignty: A basis for a Hobbesian sociology. *Journal of Classical Sociology* 14(2): p. 150

¹⁵ General Assembly (1966, December 16). Resolution 2200A (XXI), Article 12.

¹⁶ Criddle, E. (Ed.). (2016). op cit.

¹⁷ Karanicolas, M. (2021). Even in Pandemic, Sunlight Is the Best Disinfectant: COVID-19 and Global Freedom of Expression. *Oregon Review of International Law*, 22, p.11

how democratic regimes all around the world have reacted, and compare the results with cases of authoritarian regimes.

II. A general overview on democracies reactions around the globe

Now that we have discussed the delicate question of State duty of protection and the equally delicate balance between security and liberty in democracies, one shall study different examples of democratic regimes sanitary crisis strategy. Our main question while conducting this analysis is the following : did Covid-19 also infected democracy ? In order to have a general overview of how democracies have reacted all around the world, we have selected four study cases. Based on The Economist Democracy Index 2022, we have selected two regimes considered as full democracies,¹⁸ and two regimes considered as flawed democracies.¹⁹

A. Switzerland

Our first case study is Switzerland, which ranks 9 in the Index, with a score of 8.90. In Switzerland, sizeable emergency situations that are likely to dramatically injure public order lead to a concentration of powers in the hands of the federal executive power. In such situations, when Parliament is not able to gather and rule quickly, it is the government of the Confederation that adjudicates, through decrees.

While COVID-19 pandemic was exploding in Northern Italy, the crisis management has quickly been centralised by the executive. By February, 28th 2020, the Federal Council has already adopted its first decree to tackle the spread of the virus. One of the most substantial decrees is the March, 30, 2020 decree, which has significantly extended restrictive measures in the name of emergency state. Its wide application scope goes from individuals, to organisation, institutions to cantons. Among those measures, one can highlight Schengen

¹⁸ “Countries in which not only basic political freedoms and civil liberties are respected, but which also tend to be underpinned by a political culture conducive to the flourishing of democracy. The functioning of government is satisfactory. Media are independent and diverse. There is an effective system of checks and balances. The judiciary is independent and judicial decisions are enforced. There are only limited problems in the functioning of democracies.”

¹⁹ “These countries also have free and fair elections and, even if there are problems (such as infringements on media freedom), basic civil liberties are respected. However, there are significant weaknesses in other aspects of democracy, including problems in governance, an underdeveloped political culture and low levels of political participation.”

border controls re-establishment or public and private manifestations prohibition. The normative basis of this impressive legal arsenal was first the federal law on pandemics. Yet, the federal Council has quickly entrenched public security on the basis of the federal Constitution. Article 185, paragraph 3 enables the government to enact decrees and take decisions to tackle disturbances that seriously threaten public order. Article 173, paragraph 1 grants to federal legislative organ an equivalent competence, which allows to avoid popular referendum. The exception regime also applies to cantons, which have seen their competences expand, both on the normative and the security side, especially regarding protection of public order.²⁰

The Swiss study case is quite remarkable for our purpose as, like very few other cases, the measures set up by the governments were a mix between compulsory directives and what Sager, Fritz and Mavrot²¹ define as “more persuasive instruments.” The latter refers to a type of soft power which aims at “getting others to want the outcomes that you want” by influence rather than coercion.²² The most blatant example of this, is the absence of mandatory lockdown, although public authorities strongly recommend to stay at home.

As Hottelier observes, COVID-19 crisis has dramatically impacted central features of the Helvetic political system : from federalism, to direct democracy, balance of power and also fundamental liberties. Yet, as Sager and Zollinger remind us, Switzerland is a “power-sharing consociational democracy with strong neo-corporatist features.”²³ and Lijphart indicates that in such regime, there is “ a deliberate joint effort by the elites to stabilise the system and to counter fragmentation through non-majoritarian institutional arrangements.”²⁴

²⁰ Hottelier, M. (2020, July 21), Démocratie, État de droit et droits fondamentaux face à la pandémie de Covid-19 – La situation en Suisse, *Confluence des droits_La revue*,

²¹ Sager, F. and Mavrot, C. (2020) “Switzerland’s COVID-19 Policy Response: Consociational Crisis Management and Neo-corporatist Reopening.” *European policy analysis*. 6.2 305.

²² Nye, J. S. (2008). Public Diplomacy and Soft Power. *The Annals of the American Academy of Political and Social Science*, 616, 94–109.

²³ Sager, F., & Zollinger, C. (2011). The Swiss Political System in a Comparative Perspective. In C. Trampusch, & A. Mach (Eds.), *Switzerland in Europe* (pp. 27–42). *Routledge*.

²⁴ Lijphart, A. (1969). Consociational Democracy. *World Politics*, 21(2), 207–225.

According to Kickert, neo-corporatism refers to “a system of interest representation in which a limited number of interest organisations (...) [are] granted a representational monopoly by the state.”²⁵

Those specific features have contributed to the emergence of a consensus narrative. Consociational political mechanisms aim at neutralising antagonist developments and “social segmentation” and are largely guided by elite interests.²⁶ The features of the system enabled to maintain people’s unity, in the name of a superior and national interest. And the combination of coercive and non coercive measures, with a relative autonomy of the people, alleviated the sentiment of a democratic erosion. Rather, those measures have been perceived as a necessary and temporary evil.

B. South Korea

Our second study case is South Korea, also categorised as a full democracy by the Index. The South Asian country ranks 16, with a score of 8.16. In South Korea, the crisis management has largely been influenced by the political culture and also past experiences. Schwak observes that South Korea has “a community-oriented political culture.” Society’s pressure on individuals is so heavy that it strongly shapes individual behaviours, and reduces the need to resort to coercion. Thus, as in Switzerland, lockdown and use of masks were never compulsory. Beside the absence of penalties, the Korean society voluntarily abode by public authorities recommendations.²⁷ Yet, a series of measures must be highlighted. The Korean government has implemented heavy surveillance mechanisms. The tracing applications publicly spread very precise information on contaminated people, from their postal address to the precise hour they entered in a public space, indicating whether they were wearing a mask or not.

²⁵ Kickert, W. J. M. (2002). Public Governance in Small Continental European States. *International Journal of Public Administration*, 25(12), 1471–1491.

²⁶ Andeweg, R. B. (2000). Consociational Democracy. *Annual Review of Political Science*, 3, 509–536.

²⁷ Schwak, J. (2020) A Democratic Tour de Force. How the Korean State successfully limited the spread of the virus, Note de l’IFRI, Asie. Vision, p.4

From an Occidental perspective, those measures would be perceived as severely harming a fundamental right as privacy. Yet, those surveillance mechanisms were overseen by a legislative arsenal, to prevent non-proportional liberty restrictions, Schwak adds. The data management was also handled by a legal framework very close to the European General Data Protection Regulation (GDPR).²⁸ On the overall, epidemiological surveillance has been widely accepted by the population thanks to the legal structure, and the remarkable transparency public authorities have shown since the inception of the sanitary crisis. Hence, a strong majority of Koreans considered acceptable the use of phone geolocation, credit cards transactions tracking or public disclosure of age and gender of infected people.²⁹ To some extent, South Korea has traded part of its citizens privacy in exchange for freedom of movement.

The effectiveness of the government to manage the pandemic has also been consecrated by elections outcomes. On April 2020, legislative elections led to the reelection of Moon's party, with the highest turnout in 28 years. 66.2% of the Korean population went to the polls, illustrating the people's support for government COVID-19 policy.³⁰

On the side of checks and balances, the executive is the dominant power in the Korean political system. Yet, it is balanced with a distribution of powers among "professional bureaucrats" and the civil society. Korean political system is strongly orientated by bureaucracy. The decision making process has heavily relied on experts and scientists advices. The MERS experience taught South Korea the necessity to strengthen institutional capacities and to lean on local governments and private organisations. The main illustration is the empowerment of the Central Disaster and Safety Countermeasure Headquarter (CDSCH), which became the highest authority in COVID-19 management and organised the

²⁸ Mesmer, P. (2020, March 25) En Corée du Sud, le respect de la vie privée au défi du traçage des contaminés au Covid-19, *Le Monde*.

²⁹ Boudreau, C. and Caron, D.J. (2022) Le déploiement de la surveillance épidémiologique automatisée du COVID-19 : une analyse comparée de la Corée du Sud et du Canada. *Canadian Public Administration. Administration Publique Du Canada.*, 65(2), 261–277.

³⁰ Lee, S. (2022, April 24), Democracy in the Time of COVID-19: Lessons from South Korea, *U.S. Global Leadership Coalition*.

communication between central and local governments. The centrality of this ad hoc organism has been repeatedly emphasised by the Korea media, which compared it to “control tower.”³¹

A last point that should be considered when studying South Korea response to COVID-19 pandemic is the quality of the democracy. Its political culture is featured by the importance of civil society and social capital. As Edward Ramirez asserts, those two elements are crucial, because they are the basis of an “active civil society.” That is, a society based on coordination, communication, which “amplify the voices of groups and individuals and educate people in social and organizational skills, helping to develop habits of collaboration. This then influences people to start thinking as a community.”³² Koreans have a mature sense of citizenship and individual responsibility, which have shaped the containment strategy and explains the softer coercive measures.

C. Greece

Our third case study is a case of flawed democracy, which ranks 34, with a total score of 7.56. In Greek, « Pan » means « all » and « demos » means « the people ». Thus, the word pandemic is used to define a situation that affects the whole people. The case of Greece is particularly interesting as, besides the dramatic impact of the 2008 financial crisis, the country has managed the pandemic quite well, with a high degree of consensus among the population. Citizens rapidly abide by the containment policy, and in April 2020, 82% of the population stood by Mitsotakis’ measures. Even during the Orthodox Easter celebrations, people endeavoured to observe restrictions. Thus, Greece has been portrayed as an « unexpected model » by the Institut Montaigne.

In Greece, the emergency laws have consecrated the role of the executive as a protagonist and an initiator, through fast-track modalities. Yet, in line with article 72 of the Greek Constitution, the Parliament was involved “in the phase of converting acts of a legislative character into laws.” The empowerment of the executive branch has not been

³¹ Moon, J. et al. (2021) A comparative study of COVID-19 responses in South Korea and Japan: political nexus triad and policy responses, *International Review of Administrative Sciences*, Vol. 87(3) 651–671.

³² Ramirez, E. (2021, January 30) South Korea’s response to the Covid-19 pandemic and how it relates to democracy, *Geneseo, The State University of New York*

considered as a breach in democratic principles or citizens rights. On the contrary, the fast-tracked procedure has been perceived as a necessary chore, proportionate to the protection of public health. Although this fast-track way of legislating represents a significant risk for democracy, as George Karavokyris observes, “all ‘pandemic’ Acts of Legislative Content found their way to the Parliament and are included in primary legislation.”

As Marina Rafenberg observes, the success of the Greek policy relied on its ability to react quickly. Drastic measures were set up right after the first cases were detected, especially because public authorities feared an exponential spread of the virus, as it happened in Italy. Considering the weakness of the public health system, Prime minister Kyriakos Mitsotakis took drastic measures. On March 12, following the first deaths and with only 117 cases detected through the country, authorities closed public places, followed by non essential businesses. As in other European countries, entrances on the Greek territory were significantly limited and highly controlled.³³ In addition, COVID-19 containment fed through to a reinforcement of the Executive prerogatives. Curbing-liberty-measures, such as freedom of movement, of assembly, exercise of freedom of religion, were based on two dispositions of the Greek Constitution. Article 44 part.1 “provides the possibility, where extraordinary circumstances of an urgent and unforeseeable nature require it, for the president to issue acts of legislative content with the same legal effect as ordinary laws.”³⁴

The second provision COVID-19 measures fall under is Article 48, which appeared to be outdated. This article refers to situation that may jeopardise national security. It aims at preserving Greek democracy. For instance, it can be triggered in the case of an armed coup to overthrow the democratic regime. On the executive side, the constitutional provision grants the government the ability to suspend constitutional rights “such as the right of assembly, habeas corpus, the right of association, and freedom of speech and press.” Yet, this state of exception is limited the 15 days, and extensions must be validated by the parliament. This article was the basis of the implementation of a “state of emergency.”³⁵ Article 48 of the Constitution also provides a specific measure : the state of siege, “mechanism of a very

³³ Rafenberg, M. (2020, May 20) Europe Versus Coronavirus - Greece, an Unexpected Model, *Institut Montaigne*,

³⁴ Zuzana, A. (2020). op cit. p.5

³⁵ Karavokyris, G. (2021, February 25) Constitutionalism and COVID-19 in Greece: The Normality of Emergency, *Verfassungsblog*.

specific and invasive nature, with stringent conditions and subject to restrictive interpretation.” This mechanism has been triggered several times in the Greek history. But the prior abuses of Article 48 provided a strong dissuasion to enforce it during the pandemic.³⁶

It is interesting to see that, as in many other democratic regimes, COVID-19 measures were setup of the same legal basis that wartime measures. What’s more, hawkish semantic has been used repeatedly by elected leaders to explain, and more specifically, justify restrictive measures. On the one hand, wartime vocabulary is used as a way to gather the whole nation around a common enemy, that threatens the nation’s security. For instance, President Macron used several times the expression “Nous sommes en guerre” (*we are at war*) during his speeches to the French people. On the other hand, wartime also refers to exceptional situation that falls under a specific law, the “jus ad bellum.” Summoning hawkish vocabulary in a political speech is a way to legitimise extraordinary measures.

Back to Greece, the portray of an unexpected model is tarnished by the instrumentalisation of the measures to fulfil political objectives. Sanitary emergency has been used by the conservative government as a justification for migration restrictions policy. For instance, closed detention centres, although highly controversial, were built under the state of exception. Aid workers were prevented for entering the camps. NGO, such as Human Rights Watch, feared the dramatic impact of overcrowded camps and the lack of hygiene. For instance, the Lesbos camp of Moria, initially built to foster 2,880 people, counts more than 20,000 asylum seekers, with limited access to water, sanitation facilities, and healthcare.³⁷

D. India, the largest democracy in the world

In the case of India, the sanitary crisis broke out in a context political uncertainty, or as Hasan phrases it : “a deeper political crisis—that of democratic erosion and the curtailment of human rights and ultimately of democracy.” India has been significantly impacted by

³⁶ Zuzana, A. et al. (2020) States of emergency in response to the coronavirus crisis: Situation in certain Member States IV, Briefing, *European Parliament*, 5-6.

³⁷ Rafenberg, M. (2020, May 20) Europe Versus Coronavirus - Greece, an Unexpected Model, *Institut Montaigne*.

COVID-19 pandemic. To face the spread of the virus, the government has implemented a severe lockdown. According to Hasan, it can be considered as the most draconian lockdown in the world. Indian people were given only four hours prior to the implementation of the restrictive measure. The hurried announcement put India's "army of informal workers" in a very precarious situation, with million of homeless. Between 40 and 60 million of migrants workers were left without salary and social assistance.

On the checks and balance side, the central authority dominated. The lockdown implementation has been decided by the central government, without ministries, experts or even governments consultation. Parliamentary sessions were cut or delayed, preventing democratic scrutiny of the legislation. As a result, Indian regional states and the opposition remained on the fringes of the decision-making process.³⁸ Scientifical advices were largely ignored as well. However, citizens were still encourage to go to the polls. The Bharatiya Janata Party (hereafter BJP) undertook a worrisome trend by shutting down dissent. Informations were carefully scrutinised. Although the Supreme Court refused the government petition claim to enact a directive to control every news prior to being published, it instructed media to follow the public authorities official version. Social network, such as Twitter, were also thoroughly controlled and opponents arrested "on grounds ranging from sedition to rioting in northeast Delhi."³⁹

The sanitary crisis worsen an already rampant political crisis, "that of democratic erosion and the curtailment of human rights and ultimately of democracy." Indian regime was strongly attached to freedom of expression. Yet, the exacerbated and exclusionary nationalism has severely impacted its democratic performances. Hasan argues that Covid-19 is not the catalyst for the country democratic backsliding. India was already experiencing an authoritarian regression, characterised by "an erosion of norms, institutions and practices that are associated with modern democratic governance."⁴⁰ However, a surprising trend must be highlighted concerning India : the improvement of its score in the Democracy Index (+0.30 point). India became more democratic during the pandemic. Yet, this improvement hides the

³⁸ Mukherji, R. (2020). Covid vs. Democracy: India's Illiberal Remedy. *Journal of Democracy* 31(4), 91-105.

³⁹ The Wire Staff, (2020, March 24). After a 101-day sit-in, Shaheen Bagh protest cleared due to coronavirus lockdown, *The Wire*.

⁴⁰ Hasan, Z. (2021). The Impact of COVID-19: Democracy in the Time of a Pandemic. *Social Change*, 51(4), 475-482. <https://doi.org/10.1177/00490857211051287>

fact that its score was degrading since 2016 (- 1.2 point), due to the intolerance and sectarianism policies against religious minorities conducted by the BJP.⁴¹

On the overall, Covid-19 pandemic in India has been used as a springboard for the BJP to fulfil its political objectives. Which leads Mukherji to argue that India is following a dangerous “competitive authoritarian” path “to a greater extent than ever before.”⁴² The centralisation of the sanitary crisis management, the absence of proper consultation of the Parliament and the states, the freedom of expression restriction could seriously prejudice the democratic governance, already affected by a longterm process. In the case of India, the arbitrary restrictions, if they were to persist after the sanitary crisis, could represent a significant jeopardise for the Indian democracy.

From this very general, though not exhaustive overview, one can draw several conclusions. First, one observes that democratic regimes approach of virus containment drastically diverge according to the country. An important conclusion one can draw from our analysis is the following : the stronger the democracy is, the softer the coercive measures are. Here, we refer to strong democracy as regimes where institutions are deeply entrenched, the Rule of law is protected by superior and intangible laws, where relationship between representatives and citizens are marked by trust. As a corollary, the more fragile the democratic regime, the more likely the authorities are to set up coercive restrictive measures. In “full democracies” public authorities have left more room for space to citizens, while in “flawed democracies”, authorities have implemented more curbing liberties restrictions.

Yet, another aspect should be taken into consideration, that is the citizens perception of restrictive measures. In the case of Greece, the former have considered the government policy as proportionated. In the case of South Korea, the sanitary crisis has led to a democratic revival, with a sudden implication of the citizens in the election process and highest rate of participation since 1992. However, we also identified worrisome authoritarian propensities in some regimes, namely Greece and India, which lead us to assert that Covid-19 may have worsen already existing tendencies.

⁴¹ Economist Intelligence Unit (2022), Democracy Index 2021, The China Challenge, *EIU*.

⁴² Mukherji, R. (2020). op cit. p.102

Those early results lead us to question the thesis of a generalised democratic regression towards authoritarianism. We may find supporting evidences by comparing democratic regimes strategies with assumed authoritarian management of the pandemic.

III. A comparative perspective with authoritarian regimes

As the virus began to spread all around the globe, and governments began to react to contain contaminations, concerns about a potential regression have flourished from both newspapers, intellectuals, citizens or political opposition. Democracies have faced serious accusations of using the pandemic as a way to strengthen the executive branch power and weaken legal and constitutional guarantees against abuse of power. The policies conducted by those regimes have been rapidly compared to authoritarian regimes' ones, reinforcing the sentiment of a democratic backsliding.

But what are the rationales for this comparison ? First, we hypothesise that it is correlated to the representation of authoritarian regimes as the best regime type to handle crisis, which stems from the authoritarian privilege. That is, authoritarian regimes are expected to better handle emergency situations than democratic ones, because arguably, they possess stronger coercive capacities to enforce their goals. In democratic regimes, the monopoly of legitimate violence is substantially circumscribed by the Rule of law. Democratic systems have been accused of choosing the 'easy way', following the example of authoritarian strategies, presented as the most successful at the beginning of the pandemic. Second, the comparison has been nurtured by the similarities between democratic regimes containment measures and authoritarian ones. Admittedly, a strong majority of countries has imposed a lockdown to its population, has closed its borders or enforced a vaccine pass. Thus, it seems relevant for our purpose to consider several examples of authoritarian regimes reaction to COVID-19. We are attached to study the diversity of authoritarian approaches. And although comparing all authoritarian regimes would be out of our purpose, we are considering few samples taken for all around the globe, to extract general trends and compare it with previous acknowledgement on democratic reactions. We will first extract general trends that can be identified in most authoritarian strategies, then we will study two cases in more details.

A. A general overview of authoritarian regimes crisis management

In order to conduct our comparative study, we will consider an aggregation of authoritarian regimes reactions to the pandemic. One can identify recurrent patterns across those regimes.

The analysis of the MENA (Middle East and North Africa) regions gives us some insights on general trends one can emphasise in authoritarian regimes. Most of the countries of this regions are authoritarian or hybrid regimes, with few exceptions of flawed democracies, namely Israel. The first acknowledgment is one of a general acceleration of authoritarian retrenchment.⁴³ That is, trends that were already at stake have expanded and COVID-19 pandemic has been used as a way to justify significant curbing-liberty measures.

It has been asserted that authoritarian regimes can better handle emergency situation such as pandemics. Authoritarian regimes of this region have shown they capacity to enforce coercive measures. Covid-19 was the opportunity to be seized to get closer to a total control of the State. The sanitary crisis enabled those regimes to prevent demonstrations, which have been impossible until then. It also fed cyber-surveillance, significant repression tool since the so-called Arab Springs.⁴⁴ We also find evidence of mass surveillance in other regions, namely Asia. According to the Verisk Maplecroft's Right to Privacy Index (RPI), Asian area is the region that presents the highest risk of privacy infringement. Applications to track Covid-19 spread were implemented in countries such as Cambodia, China or Thailand to monitor citizens movements and activities.

The crisis management was also characterised by information dissimulation and defiance toward the scientific community. For instance, Iran turned off U.S. government aid on the basis that it the virus has been "specifically built for Iran using the genetic data of

⁴³ Lynch, L. (2022, April). COVID-19 in the MENA: Two Years On-What have we learned? *Projects on Middle East Political Science*, Study 47. p.3.

⁴⁴ Woertz, E. (2020). COVID-19 in the Middle East and North Africa: Reactions, Vulnerabilities, Prospects, GIGA Focus on Middle East, Number 2.

Iranians, which they have obtained through different means.”⁴⁵ In Turkey, experts and whistleblowers were silenced, while official channels promoted the superiority of Turkish genes. This trend also characterises authoritarian regimes in other geographical zones. In Cambodia, citizens criticising national Covid management were arbitrarily detained. Pakistan, which ranks “fourth highest in the risk analysis of extreme measures and unchecked powers”⁴⁶, has set up “secretive militant-tracking surveillance system to monitor coronavirus patients.” The report observes that cyber and mass surveillance were already at play for a long time in such regimes. Yet, Covid-19 fast forwarded the process.⁴⁷

However, the sanitary crisis also revealed the limited capacity to contain the spread of the virus, especially in the healthcare system. The centralised, heavy administration that characterised this region, and more generally authoritarian systems, has significantly constrained the regional actors ability to react to the pandemic. As a consequence, the virus spread has worsen population vulnerabilities and has drastically increased social inequalities between rich and poor. As Springborg observes, the rigid centralisation also prevent those regimes to “to penetrate and regulate society, or to extract resources from it for later appropriation.” As their ‘infrastructural power’ is limited, the ‘despotic power’ is exacerbated, namely through repression.⁴⁸

Thus, one observes similarities in crisis management among authoritarian regimes with recurrent patterns (mass surveillance, coercive measures, rigid centralised administration...). Nonetheless, as for democratic regimes, we notice that authoritarian regimes have handled the virus spread in very diverse ways.

⁴⁵ New Agencies (2020, March 23), Iran Leader Refuses US Help; Cites Coronavirus Conspiracy Theory, *Aljazeera*.

⁴⁶ Nazalya, S. (2020, September 30), Asia emerges as world’s surveillance hotspot, Human Rights Outlook 2020, *Verisk Maplecroft*.

⁴⁷ Grant, H. (2020, October 1), Drones, fever goggles, arrests: millions in Asia face 'extreme' Covid surveillance, *The guardian* (2020): n. p.

⁴⁸ Springborg. (2020). *Political economies of the Middle East and North Africa*. Polity. Chapter 6, n. p.

B. The Russian strategy

The Russian case is a quite interesting illustration of authoritarian management of the sanitary crisis. First, besides Boris Yeltsin recommendations for the Russian regions to “take as much freedom as they could swallow”, the Putin’s regime has endeavoured to expand and accumulate as much power as possible in the hands of the central government. Oddly enough, as the virus began to spread in Russia, the central government delegated the Covid-19 administration to regional actors. Second, the Russian political experience of COVID-19 has been the laboratory for information manipulation, described as “a critical instrument in every dictator’s playbook” by Lamberova and Sonin, as well as propaganda and repression.

The central government did enact or amend normative acts. For instance, under Article 236 of the Criminal Code of the Russian Federation, criminal liability can be engaged in case of “causing a massive disease or poisoning of people through negligence but also for ‘creating a threat’ of such consequences.”⁴⁹ Article 207.0 and 207.2 of the same Code also criminalise “public dissemination of deliberately false information about threats to the life and safety of citizens, and/or about measures taken to ensure the safety of the population.” In fact, those legal measures have been used as a way to crush oppositions. For instance, in January 2021, after anti-Putin demonstrations, those measures were used against opposition activists, namely Alexei Navalny. As Guriev and Treisman observe, authoritarian regimes are also characterised by recurrent information manipulation.⁵⁰ In modern dictatorship, propaganda may even supersede traditional coercion. In the case of Russia, propaganda has been a powerful tool during the pandemic, to minimise the gravity of the situation, temper contamination rate or even deaths amount as next regional parliamentary election were getting closer.

Yet, the most striking aspect of the Russian approach is perhaps the delegation of COVID-19 management responsibility to regions, and the significant differences among them. As pointed out by Lamberova and Sonin, those distinctions have been driven by three factors : the strength of civil society, the quality of political institutions and the degree of control of Putin’s party in the regional parliaments. According to the balance of those factors,

⁴⁹ Lamberova, N. and Sonin, K. (2022) Information Manipulation and Repression: A Theory and Evidence from the COVID Response in Russia, *Becker Friedman Institute*, for Economic Working Paper No. 2022-101.

⁵⁰ Guriev, S and Treisman, D. (2019) “Informational Autocrats.” *Journal of Economic Perspectives* 33(4):100–127. DOI: 10.1257/jep.33.4.100,

repression and information manipulation have been more or less severe. This observation also applies to central government's acts compliance. Thus, policy orientations have followed different paths.

C. The surprising case of Nicaragua

Another interesting example of authoritarian management of COVID-19 pandemic is Nicaragua. Although unusual, the Nicaragua case is an extreme example that shows that restrictive measures are not necessarily the symptom of a democratic regression. Admittedly, authoritarian regimes are more likely to “assume certain political costs—namely, the curtailment of citizens’ basic civil rights—associated with drastic mitigation policies.”⁵¹ Indeed, authoritarian regimes have more latitude to implement coercive measures because of the absence, or rather the weakness, of constitutional and legal guarantees against abuse of power.

Yet, the Nicaragua case defies the odds. When the virus began to spread, the country was experiencing a serious and multifaceted crisis, with high political instability, due to the 2018 protests contesting government legitimacy and authority⁵² and a dramatic economic situation. Nicaragua being the poorest country in Central America. Regarding its management of COVID-19, one observes similarities with other authoritarian functionings, with informations manipulation, minimisation of the virus seriousness, and questioning of experts and international official recommendations. Regarding experts accountability, one must acknowledge that even in democratic regimes, populists leaders, such as Boris Johnson or Donald Trump have shown skepticism and have rejected experts advices.

Nonetheless, the Nicaraguan government adopted a rather surprising approach, which can be summarised as an extreme case of ‘disease denialism’⁵³. The government did not impose restrictive measures, such as lockdowns to contain the spread of the disease. On the

⁵¹ Jarquín, M.C. (2022) COVID-19 and the state: Nicaragua case study. *WIDER Working Paper 2022/41*. Helsinki: UNU-WIDER.

⁵² The Economist (2018, April 26). ‘The Violent End of Daniel Ortega’s Decade of Quiet’. *The Economist*,

⁵³ Buben, R., and Kouba, K. (2020) “The Causes of Disease Impact Denialism in Nicaragua’s Response to COVID-19.” *Bulletin of Latin American research*. 39 (2020): 103–107.

contrary, it encouraged massive public gathering, such as the march 'Love in time of COVID-19'.⁵⁴ It also undermined civil society efforts, firing medical doctors who called for a 'national voluntary quarantine'.⁵⁵ This approach has been condemned as 'reckless', 'bizarre' and disrespectful of human rights by both Amnesty International⁵⁶ and Human Rights Watch.⁵⁷

Consequently, the study of authoritarian States reactions to Covid-19 shows similarities in the pandemic management main strands. It also reveals how diverse the experiences were, just like in democracies. Undoubtedly, the pandemic has strengthened authoritarian rule. If we compare authoritarian reactions with democratic ones, we have no choice but to acknowledge worrisome similarities. We cannot ignore that the Indian experience of media control and opponents arrests is oddly close to the Russian one. However, we observe that democratic systems that were the most shaken by the restrictive measures, were actually already characterised by concerning trends, at play long before the pandemic, that threaten democratic basis. We must also highlight a significant distinction between authoritarian and democratic regimes : the weight of the civil society. Based on our study conducted on the French media between 2020 and 2022, one observes that French public opinion was highly suspicious regarding the restrictive measures set up by the government. Media position statements are relevant indicators of the zeitgeist. If we pay attention to the topics discussed, we notice that the traditional right/left divide fades. Regardless of the political stance of the newspaper, media have played they role of counter power and whistleblowers, denouncing risks of authoritarian backfires like when the government announced its project to open a website with only verified and validated sources of information. The gradual criticism against government crisis management has reach its pick in 2021, where media critics were the most vehement, as the semantic illustrates. The use of strong vocabulary (poison, decade, decomposition, choc...) to refer to the undemocratic

⁵⁴ Mather, T. P. S. et al. (2020) 'Love in the Time of COVID-19: Negligence in the Nicaraguan Response'. *The Lancet Global Health* 8(6): 773. n. p. [https://doi.org/10.1016/S2214-109X\(20\)30131-5](https://doi.org/10.1016/S2214-109X(20)30131-5)

⁵⁵ Buben, R. and Kouba, K. (2020); op cit. p.103

⁵⁶ Amnesty International (2020, April 16). Nicaragua: Government Increases Risk of COVID-19 Infection in a Country Already Devastated by Two Years of Crisis. *Amnesty International news*. <https://www.amnesty.org/en/latest/news/2020/04/nicaragua-gobierno-aumenta-riesgo-contagio-covid19/>

⁵⁷ Human Rights Watch (2020, April 10). 'Nicaragua: Reckless COVID-19 Response'. *Human Rights Watch*, <https://www.hrw.org/news/2020/04/10/nicaragua-reckless-covid-19-response>

measures is a crucial indicator. Our study of the French press during the pandemic revealed how crucial media are to convert public opinion into intelligible claims and also as counter power when exception state may be abuse.

Chapter Conclusion

Through this chapter and based on early evidences, we can draw provisional conclusions. First, we assert that a State has a constitutional duty, in the sense that it is the essence of its creation, of protecting its citizens and ensure the stability and the continuity of its structures. This inherent duty supersedes individual freedoms, because superior interest shall always prevails over individual one. Thus, we argue that democratic States, besides their status of guardians of fundamental liberties, are entitled to implement restrictive measures in cases of emergency, where the integrity of the nation or the life of citizens are at stake.

Our purpose is the find evidences of a potential regression of democratic regimes toward authoritarianism. So far, we conclude that in democratic regimes, the degree of coercion varies according to the quality of democracy. However, restrictive measures harshness is not necessarily an indicator of democratic backsliding. The latter is also conditioned to the degree of trust citizens allocate to their government. And here, we have seen that for instance in South Korea, beside the very intrusive State policies, trust degree in Korean leaders increased. The democratic quality also depends on the power of the civil society and its capacity to use it.

Comparing those results with authoritarian regimes, we can highlights similarities, but also significant distinctions. Early evidences show that undoubtedly democratic principles have been harmed by restrictives measures. However, we argue that we do not have enough evidences to establish a general trend toward a democratic regression correlated to Covid-19 pandemic. Our hypothesis is that Covid-19 restrictive measures are not, *per se*, the reason of a democratic decline. We believe that they are the expression of latent trends, that significantly vary among countries. We hypothesise that the sanitary crisis have shed a light on national trends and have exacerbated pre-existing patterns of democratic regimes.

Chapter 2 - Covid-19, a democratic pathology herald of regime change ?

Introduction

In the previous chapter, we have observed that restrictive measures established to contain the spread of the virus have impacted in very different ways democratic regimes and their standards. The comparison with authoritarian regimes revealed concerning similarities but also enabled us to highlight considerable distinctions.

One must acknowledge a general trend in favour of democratic standards deterioration for several decades, and the curbing-liberties measures have undoubtedly harmed already-weakened democratic regimes, if not accelerated a structural process. This raises interrogations regarding viruses capacity to invert global order. Unquestionably, viruses have structural impact on societies organisation, structures and institutions. The instability aroused by times of uncertainty may be a catalyst for regime change. Thus, it is not foolish to hypothesise that Covid-19 pandemic could be the herald of a large democratic regression toward authoritarianism, the indicator of a democratic pathology. However, at the scale of the international order, it does not seem like Covid-19 pandemic behaves as an autonomous and decisive factor of regime change. It rather appears that it forms part of a continuing process. Consequently, its potential of disruption of the democratic ecosystem may actually be marginal. In addition, at the national scale, given the diversity of policies set up to counter the spread of the virus, it also appears that Covid-19 restrictive measures should rather be considered not as the cause of a democratic regression, but as the exacerbation of national trends specific to democratic regimes, which find their roots in political and social traditions of each regime.

This has led us to hypothesise that Covid-19 is not a catalyst generating a global democratic regression toward authoritarianism. Historically, viruses did not triggered waves of regime change, either democratic or authoritarian. Plus, at the international scale, Covid-19

pandemic does not seem to be an independent factor of democratic regression, but rather extends already existing trends at work to undermine democracy. Those elements, along with the comparison of two democratic experiences of Covid-19, enables us to assert that Covid-19 restrictives measures are the expression of specific patterns of political culture, proper to each political system.

I. An historical perspective on virus and regime change

Although it is too soon to conclude that Covid-19 may or may not be a catalyst for democratic decline and authoritarian ascent, history provides useful insights on the impact of virus on regime change. Admittedly, viruses affect social structures and are powerful incentives for individual behaviour evolution and society mutation. However, historically, viruses did not constitute a starting point for regime change.

A. Evidences from previous outbreaks

First, to evaluate the impact of a virus on a political body, one must consider historical perspectives. Although history never repeats itself twice, it could give us relevant insights on how political structures have reacted to various viruses spread through out centuries, and how they were affected.

Kolbert asserts that viruses are formidable factor of political disturbances.⁵⁸ That is, viruses not only impact individuals, medical structures or economical basis. Outbreaks influence the march of history. Pandemics are Global Order reshapers. And this is ascertainable for all diseases that developed, all around the globe. For instance, one can consider the Justinian Plague of 542, which kept reappearing until 750. The initial spread of the virus coincides with the end of Justinian conquests and the beginning of revolts across the empire. The time laps between the inception and the end of the plague has seen the emergence of the Byzantine Empire, the “new prominence of the Roman papacy and of monasticism” as well as “the ascent of the Carolingian dynasty.”⁵⁹ When the virus eventually vanished, in the middle of the 8th century, a new order was established, characterised by a new powerful religion, Islam, which has expanded on a significant portion of Justinian Empire, as well as the Arabic Peninsula. In Western Europe, most of the territories were back then controlled by the Franks. Kolbert hypothesises that the Justinian empire’s decay may be, partly, correlated to the plague : « history is written not only by men but also by microbes. »

⁵⁸ Kolbert, E. (2020) Pandemic and the Shape of Human History, A critic at Large, *The New Yorker, Issue*,

⁵⁹ Little, L. K. (2007), *Plague and the End of Antiquity: The Pandemic of 541-750*, Cambridge University Press

Another illustration of how major outbreaks significantly influenced the shape of the history is the first “virgin soil epidemic” that began in 1518 in the New World. We talk about virgin soil disease when a virus imported from another continent spreads on a new land. Those virus have a strong infectious potential since the autochthonous have not been infected previously and are therefore “immunologically almost defenceless.”⁶⁰ The smallpox virus was brought by Spanish conquistadores, and has already infected one third of the natives by 1519. As Kolbert notices, the skyrocketing spread of the smallpox in Americas has dramatically influenced the course of the history. In America, the disease enabled the Spanish to conquer Mexico City, enlarging the European domination on the continent. Yet, the labour shortage due to the death of tens of millions of people caused by various « virgin soil epidemics », led the Spanish to seek for workforce in Africa, feeding slaves trade.

Diseases profoundly impact social structures. As Patterson et al. observe, the Black Plague which killed one third of the European population, led to a significant labour force shortage. The consecutive empowerment of common people allowed a wage increase.⁶¹ Workers became more skilled, which contributed to disseminate technological innovation quicker and at a greater scale. Back to the 21st century, one can already assess of some short term effects of COVID-19 on societies. It has already drastically modified the way we work, with the explosion and the persistence of remote working, but also how we interact with other people. It may also have raised awareness on some pathological trends that characterised our era : the implications of a globalisation pushed to its ultimate limits, the extreme dependence of countries toward others, the environmental issue related more generally to pandemics. For now, its is too early to see fundamental changes in the global order. Yet, some trends can be drawn in the light of the current global situation. Fukuyama has highlighted the potential domino effect of the pandemic. The virus has already, and will, significantly affect poor countries with “crowded cities and weak public health systems.” In addition to healthcare deterioration, the virus has worsen life conditions, namely due to the skyrocketing rise of unemployment. This constitute a fertile ground for popular uprising but also migration to the

⁶⁰ Crosby, A. W. (1972), *The Colombian Exchange*

⁶¹ Pamuk S. (2007) The black death and the origins of the “great divergence” across Europe, 1300-1600. *Eur Rev Econ Hist.* 11:289–317.

Northern and more developed countries, feeding isolationist and nationalist sentiments.⁶² In the long run, COVID-19 has undoubtedly a huge potential as rabble-rouser.

Therefore, it is undeniable that viruses contribute to reshape global order. They both profoundly affect societies on the inside and the outside. By its very nature, a virus emerges in a society where a pre-existing order is established, and strains every component of the structure, from its economical basis to its spiritual beliefs. But it also influence society attitudes toward other societies. As Snowden phrases it : “ They’ve determined the outcomes of wars, and they also are likely to be part of the start of wars sometimes.”⁶³

Nonetheless, our purpose in this chapter is to study whether coronavirus pandemic may be the cause of a global regime change, the herald of authoritarian prevalence over democratic stallion. Although many scholars have argued that virus are regime change incubators, in this paper, we stand on the opposition direction, asserting that besides all their impact on political structures, virus are not determinant factors for regime shifts.

B. Pandemics and regime change : the absence of causal relation

According to the definition elaborated by Filsinger and Freitag, Covid-19 pandemic refers to : “a serious threat to the basic structures or the fundamental values and norms of a system, which under time pressure and highly uncertain circumstances necessitates making vital decisions.”⁶⁴ Exceptional situations, such as wars, major catastrophes, or in our case, pandemics, lead to conservative positions to protect the continuity of a social structure. As we have already argued, in such times of uncertainty, authorities duty is to guarantee people’s security and the preservation of the State, as commanded by the social contract between the people and the State.

It has been asserted that pandemics, and mostly COVID-19 in our case, have a strong potential for regime change, in the sense of a regression from democratic to authoritarian regime. For instance, a study conducted by the Federal Reserve Bank of New York, has

⁶² Fukuyama, F. (2020). “The Pandemic and Political Order,” *Foreign Affairs* 99(4), June-July 2020, 24-26

⁶³ Chotiner, I. (2020, March 3), How Pandemics change history, *The New Yorker*

⁶⁴ Filsinger M, Freitag M. Pandemic threat and authoritarian attitudes in Europe: An empirical analysis of the exposure to COVID-19. *European Union Politics*. 2022;23(3):417-436.

shown that the Spanish Flu has reshaped German's society and political system between 1918 and 1920, modifying voting patterns, for the benefits of the Nazis. In the same lineage, Laura Spinney argues that the same virus would be responsible for the emergence of apartheid in South Africa and anti-colonialism development in India.⁶⁵

COVID-19 pandemic is no exception. The sanitary crisis has already exacerbated pre-existing nationalist, xenophobic and isolationist trends. All around the globe, governments have used the virus as a way to strengthen and expand their powers, under the cover of containing the disease. Even in the most democratic countries, as Sweden, the virus encouraged and strengthened nationalist movements. As Fukuyama asserts, the pandemic is a "global political stress test." Yet, the author also presents another side of the medal, presenting the virus as the opportunity of a "democratic resilience." Namely, the pandemic could be the impetus for a democratic enhancement. It has shed a light on deficiencies but also demonstrated that strong institutional framework can overcome major perturbations. With the appropriate reforms, the sanitary crisis might strengthen democratic basis.

In a recent study entitled "Are Pandemics Petri Dishes For Regime Change? Were the Spanish Flu and Other Diseases Correlated With Autocratization Or Democratization?", Tures et al. demonstrate that pandemics are not correlated with regime change.⁶⁶ This assertion is based on the analysis conducted on the three deadliest pandemics of the 20th century, that is, the Spanish flu, the Asian flu (1957-1958) and the Hong Kong flu (1968-1969). If one looks closely, neither of them has led to an authoritarian wave. The authors notice that "more than 75 percent of countries kept their regime type unchanged from 1956 to 1959" and, similarly, "From 1967 to 1970, 72 percent of the countries in our study kept their Polity scores and had no regime change." In the late 50s, autocracies slightly outnumbered democracies. Yet in the early 70s, the trend reversed.

As for the Spanish flu, the study finds evidence for only one regime change : Guatemala. In 1918, and for nearly thirty years, the country was ruled under the dictatorship of Manuel Jose Estrada Cabrera. The American longest-serving dictator was known for its corruption and eccentricity. For instance, he enacted a decree denying the Santa Maria

⁶⁵ Spinney, L., (2017), *Pale Rider*

⁶⁶ Tures, J. A. et al. (2021) *Are Pandemics Petri Dishes For Regime Change? Were the Spanish Flu and Other Diseases Correlated With Autocratization Or Democratization?* Georgia Political Science Association, *Questions in Politics*, Vol VIII

volcano eruption, while the ashes were raining on Guatemala City.⁶⁷ Without surprise, the Spanish flu was largely minimised. In 1920, Cabrera regime crushed. Scholars have studied the rationales for the sudden collapse of the dictatorship. Some have highlighted the role of the U.S, but Kit emphasises the role of the civil society uprising, with a coalition of students, farmers, intellectuals and merchants.⁶⁸ Yet, as Tures and al. assert, the genuine cause of the revolt may have been eclipsed. The study reveals that the consecutive regime change can be analysed as the result of the pandemic. Guatemala experienced an extremely high death rate, “four times higher than the world average”. The authors argue that this could be the starting point of the popular revolution. From our previous researches, we can hypothesise that the pandemic management, or rather the absence of management in this specific case, has fed the population exhaustion after three decades of authoritarian rule and the virus spread served as an accelerator that encouraged citizens to rise up.

Nevertheless, the Guatemalan case is an isolated counter-example, the exception that proves the rule. One cannot draw a positive correlation between virus and regime change. “Pandemics do not create autocracies, but they do make them worse.”⁶⁹ Pandemics strengthen authoritarian regime features, which correlates with our assumption in chapter 1. And, as virus has the ability to worsen authoritarian ruling, we can also surmise that it has the potential to enhance democratic ruling. Fukuyama adopts this positive approach of a “resilient democracy.” That is, major crisis have the benefit of breaking the “sclerotic political system of their stasis and create the conditions for long-overdue structural reforms.”⁷⁰ In the case of COVID-19, this is relatable at different scales. Fukuyama first emphasises the benefits of a decision-making process that relies on scientific ground, away from demagoguery, and contributes to discredit some leaders. The sanitary crisis also entrenched the central role of the State, at least in democratic regimes, as security provider, both on the health and the economic side. The private sector action must also be underlined. One can hypothesise that the

⁶⁷ Grenier, Y. (2002). *Compte rendu de [Cullather, Nick. Secret History, The CIA's Classified Account of its Operations in Guatemala, 1952-1954, with a new introduction by the author and an Afterword by Piero Gleijeses. Stanford, CA: Stanford University Press, 1999.]* *Journal of Conflict Studies*, 22(2), 169–171.

⁶⁸ Kit, Wade. (1990) “The Fall Guatemalan Dictator, Manuel Estrada Cabrera: U.S. Pressure Or National Opposition?” *Canadian Journal of Latin American and Caribbean Studies*. 15 (29): 105-127.

⁶⁹ Tures J. A. *op cit.* p.10

⁷⁰ Fukuyama, F., *op cit.* p.28-29

combination, and the collaboration, of public and private sectors may nurture a new impulse for national unity, encouraging citizens to ‘faire société’ (*make society*).

As a consequence, at the international scale, epidemics do influenced the course of History. At the scale of States, pandemics are mighty chemicals that contaminate societies structures, individual behaviours and, as such, may generate society mutations. In that regard, one can already observe the consequence of the Covid-19 pandemic on societies. However, past experiences of pandemics show that none of them actually led to regime change process, except for one : Guatemala. More precisely, none of them led to a democratic regression wave toward authoritarianism. Concerning Covid-19 pandemic, restrictive measures have reinforced authoritarian rule. But as pandemics can strengthen authoritarian trends, they may as well feed democratic resilience. Those observations lead us to interrogate the actual impact of the pandemic on the democratic erosion process, at play for several decades now. That is, does the sanitary crisis brings elements of novelty and constitutes an autonomous element of major disruption of democratic hegemony ?

II. A democratic regression prior to COVID-19 pandemic

Although restrictive measures have undoubtedly harmed democratic standards, the regression already started several decades ago. As observed by Larry Diamond, between the middle of the 1970s and 2005, many states opted for a democratic regime⁷¹. Between 1975 and 1990, the amount of democracies in the world rose by 28 percentage points, from 46 to 74%. Then, from 1990, with the collapse of the Giant with feet of clay and the begging of the ‘unipolar moment’, as Krauthammer refers to it, democracy began to be the regime type stallion. With the supremacy of the former Champion of the free world, democracy reached its climax, with 61% of democratic regimes in 2005. Yet, from 2006, a global and persistent trend of a regression toward authoritarianism has been observed at different stages. In this respect, Covid-19 pandemic appears to be part of a continuing process, rather than an additional and independent factor of a democratic regression.

A. The actors : a global rise of authoritarianism and the “civilian assault on democracy”

This democratic decline is the result of a combination of several factors, highlighted by Larry Diamond. The first rational is the actors. Larry observes the early XXI century has seen the emergence of new types of players in the regime change game : the authoritarian politician. This type of actors has a strong potential for stimulating polarisation and nurture hanger of the “good” and “deserving people” against the establishment. We can cite many examples of what Diamond calls a “civilian assault on democracy”, among which Jair Bolsonaro in Brazil, Orbàn in Hungary or Erdogan in Turkey. It is considered as a civilian attack because it does not involve the traditional actors. They are random people, usually politicians who manage to capture an electorate and access the power democratically.

The sanitary crisis has been presented as a fertile ground for populist bloom and spread. As a matter of fact, the virus fuelled populist discourse. In Italy and in France for instance, the Lega and the Front National (FN) have focused their discourse on the

⁷¹ Diamond, L. (2021) Democratic regression in comparative perspective: scope, methods, and causes, *Democratization*, 28:1, 22-42.

government incompetence. The FN has orientated its criticisms on the establishment, accusing the ruling class of stealing the power from the people and serving its own interests. In Germany, the Alternative for Germany (AfG) has attributed the virus spread, and its consequences on society, to immigration. An approach largely shared by its French counterpart. Focusing on ruling populist parties, such as Poland with the PiS or the Fidesz in Hungary, the COVID-19 policy has been organised around a powerful leaders guiding their people through the turmoil.⁷²

On the overall, elections results in democratic regimes did not consecrated populist leaders. In France, Macron outweighed LePen. In the U.S., Biden defeated Trump. In the U.K, Boris Johnson Covid-19 administration and its lack of coherence created a major political crisis, leading to his dismissal. However, we observe that the pandemic may have open a breach for nationalist and populist parties to structurally settle in the democratic sphere. In many democracies, regional or legislative elections enabled their accession to parliamentary assembly. Thus, Covid-19 seems to reinforce this particular trend, but in a different way. It feels like Covid-19 contributed to structurally anchor those parties in the agora.

B. The international context : centrifugal forces at play to reverse the democratic status quo

The erosion of the democratic hegemony is also the result of the international context configuration. Between 2006 and 2020, the number of democracies has dramatically fall, from 117 democratic regimes in 2005, peak of the democratisation process, to 108 in 2006. From 61%, the percentage of democracies in the world shrank to 55%. This impact has been portrayed as a the beginning of a “democratic recession.” The use of a vocabulary specific to the economic field is an interesting indicator. By definition, a recession refers to economic growth slowdown. Transposed to the regime type analysis, a democratic recession refers to a drop in democratic expansion, followed by a period of negative growth, namely the ascent of

⁷² Çakmak, A. (2022). [Review of Populism and the Politicization of the COVID-19 Crisis in Europe, by G. Bobba & N. Hubé]. *Insight Turkey*, 24(1), 264–266.

authoritarianism. Nevertheless, recessions, no matter how long they last, are always followed by a period of recovery.

The third wave of globalisation lapsed for different reasons. Perhaps the most blatant one was the invasion and the consecutive occupation of Iraq by the United States. The effort to export their political regime resulted in a bitter failure. The American troops withdrawal has been a severe backlash for the U.S. ego and hegemony. It has revealed that the former leader of the free world has lost its weight in the promotion of democracy and the export of its model. The end of the unipolar world has paved the way for the assertion of new hegemonic pretensions, both from “Russian rage and Chinese ambition.”⁷³ Those powers are willing to disrupt the Western *status quo*, which lies on the certitude that democracy and liberalism are the international political stallion. They aim at exporting their own model, through the use of ‘sharp power.’ According to the National Endowment for Democracy, this concept metaphorically refers to precise cuts “into the fabric of other societies.”⁷⁴ Those powers intend to penetrate into societies by other means than coercion.

COVID-19 seems to reproduce the multipolar order. In particular, the vaccine race can be analysed as a struggle for hegemonic position. Behind the objective of becoming the first to elaborate the vaccine and export it in as much countries as possible, one finds the latent objective to export a certain model. This objective is encompassed by the concept of “vaccine diplomacy.” The latter refers to a “ form of science diplomacy focused on joint development of life-saving vaccines and related technologies’ conducted by scientists from ‘nations that often disagree ideologically’ or even those ‘actively engaged in hostile actions’.”⁷⁵ The term has already been conceptualised regarding the U.S foreign policy orientation in Latin America’s Neglected Tropical Diseases (NTDs).

The COVID-19 vaccine race has led to similar ambitions coming from powers possessing the Holy Grail. In China, the vaccine diplomacy has been used as a tool to support its soft power policy. Chinese vaccine even reached European countries such as Ukraine,

⁷³ Diamond, L. (2019) *Ill Winds: Saving Democracy from Russian Rage, Chinese Ambition, and American Complacency*. Penguin Press.

⁷⁴ Walker, C. And Ludwig, J. (2017), *Sharp Power: Rising Authoritarian Influence, From ‘Soft Power’ to ‘Sharp Power’* National Endowment for Democracy.

⁷⁵ Hotez P. J. (2014). "Vaccine diplomacy": historical perspectives and future directions. *PLoS neglected tropical diseases*, 8(6), e2808.

Montenegro, Serbia or Hungary.⁷⁶ Thus, through the vaccine diplomacy, China aimed at penetrating in countries health systems, creating more bilateral interconnections with countries outside of its geographical sphere of influence. As such, vaccine policy appears to be in continuity with forces that were already at play before the pandemic, with ideological struggles opposing different powers that intend to supersede the other through the exportation of their model.

C. Information war : manipulation, disinformation and restrictions

One of the most fundamental democratic pillars is freedom of expression. Citizens must be able to express themselves freely on the Agora. Freedom of expression necessarily relies on the capacity to express divergent opinions. To that extend, media play a crucial role to voice interrogations, claims, contestations coming from the people. In this respect, the massive development of the internet represented a significant opportunity. Internet has been considered as a decisive informational tool, enabling anyone with an electronic device to access any information anywhere. The consecutive expansion of social media has also been perceived as a powerful tool to coordinate and organise popular demands. The laboratory of the social network potential was the Arab spring. Back then, social media were considered as an instrument of democratic transition due to their capacity to rally the people around common interests.

Nevertheless, internet is Janus-faced, and with its information capacity came manipulation. It offers a quasi non-regulated forum for people expression, including hatred. It has a significant influence on political life, feeding, for instance, political polarisation. Nevertheless, quickly enough, internet and social media capacity has been instrumentalised and overseen by public authorities and political actors to support political goals and control public opinion. Information access and trustworthiness are essential indicator of a democratic

⁷⁶ Lee, S.T. (2021) Vaccine diplomacy: nation branding and China's COVID-19 soft power play. *Place Brand Public Dipl.*

regime health, or decay. Yet, paradoxically, freedom of speech and press have been seriously injured by the explosion of internet and the development of mass media, vector of qualitative and reliable information, but also disinformation, manipulation and so-called ‘fake news’.

Covid-19 pandemic aggravated those trends. All around the globe, freedom of expression has been undermined by restrictive measures. As regard democratic standards, the most worrisome trend is the attacks against press freedom, considered as a major counter power in democratic regimes. The Reuters Institute for the Study of Journalism has identified several types of freedom of expression’s violations, especially press liberty.⁷⁷ The Institute pinpointed the detrimental use of emergency legislation, travel and accreditation restrictions, threats against whistleblowers, repression on “anti-patriotic” or “fake” information. And it has to be noted that the legal uncertainty and the lack of precision of restrictive measures have paved the way for abuses. In Hungary, freedom of expression has been severely restricted through the March, 30 “Coronavirus Law”, preventing for instance hospital to make public statement to journalists.⁷⁸

Although those violations are mainly perpetrated by the “bad students” of the Reporters Sans Frontière World Freedom of Press Ranking⁷⁹, worrisome trends have also been emphasised in democratic regimes. In the United Kingdom, one of the Scientific Advisory Group for Emergencies (SAGE) has been significantly altered by British authorities before being published. The original text has then been published after strong contestations from civil society. In the same line, the French government has announced its project to create an official website gathering information and articles considered as trustworthy, raising serious concerns about propaganda risks. The consecutive outcry led to the withdrawal of the government initiative. The outcome of those measures can be analysed in two opposite directions. On the one hand, even in democracies, governments are likely to violate fundamental rights, under the guise of emergency situation requiring extraordinary measures. On the other hand, it can also be analysed as the sign of an active civil society and a living democracy. Alexis de Tocqueville warns us against the “despostime doux” and considers that democratic regression, and eventually disappearance, is caused by endogenous factors:

⁷⁷ Reuters Institute (2020, April 7), Healing words: how press freedom is being threatened by the coronavirus pandemic, Reuters Institute and University of Oxford.

⁷⁸ Rodier, J. (2020, May 27), La Covid-19, prétexte aux atteintes à la liberté de la presse, *ina*,

⁷⁹ Reporters Sans Frontières (2020), *Classement Mondial de la liberté de la presse 2020*, RSF.

citizens behaviour. In such situation, individuals become passive, they abdicate reflection to the State, and focus on their personal wellbeing. All around democratic countries, we have observe contestation movements from the civil society against measures considered as non-proportionate to a legitimate purpose. What's more, the pandemic has sharpen citizens desire for quality information. A strong part of citizens turned back to traditional media and public service as trustworthy sources of information, indicating a renewed confidence.

As a consequence, Covid-19 pandemic cannot be considered as an autonomous and decisive factor of regime change. Rather, the analysis of democratic regression drivers shows that restrictive measures strengthen tendencies that undermined democratic standards for decades, and are in line with an authoritarian rule hardening. Transposed to the national scale, it implies that Covid-19 restrictive measures may not be the sign of a democratic regression but the cause of an exacerbation of national patterns of political culture.

III. COVID-19 restrictive measures as the expression of core features of national political configurations

Rather than the expression of a generalised democratic regression toward authoritarianism, we argue that Covid-19 restrictive measures are the manifestation of exacerbated trends, specific to each democratic systems. In order to conduct this analysis, we have studied two democratic regimes experiences of the sanitary : France, heavily criticised for its alleged authoritarian management of the crisis, charged with “sanitary dictatorship”, and Sweden, praised for its exemplary strategy. Our analysis revealed that the significant discrepancy between the two systems stems from singularly different conceptions and practices of democracy. The antagonism is especially visibility on two aspects : the conception of society and the relation between rulers and ruled.

Those researches are based on a previous analysis, conducted in 2020, that we expanded and actualised in the light of the latest development of both system.

A. A significant discrepancy of COVID-19 management strategies

The comparison of the two systems reveals a gap in the attitude adopted by both the Swedish and the French public authorities, which can be analysed as the expression of political culture and traditions.

Focusing on France, the COVID-19 restrictive measures instituted a “widespread defiance perceived as the expression of a fragmented and endangered democracy.”⁸⁰ This conclusion stems from two considerations. First, the democratic effervescence that has been observed at the inception of the sanitary crisis has been ignored by the government. Conversely to the ‘Gilets Jaunes’ movement, which revealed how fractured the French

⁸⁰ Gerentet de Saluneaux, A. (2020). The impact of restrictive measures on democracy : A comparative approach of France and Sweden, LUISS Guido Carlo University,

society is, the sanitary emergency showed the capacity of the people to gather and show a unified front. Yet, the citizens will to participate and be actively involved in the crisis management has been largely eclipsed by the French government. We argue that the people's will rejection is correlated to the myth of democratic powerlessness.⁸¹ The latter has been conceptualised by Demosthène⁸² under the Athenian democracy. Arguably, democratic regimes decision making, anchored on compromise and consensus, are not efficient on an emergency situation that requires strong and fast answer. This sentiment of a democratic inefficiency explains the initial centralised strategy implemented by the government, "which developed its gambit at a national scale, without taking into account the specificities of each territory." Second, France has been qualified of a "sanitary dictatorship"⁸³ due to the preeminence of scientific knowledge over the people's opinion. Indeed, the majority of the definition of the sanitary policy was elaborated by the Conseil national de défense sanitaire, a closely restricted committee composed essentially of experts.

With some hindsight, we observe that, oddly enough, criticisms were focused on crisis management itself, rather than a democratic deficit. As a matter of fact, criticisms were related to "State lies", such as discourses to discourage masks wearing at the begging of the pandemic to cover State failure to provide enough for the population. Those criticisms were also related to curbing-liberties measures and the lack of rationality, to the resort of tools such as the "passe sanitaire" to orientate behaviours without considering inequalities triggered by such restrictive measures.⁸⁴ The government approach contributed to dramatically erode population trust in its representatives.

Yet, as Gilbert and Henry point out, France is not facing a political crisis, in the sense that government legitimacy has not directly been questioned and none of the opposition parties have managed to take advantage of the situation to unsettle the power. Blame crystallised around technical aspects. It felt like the COVID-19 question was out of the

⁸¹ Foessel, M. (2019) *Récidive*. 1938, PUF

⁸² « Mais quoi ? Nous restons ici sans rien faire... Rien d'étonnant si cet homme [Philippe] qui mène lui-même la campagne, qui est présent partout, qui ne laisse passer aucune occasion, l'emporte sur nous qui tergiversons, qui perdons le temps à voter des décrets et à nous enquérir », Demosthène (349 BC), 2e Olynthienne in *Harangues I*, texte établi et trad. par Maurice Croiset, Paris, Les Belles Lettres, 1924, § 23.

⁸³ Laurentin, E. (2020, October 10), Notre démocratie souffre-t-elle du coronavirus ?, [[Audio podcast episode], in *France Culture*,

⁸⁴ Gilbert, C. & Henry, E. (2022). Note de recherche. La crise de la COVID en France : de l'entracte de la politique à un changement d'ordre politique ? *Lien social et Politiques*, (88), 258–268.

political field, requiring a depoliticised approach.⁸⁵ The depoliticisation of the COVID-19 question is highly correlated to the extraordinary situation, which threaten the superior interest of the society. Such period mitigates internal conflicts to the benefit of national unity, keeping divisive topics out of the political sphere.

Our study led us to compare the French approach with the Swedish one, considered as a “democratic stallion.” The Northern country has chosen an antipodal approach in its crisis management. The Swedish strategy reflected the ‘Swedish exceptionalism’, based on incentive measures preference to coercive ones and the promotion of individual responsibility and autonomy.⁸⁶ The whole strategy is grounded on a fundamental concept : ‘Lagom’, which refers to the just balance between official recommendations and latitude let to individual responsibility. On the early stage of the pandemic, the Swedish government granted to regional governments a wide room for space to implement containment measures proportional to regions situation.⁸⁷ As the virus spread got worst, public authorities were compelled to set up prohibitive measures. Yet, those measures did not erode people’s confidence in their institutions, and government trust degree rose by twenty-three point of percentage.⁸⁸ On the overall, the early COVID-19 pandemic management has strengthened the sentiment of a Swedish exceptionalism.⁸⁹

With some hindsight, the Swedish approach to contain the virus spread has failed, with the highest death rate of all the Northern countries. But it has succeeded in preserving Swedish people’s freedoms, with very little restrictive measures (no lockdown, bars and restaurants kept open, children under 16 kept going at school, etc.)⁹⁰

⁸⁵ Robert, Cécile (dir.) (2021) *Confiner la démocratie. Les dépolitisations de l’action publique*, Presses universitaires du Septentrion, coll. « Espaces politiques ».

⁸⁶ Gerentet de Saluneaux, A. (2020). The impact of restrictive measures on democracy : A comparative approach of France and Sweden, LUISS Guido Carlo University

⁸⁷ Lebano, A. (2020, May 8). Sweden’s Relaxed Approach on COVID-19 Isn’t working, *Boston Review*,

⁸⁸ Gustavsson, G. (2020, May 3). The risk of Sweden’s coronavirus strategy ? Blind patriotism, *The Washington Post*.

⁸⁹ Lebano, A (2020, May 8). op cit. n. p.

⁹⁰ Kekatos, M. (2022, March 24). Scathing evaluation of Sweden's COVID response reveals 'failures' to control the virus, *abc News*.

B. COVID-19 management as the expression of structural features : the conception of society

The obvious discrepancy between the Swedish and the French approach to coronavirus pandemic is framed by diverse political traditions, which have orientate States reactions in specific ways regarding the spread of the virus. The divergence in political culture are being expressed by a very distinct concept of society.

Focusing on France, the French society is in quest for unity. The people is understood as a whole, “as the aggregation of individuals that allows the emergence of the general interest.”⁹¹ Nonetheless, this conception sets aside the diversity of the individual that constitute the People. A well performing democracy must consider the ‘multiple’ as a source of conflict, disagreement but also compromise and, eventually, emergence of a superior interest.⁹² COVID-19 pandemic emphasised this dichotomy between the one and the multiple, between the unitary frontline mobilised against a common enemy, and the wide spectrum of a fractured people. The early months of the pandemic shed a light on the invisible part of the society. Yet, the government ignored the multiple and particularism in the name of unity, in a society essentially characterised by individualism. The legislative elections outcome illustrates the fragmentation of the society, with a tripolar parliamentary assembly that raises the spectrum of an ungovernable country.⁹³

Quite on the opposite side, Sweden shares an organicist conception of society. Conversely to the French tradition, individualism comes first, that is, “people’s freedom steps aside common good and where the State provides material for the wellbeing of the citizens so they do not rely on each other.”⁹⁴ Swedish society is a delicate balance between extreme individualism and dependence to the State, encompassed in the concept of ‘Swedish love.’⁹⁵

⁹¹ Rosanvallon, P. (2007). *Democracy, past and Future*, University of Columbia Press.

⁹² Laurentin, E. (2020, October 10), Notre démocratie souffre-t-elle du coronavirus ?, [[Audio podcast episode], in *France Culture*.

⁹³ Courrier International (2022, June 20). Législatives : la crainte d’une France “ingouvernable”, Courrier International.

⁹⁴ Gerontet de Saluneaux, A. (2020). op. cit.

⁹⁵ Berggren, H. and Trägårdh, L. (2006). *Is the Swede human? Community and Independency in Modern Sweden*

Or as Lebano phrases it : “Sweden offers a model of democratic success that favours stability over freedom, dependence on the state over interdependence among citizens.”⁹⁶ And the blatant illustration of this is the quasi absence of restrictive measures. High degree of individualism can explain the natural inclination to social distancing which has limited, at least at the beginning, the virus spread.

The Swedish conception of society is deeply anchored in the concept of ‘*folkhemmet*’⁹⁷, which “conveys a singular connexion between the people and the nation and a specific conception of the people as a homogeneous ethnic community defined by shared historical experience.”⁹⁸ This organic feature has particularly been brought forward by the pandemic. Crisis management relied on the ‘Swedish exceptionalism’ and the belief of an outstanding administration. With the evident failure of the model came contestations from outside the Swede borders of the Swedish excellency. Those criticisms were welcomed with widespread hostility⁹⁹ and perceived as a threat for Sweden identity. This reaction is another indicator of the Swedish model, characterised by exacerbated nationalism. The phenomenon is encapsulated in the concept of ‘bent twig’ theorised by Isaiah Berlin¹⁰⁰, which refers to “blind and irrational response to collective humiliation.” Blind nationalism usually comes with the claim of community’s singularity and leads to nationalist withdrawal. The latest legislative elections results perfectly reflects this point, with the defeat of the liberal democrat party, to the benefit of the extreme right one.

The Swedish strategy can also be analysed as a form of ‘laissez-faire’ with a primacy of individual responsibility over collective one as the expression of a structural problem of the society. The COVID-19 pandemic containment strategy was framed to preserved the Swedish image, a strategy condemned for being “morally, ethically, and scientifically questionable”, rather than protecting sanitary security.¹⁰¹

⁹⁶ Lebano, A. (2020, May 8). Sweden’s Relaxed Approach on COVID-19 Isn’t working, *Boston Review*.

⁹⁷ Andersson, J. (2011). Qu’est ce que c’est ce modèle suédois ? Débats constitutifs pour comprendre l’histoire de la social-démocratie suédoise, son modèle et son évolution jusqu’aux élections de septembre 2010, *Histoire@Politique*, vol. 13, no. 1. pp 6-7.

⁹⁸ Gerentet de Saluneaux, A. (2020). op. cit.

⁹⁹ Paterlini, M. (2020, April, 21). Closing borders is ridiculous’: the epidemiologist behind Sweden’s controversial coronavirus strategy, *Nature*.

¹⁰⁰ Berlin, I. (1972, October) *The Bent Twig : A note on Nationalism*, Foreign Affairs, Vol. 51, No. 1, pp. 11-30.

¹⁰¹ Reuters, T. (2022, February 25). Sweden's no-lockdown COVID strategy was broadly correct, commission suggests, *CBC*.

The study of the Swede and French conception of society reveals antipodal approaches, respectively characterised by the primacy of the individual over the collective and a strong attachment to the State for Sweden, and the ambivalence between the quest for a unified people and its actual fragmentation in France. Those specific features help us to understand the covid-19 management differences.

C. COVID-19 management as the expression of structural features : the relationship between rulers and citizens

COVID-19 management divergence, and thus the restrictive measures impact on democracy, is also correlated to a specific conception of the relationship between representatives and the People. We mean here the degree of trust that exists between rulers and citizens.

Sweden approach stems from its Lutheran tradition, with no intermediary between God and its subjects. We find a similar religious commitment of the citizens to the State. Basically, Swedish people pledge allegiance to their State, through the social contract, which in return “takes the oath to take care of the citizens, to “releases them from the burden of moral choices.”¹⁰² The basis of the Swedish social contract is unconditional trust, and this aspect has been particularly emphasised by the sanitary crisis. We have demonstrated that the unfailing support of the government policy “demonstrates a sacred connexion where the State is scarcely ever questioned.” Although this absolute faith in public authority makes the strength of the model, it also undermines the democratic virtue of contestations and disagreement. As Gustavsson observes, the “critical patriots” shortage to challenge government provides strong basis to guarantee national unity.¹⁰³ Yet, one must also acknowledge that the lack of constructive patriotism is detrimental for democratic health, and

¹⁰² Gerentet de Saluneaux, A. (2020). op cit. p.5

¹⁰³ Gustavsson, G. and Miller, D. (2019). Liberal Nationalism and Its Critics: Normative and Empirical Questions, *Oxford Academic*.

may lead to a phenomenon of ‘blind patriotism’, that is, “ the attachment to country characterized by unquestioning positive evolution, staunch allegiance and intolerance of criticism.”¹⁰⁴

The French conception is, once again, diametrically opposed to the Swedish one, as the cornerstone of the rulers-citizens relationship is a mutual defiance, with two centrifugal forces at play. The French democracy is, first, characterised by rationalism, a defiance of the representatives toward their electors. This is an heritage of the Enlightenments and the concept of the sovereignty of reason. The latter consists in extracting the most enlightened men of a society, the best able to represent the general interest. This approach conflicts with another historical legacy, inherited from the Ancient Regime. In the French conception, government is continuously suspected of infringing citizens’ rights.

Those paradoxical features of the French democracy have been exacerbated during the pandemic. On the one hand, Government has been heavily criticised for its technocratic measures, set up out of any democratic legitimacy, based on the Conseil de Défense advices. But this feature, once again, is not a consequence of the COVID-19 extraordinary situation. It finds its roots in the Ve République foundations and its presidentialist tendency. Restrictive measures have accentuated this constitutional feature.¹⁰⁵ On the other hand, Government approach illustrates the defiance of public authority toward its people. Citizens are willingly kept at bay from the decision making process because, accordingly, they cannot make effective decisions to protect the superior interest. Beside, evocation of the greater good aims at suspending political discussions. It creates a sentiment of duty for citizens to gather behind a strong executive, and orientates the controversies on technical aspects rather than political ones, as we discussed.

Our leading interrogation is to determinate whether restrictive measures set up to counter the virus spread is leading to a regression toward authoritarianism for democratic regimes. Based on the comparison of two highly different systems, we observe that restrictive

¹⁰⁴ Schatz, R.T., Staub, E. and Lavine, H. (1999). On the Varieties of National Attachment : Blind versus Constructive Patriotism, p.151-174, *Political Psychology*, Volume 20, Issue 1.

¹⁰⁵ Lacroix, B. and Lagroye, J. (1992). Le président de la République. Usages et genèses d’une institution. In: *Politix*, vol. 6, n°23, Troisième trimestre 1993. Patrons. Représentation des intérêts et usages d’une représentation, sous la direction de Guillaume Courty. pp. 134-143. <https://doi.org/10.3406/polix.1993.1579>

measures are not the indicator of a democratic backsliding, but the expression of features proper to a given political system. In time of writing, there is no evidence that democratic practice in France has been unsettled by the sanitary crisis. Pandemic management and democratic institutions are undoubtedly intertwined. The former is fashioned by the latter. A diversity of patterns, namely the society conception and the type of relationship between representatives and citizens, has shaped national pandemic management. Therefore, restrictive measures are not necessarily the sign of a democratic regression. They strengthen patterns that structure political culture of one system. However, it means that countries where democracy was unsteady, where democratic institutions were already threatened by centrifugal forces, Covid-19 might be a tipping point.

Chapter conclusion

To sum up, the sanitary crisis has been perceived as a catalyst for regime change, paving the way for the rise of authoritarianism. Concerns for restrictive measures and cases of abuses by governments have rightfully rang bells alarm.

Nonetheless, based on prior experiences of viruses and pandemics, we believe that Covid-19 pandemic will not lead to a general ascension of authoritarian rule over democratic regimes. Undoubtedly, it have impacted social structure and will probably generate social mutations. Pandemic aftermaths will also probably significantly shake global order in the years to come. Yet, it has been proved that viruses are not determinant drivers for regime change. This assumption is reinforced by the fact that Covid-19 pandemic does not constitute, as such, an element of novelty. Neither on the reproduction of ideological wrestles, the reinforcement of populism and nationalism or on its direct impact on democratic cornerstone, liberty of expression. Its implications on the global scale on democratic standards seem to support and feed longterm trends working to unsettle democracy.

Focusing more specifically on the State scale, we achieve the same conclusion. Restrictive measures are framed by national political tradition and culture. Restrictions reflect how societies are organised, what kind of relation exists between rulers and citizens, how do individuals interact with each other. Each system possesses its own practices and heritage. The pandemic exacerbated and made more visible those trends. Which means that in well-anchored democratic regimes, Covid-19 has only been a stress test for institutions, but did not unsettle the whole structure. In chapter 1, we concluded that the pandemic has aggravated authoritarian trends in non-democratic regimes. This could also be the case in democratic ones. Although the exceptional nature of the pandemic justified restrictive measures, abuses would undoubtedly strengthen authoritarian propensities. The issue of abuses leads us to interrogate more specifically the effects of restrictive measures, either direct or hypothetical, on democratic regimes.

Chapter 3 - The impact of Covid-19 restrictive measures: toward a democratic mutation ?

Introduction

The pandemic acted as a crash test for democratic regimes basis, challenging the resilience of their institutions and their standards. In all cases, the pandemic experience will leave marks on political regimes, either by encouraging reforms and democratic enhancement, or by degrading already existing trends in favour of a de-democratisation process. Our leading assumption in this final chapter is that the pandemic did impact democratic regimes, modifying the way democracy is practiced. We hypothesise that the sanitary crisis may have structural consequences on democracy, in the sense of a mutation of democracy.

It is undeniable that the sanitary crisis affects democracy. It remains to be discussed how. In this chapter we wonder to what extent restrictive measures already have and will reshape democracy. When talking about the effects of restrictive measures, we must first consider the direct effects that can be highlighted. What are the tangible consequences on democratic pillars and democratic practices ? The question of the impacts also leads us to hypothesise effects that are not yet discernible but are indicated by some recurrent tendencies. It interrogates the general impact of states of exception, but mostly it raises the problematic of its potential persistence. While most democratic regimes have lifted related restrictions, the spectrum of extraordinary time legislation still looms upon us. As the virus is still spreading, we must remain cautious and consider the potential impacts of the repeated renewal of states of exception.

In this final chapter, we will study the direct consequences of the outbreak, indicating a mutation of patterns and practices. We will also consider more hypothetical consequences, with the issue of the persistence of states of exception. It is also very likely that the pandemic experience will entail structural consequences. The comparative study conducted during all the demonstration has enabled us to extract different tendencies, that are yet to be analysed to validate or invalidate our leading assumption.

I. Has COVID-19 already modified the way we practice democracy ?

As conducted in chapter 2, even though virus are not a decisive factors of regime change, they may provide enabling conditions for regime mutation. Here, we clearly differentiate regime change and regime mutation. By regime mutation, we refers to the ever-changing nature of political regimes. Political regimes are in constant adaptation. Their evolution is driven by society change, international context and so on. Some fundamentals remain, but we cannot compare Athenian democracy and today's approach. Thus, we argue that Covid-19 pandemic and its consecutive containment measures may already have impacted the way we practice democracy, and may also influence democratic path in the future.

A. Elections and referenda delay

First of all, the pandemic has significantly impacted the most sacred emanation of democracy, namely *elections*. A blatant illustration of the Covid-19 pandemic direct impact on democracy is obviously the elections or referenda postponements, and the adoption of measures to restrict essential liberties, vital to any fair and lawful election process. The Council of Europe has highlighted that in 2020, one presidential election, two parliamentary elections, five referenda and five regional or local elections have been postponed in Europe.

Here again, we may look in the past to better understand how a pandemic impacts democratic practices in the short run. Studying past experiences helps us to move a step backward and be more objective on the current situation. COVID-19 is not the first case of exceptional situation occurring in period of elections. And as such, it both present similarities and elements of novelties. In the history of the French 5th Republic, electoral calendar has been shaken several times. In 1995 and 2008 municipal elections have been postponed of respectively several months and one year, because their organisation obstructed the presidential election's organisation. This also happened for departmental or regional elections.

Yet, as Dolez reminds us, the uncertainty about whether the first ballot will occur or not, whether the second ballot will be postponed or not, has never been seen under the 5th Republic. One has to go back to the Second Empire collapse. After the Sedan defeat, elections announced by the ‘gouvernement provisoire’ have been postponed until the early 1871. But one has to consider that France was facing a major political crisis, with the Second Empire downfall, following a century of political instability and regime shifts between republics, monarchies and empires. In 1870, the choice was a republic, but those in favour of a monarchy still represent a strong part of the population. The schism will only be settled by 1877. Moreover, it has to be noted that exceptional state does not always leads to elections postponed. In 1945, even before the end of the war, anticipated municipal elections were held as a sign of the return to the democratic peace.¹⁰⁶ Those examples demonstrate the uniqueness of the COVID-19 electoral situation.

B. The impact on elections outcomes

Besides the tangible effects of the pandemic on democracy, with elections and referenda delays, one is looking for evidences of potential evolution of more subjective factors, namely voters behaviour or participation rate.

For instance, in the United States, the 1918 elections occurred during the Spanish flu pandemic, which ”depressed the American life expectancy of more than 10 years.”¹⁰⁷ As Abad and Maurer argue, the pandemic did influenced election at the local scale. Regions most violently hit by the virus swung against incumbent politicians. However, the author conducts that the 1918 election was an “anti-incumbent” elections.¹⁰⁸ The Influenza was only partly responsible, as several other factors had to be taken into account, namely WWI. In addition, the pandemic did not impact participation rate in the presidential election of 1920. From this perspective, Abad and Maurer hypothesise that Covid-19 may indeed influence part of the

¹⁰⁶ Dolez, B. (2020). Tenir un scrutin local pendant la crise du Covid-19. Les élections municipales de mars-juin 2020. *Revue française d'administration publique*, 176, 947-964.

¹⁰⁷ Grove R.D, Hetzel A.M (1968), Vital statistics rates in the United States, 1940-1960 Number 1677. *US Department of Health, Education and Welfare*, Washington D.C,

¹⁰⁸ Abad, A. Leticia, Maurer, Noel, (November 16, 2020), Do Pandemics Shape Elections? Retrospective voting in the 1918 Spanish Flu Pandemic in the United States .

results in the upcoming elections, yet the pandemic should not be considered as a determinant factor, able to overturn an election outcome.

Nevertheless, the Covid-19 pandemic did affect the voting patterns. According to a study conducted in France on the local elections, localities hit by harder restrictions have significantly different patterns of voting behaviour compared to localities less impacted. Oddly enough, localities with harder restrictive measures favoured their local incumbents during the elections. The participation rate is also higher in those regions. Admittedly, voters were more likely to “rally around incumbent politicians during the hardest moment of the pandemic.” Which could explain the relative political stability, especially during the successive lockdowns.¹⁰⁹ Conversely, in Spain, and more precisely, in Basque Country regional elections, the turnout rate was between 2.6 to 5.1 percentage points lower in localities where the number of Covid-19 cases was the higher. Evidences also show that Covid-19 exposure led to an increase of suffrages in favour of nationalist parties.¹¹⁰

Another interesting example of how Covid-19 pandemic has shaped an election is the Polish presidential election. In this specific case, the pandemic has upset the electoral schedule, and has been used to support the Government reelection. The campaign and the presidential elections were planned during the first lockdown. Due to the impossibility to access physical public spaces, campaign activities were moved to the digital world. Thus, the cornerstones of the campaign were media and internet. Here arise a first issue. Since the access to online platforms was strictly controlled by the Government, candidates degree of latitude was significantly constrained. In addition, one month before the election, the government introduced a bill to re-establish mail-in votes for people over the age of 60, a population which happens to be the most favourable to the regime. The measure was heavily criticised by the European Union and NGOs. Eventually, the Polish Constitutional Court invalidated the new electoral law. The initial election of May was declared invalid as no polling stations opened and no one voted. The Sejm rescheduled the election. And on June 28, incumbent President Andrzej Duda was reelected. The most surprising observation about the Polish presidential election is that from the beginning, outgoing president and its government benefit from a strong support of the population, with 70% of the population considering that

¹⁰⁹ Giommoni, T and Loumeau, G. (202, 19 October), Lockdowns and voting behaviour during the COVID-19 pandemic, *VOXEU*

¹¹⁰ Fernández-Navia, T. & Polo, E. & Tercero-Lucas, D. (2021). Too afraid to vote? The effects of COVID-19 on voting behaviour. *European Journal of Political Economy*.

public authorities correctly managed the crisis.¹¹¹ The government strategy to manipulate the campaign, although it did not completely succeed, supported its reelection and even bolstered its popularity.¹¹²

C. A limited effect on the short run

However, with the relative return to normal, it appears that sanitary crisis is no more a component of the electoral equation. One can take the example of the French presidential election. The presidential campaign largely ignored the pandemic and government management strategy. It has been dominated by the meteoric rise of Eric Zemmour, and his equally skyrocketing decline, by the War in Ukraine, by the division of the Left and its incapacity to stand together and by the absence of an actual campaign by the incumbent president. Covid-19 was almost absent of the political discourse. Besides, it is interesting to observe that the pandemic was never a subject of polarisation, neither for the regional or the presidential elections. The campaigns were focused on usual problematics such as security, power purchase or employment. Moreover, Emmanuel Macron and its Government have faced fierce criticisms from civil society for the presumably authoritarian management of the crisis. However, it did not prevent his reelection.

As a consequence, Covid-19 pandemic influenced representative democracy in many ways. It impacted both electoral schedule and elections outcomes. However, we argue that the impact may actually be limited to a very specific period, from 2020 to 2021. In 2022, as the French election illustrates, Covid-19 does not seem to be a decisive factor of elections results, or even a polarising topic. This observation is also validated by the upcoming Italian general elections. Covid-19 impact or restrictive measures are no longer subject of concerns. The

¹¹¹ Flis, J., Kaminski, M. (2022) Multi-player electoral engineering and COVID-19 in the polish presidential elections in 2020. *Mind Soc* **21**, 1–8.

¹¹² Tatarczyk, D. & Wojtasik, W. (2022). The Incumbency Advantage during the COVID-19 Pandemic: Examining the 2020 Polish Presidential Election. *East European Politics and Societies: and Cultures*.

campaign is focused on the extreme right coalition, which could have dramatic influence on both the national but also the international scale.¹¹³

D. Democracy and the digital era

Another direct transformation consecutive to the virus spread is the explosion of digitalisation. This process already started several years ago. But Covid-19 has been a strong kick in the nest. Almost from one day to another, institutions had to shut their physical activities and move online. The shift significantly impacted democratic institution operations, especially parliamentary functioning. Nevertheless, in stable and ancient democratic regimes, it did not hindered their functioning. In the 20 most democratic States, only two Parliaments, in UK and Switzerland, closed.¹¹⁴ In order to face the extraordinary situation, many countries have implemented new systems of debate and vote in parliamentary assembly, to ensure the continuity of legislation making and oversight. For instance, the Welsh Senedd hold parliamentary session online, while Chile amended its constitution to enable MPs to vote through the virtual process. This new democratic practice goes together with a more general trend we aforementioned : the role of the internet in democracy. With the Covid-19 pandemic, the agora seems to have migrated to the digital space.

Conversely to the pandemic electoral impact on elections, it is very likely that this trend will actually persist and mushroom. In the 21st century, public area was probably one of the last areas running behind digitalisation. However, the digitalisation of democratic institutions activities raises several issues. For instance, how to reproduce the same conditions for members of Parliament to debate ? Parliament sessions are characterised by direct debate and dialogue, but also private exchanges between the members, which are crucial to coordinate and control responses. The pandemic also raised questions on the feasibility of online votes. Thus, we see that digitalisation of democratic practices brings its share of issues. If it is to last and become a new kind of democratic pattern, it will require a whole new

¹¹³ Spitzberg, M. (2022, 18 October), Elections législatives italiennes : « Une immense inquiétude au niveau européen », *Public Sénat*.

¹¹⁴ Bar-Siman-Tov, I, (2020, March 22), 'Parliamentary activity and legislative oversight during the Coronavirus pandemic. A comparative overview', *Bar Ilan University Faculty of Law Research Paper* No. 20-06.

organisation and the implementation of new legal process to ensure that it does not harm democracy more than it felicitates it.

Therefore, one observes that Covid-19 already modified the way democracy is practiced. In some cases, the changes are only on the short term. The virus spread required to adapt structures and practices to the emergency situation so that institutions functioning could carry on. It has also influenced the way citizens perceived their representatives, usually in the sense of a conservative preference. In other cases, the direct impacts are very likely to endure and may as well become new forms of democratic practice. Thus, we assert that the sanitary crisis, and its legislative arsenal, have already affected democracy, in a sense of a democratic mutation. We shall now study the hypothetical consequences of the restrictive measures on democracy.

I. The democracy long-haul COVID-19 symptom : when state of exception becomes the new normal

As conducted in the two previous chapters, restrictive measures are not necessary the expression of an authoritarian leeway. However, the cumulation and the renewal of states of exception, along with the relative passivity of the population is concerning. While in many democratic regimes, states of exception came to an end with the appeasement of the pandemic, next waves leaves doubts on the possibility for States to trigger, once more, those extraordinary legal arsenals. The issue of a long-haul Covid-19 symptom looming on democracy raises the question of the legality of the persistence of such exception states, illustrated by cases of abuses, namely Hungary. It also raises the matter of the acclimation of societies, when states of exception become become the new normal.

A. The question of the state of exception legality

Although we assert that restrictive measures are not, *per se*, the expression of a democratic regression, the legal arsenal that has been used and deployed triggers some concerns on the structural impact of those measures on democracy. Those worries relate to the state of exception. Carl Schmitt gives us useful insights to grasp the importance of this concept. The political and legal commentator considers that in a situation of emergency, common law must be suspended in order to implement extraordinary measures, best able to protect the political organisation. As he explains, ordinary laws produce predictable effects in a situation of normality. But in the state of abnormality, only the head of State, designed as the ‘sovereign’, is legitimate and entitled to declare such state of exception.¹¹⁵ One notices that Schmitt conception finds its roots in the Roman title of Dictator. In the event of a threat against the Roman Republic, an ordinary magistrate was given absolute powers to restore peace and security. This extended authority was, initially, limited in time.

COVID-19 pandemic has given birth to an extraordinary deployment of legal instruments to contain the spread of the disease. Either those instruments were included in the constitutional framework, under the appellation of ‘state of emergency’ or ‘state of exception.’

¹¹⁵ Schmitt, C. (1922). *Political Theology*, University of Chicago Press.

Either, they did not require superior regulations as they are encompassed in ordinary legislation. It should be reminded that the implementation of a state of exception does not necessarily involves abuse of powers. And, in parallel, ordinary laws do not constitute a safeguard against it. As aforementioned, international laws carefully circumscribe the use of states of exception to a very limited cases of legitimate purposes, among which public health protection. The ICCPR and the ECHR precise that emergency provisions must abide by the principle of legality, legitimacy, proportionality and non discrimination. Plus, the aforesaid institutions must be notified. The Venice Commission has reminded that even under extraordinary circumstances : *“the legality principle, separation of powers, division of powers, human rights, the State monopoly of force, public and independent administration of justice, protection of privacy, right to vote, freedom of access to political power, democratic participation in and supervision on public decision making, transparency of government, freedom of expression, association and assembly, rights of minorities as well as the majority rule in political decision making”* shall be maintain. What’s more, it specifies that extraordinary legislation must not be transposed into the legal system after the eradication of the threat.¹¹⁶

Whether a State has effectively implemented a state of emergency or it has relied on ordinary laws, both enabled to enact a wide panel of measures to restrict citizens’ freedom and expand powers, namely to the benefit of the executive. We are not contesting the necessity of those measures, as long as they remains proportional to a legitimate interest. Yet, we have been living in this emergency state for almost three years. With a succession of lockdowns in many democratic states, the repeated obligations to wear masks, the circulation restrictions... With phases of attenuation followed by phases of restrictions tightening. The continual exposition to the virus seems to have created a growing accustoming phenomenon. The most blatant example is the controversies surrounding vaccines. When the first vaccines started to be available, a strong part of the population was firmly opposed to it. Massive demonstrations denounced the ‘green pass’ and the additional infringement of fundamental liberties. Yet, in 2022, although vaccine policies are still contested, in January, 69.83% of the European Union population was fully vaccinated, meaning that this large share of the population has received

¹¹⁶ Venice Commission (2020). Respect For Democracy, Human Rights and the Rule of Law During States Of Emergency: Reflections CDL-AD 014 Study n° 987/2020, para 44, 9 and 13.

at least two vaccine doses. However, it is surprising to notice that people got used to it quite rapidly. Presenting the pass to enter restaurants, bars, museums or other public spaces became the new normal. During a short amount of time, the access to the Agora was even restricted, public space admission was conditioned. In France, the government even proposed to prevent access to polling stations to unvaccinated people, a restriction decried by the population, and eventually dropped.

The relatively easy acclimatisation to emergency state and restrictive measures goes in line with Ulrich Beck's thesis in the Risk Society. The fear for generalised risks, that is technological, biological or environmental risks which are products of modernity, gives birth to increasing demand for State intervention. Citizens' desire to be in a situation of the 'zero risk' leads to an acceptance of the succession of states of exceptions. The problematics surrounding the state of exception involve government abuse risks, but also citizens getting used to it and become passive. Both situations are correlated and cumulative and represent a significant threat for democratic regimes.

B. The abuse of emergency state : the case of Hungary

One staggering example of a government abuse of states of emergency is Hungary. Hungarian regime type is ambiguous and is a subject of controversies. According to the Democracy Index produced by The Economist, Hungary still belongs to the flawed democracies category, ranking 56 with a score of 6.50. However, for several years now, Hungarian regime type has been qualified as a hybrid regime, crossroad between democratic and authoritarian regime. Schematically, in such regime, democratic institutions formally

exist, but are devoid of their substance¹¹⁷ Recently, the European Parliament has described Hungary as a “hybrid regime of electoral autocracy”¹¹⁸

Under Fidesz rule, the Rule of law has been seriously jeopardised. Constitutional court, Parliament institution, and more generally checks and balances have been shelved.¹¹⁹ The Covid-19 pandemic management is a convincing example. What interests us the most in the Hungarian strategy are the emergency laws. Hungary is a worrisome illustration of an abuse of emergency state and a consecutive deterioration of democratic quality. Hungary has a long tradition of emergency state abuse. The 2011 Constitution, which includes extraordinary powers for emergency situations, has been adopted as a way to retroactively justify institutions paralysis in the aftermath of the 2008 financial crisis.¹²⁰ Article 1 also authorises fundamental rights restrictions, even under ordinary circumstances “to the extent absolutely necessary, in proportion to the desired goal and in respect of the essential content of such fundamental right”. In 2015, the country declared a “crisis situation caused by mass migration”¹²¹ The declaration relied on a constitutional basis, Article 15, which provides that government can “exercise powers which are not expressly conferred by laws on another state body.” Those illustrations also validate our study hypothesis. Hungarian authoritarian drift is not the result of the pandemic. However, the sanitary crisis has unmasked and exacerbated the longterm trend.

Following the first coronavirus cases, Hungary has developed a large panel of restrictive measures, purportedly to contain the virus spread. As the International Commission of Jurists observes, those extensive measures also targeted areas that were not connected to public health. Two particular sets of measures must be studied. As provided by the Constitution, along with six others extraordinary states, the government may declare a ‘state of danger’ “[in] the event of a natural or industrial disaster endangering lives and property or

¹¹⁷ Grajczjár, I., Nagy, Z., & Örkény, A. (2022). Types of Solidarity in a Hybrid Regime: The Hungarian Case. *Government and Opposition*, 57(4), 610-629.

¹¹⁸ European Parliament, (2022, July 13). Hungary: member states have an obligation to end attacks on EU values [Press release].

¹¹⁹ Dostal, V et al. (2018). *Illiberalism in the V4: Pressure Points and Bright Spots*. Potsdam: Political Capital and Friedrich Naumann Stiftung.

¹²⁰ Kovacs, K. (2016, March 17). Hungary’s Struggle: In a Permanent State of Exception, *Verfassungsblog on Matters Constitutional*.

¹²¹ Government Decree 269/2015 of 15 September 2015 Announcing a Crisis Situation Caused by Mass Immigration and Establishing the Rules related to the Declaration, Maintenance and Termination of the Crisis Situation.

in order to mitigate the consequences thereof.” This provision, encompassed in article 53 of the Constitution, enables the government to suspend or restrict human rights application. Hungarian government also declared the ‘state of medical crisis’, a provision falling under the Hungarian Health Care Act. As for the state of danger, only the government can initiate and repeal it. However, Parliament approval is not required to extend the state of medical crisis. This specific Act allows the government to implement regulations in order to contain an epidemic by decree “to the extent necessary and proportionate to the aim to be achieved.”¹²² The vagueness in the Constitutional and ordinary provisions already gives us indications on the latitude given to the executive power regarding extraordinary powers.

Yet, the most concerning trend in Hungary is the transposition of many decrees taken under those emergency states into ordinary dispositions, that remain in force. In July, 1st 2022, the emergency state was due to expire. However, on May 25, Orban has declared a new state of emergency on the basis of the Ukraine war, arguing that the war was a permanent threat on Hungary security, requiring a larger room for manoeuvre for the Government. The Hungarian situation is the paroxysm of government abuse. Yet, the concerns for state of exception also goes along with its progressive acceptance by the people.

C. Civil society, between contestations and acclimatisation : the French case study

As aforementioned, the concern for democratic backsliding has emerged quickly among the population. Although citizens abide by restrictive measures quite easily, the feeling that those restrictions may seriously endanger and violate democratic principles is present since the inception of the pandemic. Based on our study conducted on the French press, we have observed that during the entire year 2020, media have relayed people’s fear of an authoritarian backfire. In 2020, the controversies touched upon theoretical aspects. By theoretical aspects, we refers to topics that rather deal with intellectual conceptions than

¹²² Article 232/D(1), (2).Health Care Act, Act CLIV of 1997

practical and day-to-day realities. For instance, we have seen articles headlines such as : “liberty must remain the rule, restrictions the exception”, “Fundamental rights in quarantine”, “Healthy public media represent a strength for democracies.” Those topics are reminiscent of the pre-covid era in France, when the press already raised awareness on a potential democratic regression of the French regime. At the centre of the pre-Covid preoccupations, we found the highly criticised ‘presidentialisation’ of the regime under Emmanuel Macron, with an omnipresence of the head of State, to the expense of the Parliament. The first year of the sanitary crisis was marked by uncertainty, fear and public opinion scattering. This is also notable in the press semantic, with the hesitation between three values, namely governance, psychology and action. (See : Annexe 2, Values Graph 2020)

The fear of an authoritarian ascent especially emerged in 2021. Here, regardless of the political orientation of the media, treated thematics were more practical. It dealt with the links between Covid-19 and elections, political campaigns, vaccine, popular contestation. The vocabulary of article headlines becomes more vehement : “Fake democracy”, “Separatism, state of emergency... government tightened the security screw, even the majority is concerned”, “Green pass, vaccination obligation : freedom is in danger.” 2021 may represent the pick of the pandemic, the moment where ‘ubris’ overwhelmed the population. The virus was still not fully understood, vaccine passport fear was spreading, lockdown risk was still upon us, as a sword of Damocles. The whole population was tired after more than one year of restrictions. One may assert that the zeitgeist of the moment was the sentiment of a “fièvre obsidionale” infecting the population. This concept refers to a form of psychological disease that touched cities in state of siege. Besides, in 2021, the semantic field was divided between two ‘values’, that is, governance, the way to govern, and psychology (See : Annexe 2,, Values Graph 2021). Thus, we see that one year after the inception of the sanitary crisis, population claims were more driven by impression, sensation and objectivity.

However, we observe a shift in 2022. War in Ukraine and presidential election supplanted Covid-19 preoccupations. The media headlines go in line with this observation. The tone is more rational, characterised by more hindsight, and we notice a return of technicality. The vocabulary remains strong (dictatorship, fracture, danger, crash), especially for the newspaper Libération. Yet, critics seem to have crystallised around the problematic of the vaccine pass. This is correlated with our previous assertion that in France, contestations were actually depoliticised. However, this can also be interpreted as a form of ‘getting used to

emergency situation.’ Democratic regression is still a topic of interest, but to a lesser degree, as the decrease in the number of occurrences shows. Accordingly, the end of the “État d’urgence sanitaire” since August, 1st entails a return to normal with latest restrictive measures lifting. Yet, this state might be reactivated at any moment. In addition, the French example gives us a handful example of how population get easily used to emergency state. Elected in 2017, President Emmanuel Macron has accomplished almost all his mandate under emergency state. First, repetitive terrorist attacks on the French triggered a panoply of counterterrorist measures, namely the “Plan Vigipirate.” Then, with the pandemic, French people found themselves, once again, ruled by extraordinary legislative procedure. As population got progressively used to the measures implemented in the framework of the Plan Vigipirate, they got used to wearing masks, to showing the “passe sanitaire” to enter restaurants or other public places, they accepted the three vaccine shots, although it was extremely controversial.

Thus, when interrogating the impact of Covid-19 pandemic on democratic regimes, one shall first consider the longterm symptom of the virus : the persistence of the state of exception. Besides the supposed legal framework surrounding those extraordinary regulations, the Hungarian case demonstrates how easily a government can overturn and use it to support political aims. Hungary is a specific case, with a democratic deterioration prior to the Covid-19 era. Yet, even healthy democratic systems are exposed to the risks of authoritarian backfire when it comes to state of exception. As a matter of fact, State intervention demand, which stems from citizens, may lead to situations where the exception becomes the rule. That is, where extraordinary regulations become part of day-to-day life. As we repeatedly discussed, citizens play a crucial role as gatekeeper against government abuse in democratic regime. However, our analysis on the French press semantic reveals that progressively, people got used to restrictive measures, resulting in a relative acceptance. The issue of the persistence of state of exception within democratic regimes legal framework leads us to interrogate the side effects the viruses produced in such regimes. Namely, what structural effects on democratic regimes correlated to the pandemic can we identify ?

II. Perspectives and Covid-19 structural impact : a democratic mutation ?

Although we assert that the pandemic is not necessarily the sign of an authoritarian regression of democratic regimes, we argue that democratic practice under the sanitary crisis may lead to a structural democratic mutation. Based on the study of several democratic regimes experiences of Covid-19, one can highlight different potential mutation. The virus shed a light on the ambiguous figure of the citizen, between desire of participation and blind compliance to restrictive measures. It also consecrated the advent of democratic technocracy while feeding nationalist and populist expansion. Those three inclinations may have structural impact on democratic regimes, leading to a mutation of democratic standards and patterns, but also a potential authoritarian backlash.

A. A paradoxical paradigm : the passive/active citizens

Chapter 1 and 2 profiled this paradigm. Covid-19 restrictive measures in democracies have both generated a renewal of citizens implication in democracy and a form of passivity. The people's involvement in the public sphere has been reflected by diverse actions : demonstration to contest restrictive measures, variation in trust degrees allocated to their representatives, higher voters participation in some countries, participation to the public debate through social media, etc. To some extent, the virus may have created a democratic revival and citizens were the main actors, recapturing their power.

Nonetheless, this myth is tarnished by the progressive acceptance of restrictive measures, as part of a new order. The acclimatisation of democratic regime's citizens to freedom limitations in the name of security is a highly worrisome situation. The main question is : what are we ready to accept, and give up, in the name of a greater security ? Classic authors already warned us against the danger of security.

"Security is mortals' chiefest enemy.", Hecate in MacBeth of Shakespeare¹²³

¹²³ Shakespeare, W. (1606), Macbeth, 3.5.23-36

*“La trop grande sécurité des peuples est toujours l’avant coureur de leur servitude”*¹²⁴, Jean-Paul Marat in *Les Chaînes de l’Esclavage*

This is eminently correlated to the Tocqueville concept of “Despotisme doux.” According to the French thinker, democracy greatest threat comes from within. Based on its study of the American system, Tocqueville asserts that democratic regression is explained by an endogenous factor: the citizens themselves. Focusing on their own interests and their wellbeing, they willingly stay away from the public sphere and community life. They abdicate their reflection and their freewill to a paternalist and centralised State, on behalf of a greater security. Progressively, the State deprives individuals freedoms. This type of despotism is called “doux” since it is not based on coercion and power is not arbitrary. Yet, the powerful State regulates people’s life in every detail. People are progressively alienated.

Covid-19 pandemic has open a wide window for a “dérive tocquevillienne.” We hypothesise that Covid-19 will lead to the emergence of a new form of tyranny. The extraordinary situation required to significantly expand public authorities’ ability to regulate citizens lives, which has generated a reinforcement and an extension of the State power, “un pouvoir immense et tutélaire”. Progressively, the State has enlarged its fields of competences in such way that it may become a tutor, who settles each day more around, above and next to individuals to assist, advise or constrain them.¹²⁵ With the multiplication of threats, let it be technological, biological, environmental, social or economical, States demand will incrementally rise. State interventions in diverse domains will necessarily increase.

This desertion of the politics, if it was to be confirmed, would be the herald of a democratic regression toward tyranny. Covid-19 experience shed a light on the progressive depolitisation of society. Based on this observation, the greatest challenge for democratic system will be to re-involved citizens into the public sphere and the decision making process. However, our study on French newspapers enables us to nuance this assumption. If one pays attention to the “Universes” (See : Annexe, “Univers”), that is the classification of semantic according to categories of fields (medical, communication and media, politics and society...)

¹²⁴ Marat, J.P. (1774) *Les Chaînes de l’Esclavage*, “Peoples excess of security is always the harbinger of their servitude”

¹²⁵ Tocqueville, A. (1835), *De la Démocratie en Amérique*, Fouth Part, Chapter VI

we observe that the majority of the topics relate to the sphere of politics and society, closely followed by medical and pharmacy. It reveals that in democratic regimes, media still have a central place in democracy. As we discussed before, they have a major role as counter power. But they also maintain a certain politicisation of the society. However, it also reveals that technical concerns are also an important driver in the public area, which leads us to the second mutation.

B. A technocratic orientation

Another potential democratic mutation, which is eminently correlated to the first one, is the consecration of technocracy in the decision-making process. People's ability to relatively easily abide by restrictive measures is interrelated to the primacy of the experts discourse. The concept of technocracy refers to "the exercise of political power by an elite of experts based on their competence, efficiency, neutrality and expertise"¹²⁶ As such, it relies on the assumption that experts predominate over elected politicians.

As the virus began to spread globally, democratic regimes governments called on specific institutions, either ad hoc or permanent, composed of experts in public health, epidemiology, virology, to elaborate a strategy and legitimise it. On the citizens side, the scientific discourse was the only one audible. Suddenly, experts were at the forefront of the public sphere. The primacy of experts can be explained by two factors. First, presumably, experts do not belong to political parties. They remain apart of the partisan conflicts. Second, they are expected to provide objective and enlightened judgement on a given issue. Scientific knowledge is perceived as necessarily a-political.

Nonetheless, as Eri Berstou asserts, technocratic experience cannot be a-political. From the very moment they enter in the political sphere, and participate to the decision-making process, their inevitably become political actors. Considerations for experts as the best to handle the sanitary crisis is the result of the perceived failure of governments to

¹²⁶ Lavezzolo S, Ramiro L, Fernández-Vázquez P. (2021, November 3), Technocratic attitudes in COVID-19 times: Change and preference over types of experts. *European Journal of Political Research*.

contain the spread of the virus.¹²⁷ Countries that were severely impacted by the virus, such as Spain, the U.S. or the U.K. have very low levels of satisfaction regarding their government crisis management. Thus, technocracy comes with distrust towards the ruling class and representative democracy.¹²⁸

This trend is concerning for different reasons. First, in several countries, people were kept outside of the deliberation and the decision-making process. For instance, in France, the Conseil de Défense sanitaire was the cornerstone of sanitary crisis management. Composed of experts and scientists, the council deliberations, held in select committee, are classified as ‘Secret-Defense.’ The United Kingdom adopted a similar approach with the restricted “Cobra” meetings. Many democratic regimes, however, have chosen more democratic process. In Belgium, the Consultation Committee, the “Codeco”, involves the Prime minister, five others ministers and Walloon, Flemish and Bruxelles government representatives.¹²⁹

Second, the experts repetitive interventions in the public sphere, namely in media, TV shows, newspapers, have legitimised their voice while undermining politicians one. During the pandemic, experts occupied the whole Agora and their point of view was carefully followed, while elected politicians were questioned. Nevertheless, one must acknowledge that technocracy does not necessarily means democracy denial. For instance, the European Union institutions, among which the ECB, are often accused of being technocratic. And, as a matter of fact, their decision-making process is constrained. But it is admitted that, for instance, major economical and financial orientations of the Euro Zone must be decided by experts and not be conditioned to ‘lay’ citizens point of view. However, those institutions “do show responsiveness to external demands.”¹³⁰

In addition, a study conducted by Despina Alexiadou on 13 democratic regimes in Europe revealed that technocracy may actually strengthened democracy. In effect,

¹²⁷ Fietzer, T., et al. (2020). Global behaviors and perceptions at the onset of the COVID-19 pandemic. NBER Paper 27082, *National Bureau of Economic Research*.

¹²⁸ Lavezzolo S, Ramiro L, Fernández-Vázquez P. op cit. 4-6

¹²⁹ Mainguet, M (2021, December 7), Le conseil de défense sanitaire, une exception française : comment nos voisins gèrent la pandémie ?

¹³⁰ Bertou, E. (2020, May 14) Public demand for technocratic expertise rises in times of crisis. What does this mean for democracy? *LSE*,

technocratic ministers tend to be more successful than partisan ministers in implementing reforms considered as necessary but very sensitive by the administration. Moreover, technocrats policies tend to “be often closer to people’s concerns than those advanced by elected politicians.”¹³¹

C. The populist and nationalist rise

A last mutation must be considered in the light of the pandemic. Although those trends find their roots in a longterm process, Covid-19 may be interpreted as a determinant factor to bolster both nationalism and populism.

First, populism lies on the usage of public language. Demagogy, a key aspect of populism, is deeply linked to democracy. Initially, the term demagog meant « leader of the people ». In *La République*, Platon asserts that demagogy is inherent to democracy but argues that the demagog can be a tyrant. The term « demagog » has then been replaced by the term « populist ». Populism does not refer to an ideology, but rather to a ‘way’ : the populist leader does not represent but embodied the people, and rejects technocrats and elites. Populism is characterised by a dichotomy : them/us, security/danger and oscillate from the seek of a scapegoat and deny. The cleavage between the people and the elites supplants the traditional left/right opposition. Populism defines itself both as a critic and a demand of democracy. Today, the word « populism » personifies the democratic anxiety. According to Pierre Rosanvallon, populism is an answer to the democracy dysfunctions.¹³² It lies on a powerful and attractive vision of the democracy where the power is held by a virtuous people.

The pandemic constituted a fertile ground for populist demands. The widespread defiance toward representatives, with some exceptions, led to claims for unmediated representation.¹³³ The paranoia climate induced by the initial lack of knowledge and insufficient credibility of political discourse have also fed populist attitudes. Those fears transposition into conspiracy theories about “liberal scientists” and the “parasitic elite”

¹³¹ Bertsou, E. op cit.

¹³² Rosanvallon, P. (2020), *Le Siècle du Populisme*, n.p. Sciences Humaines

¹³³ Jenne, E. (2022). Varieties of Nationalism in the Age of Covid-19. *Nationalities Papers*, 50(1), 26-44

strongly nurtured populist figures popularity.¹³⁴ In a crucial moment where the people felt the need to be involved and consulted, elites centralised the decision-making process, reinforcing the sentiment of a “us” against “them”, the people against the Establishment. Populist figures seized the opportunity, offering the people an unmediated relation between rulers and ruled.

However, Kurt Weyland observes that populism may harm democracy if two cumulative conditions are gathered.¹³⁵ The first condition is the “institutional weakness”, that is, populist leaders exploit institutional vulnerabilities. Attacks against democratic standards are gradual. Populists leaders use their “institutional attributions” and the mass support of the people, through elections, to progressively devoid democracy of its substance. The aforementioned Polish situation is a staggering example. Andrzej Duda and his government violated the most fundamental pillar of democratic regimes, the rule of law, by modifying the electoral law and instrumentalising the pandemic to support his political objectives and his reelection.

The second condition is an “acute yet resolvable crises or extraordinary bonanzas [that] give them overwhelming support which enables them to override and dismantle institutional constraints to power concentration.” Covid-19 pandemic provided such extraordinary situation, which required to legally implement regulations, and severely undermine democratic basis. If we pay attention to the elections results in democratic regimes, presidential, legislative and regional confounded, one observes that populism popularity soared during the pandemic. One can consider the case of France. Legislative elections consecrated the populist leaders’ ascent, with a tripolar Parliamentary Assembly. On the extreme sides of the hemicycle, the poles are dominated by two populist leaders. On the right, Marine Le Pen. On the left, Jean-Luc Mélenchon, figurehead of the left coalition, the NUPES. In Hungary, Poland, elections also consecrated populist figures. In Italy, the current political uncertainty is an open window for the rise of populism.¹³⁶

Another trend nurtured by the pandemic, which may have significant impact on democracy is nationalism. Kolbert rightly argues that “viruses are by their very nature

¹³⁴ Silva Bruno, C. Vegetti, L. and Littvay, L. (2017) “The Elite Is Up to Something: Exploring the Relation between Populism and Belief in Conspiracy Theories.” *Swiss Political Science Review* 23 (4): 423–443.

¹³⁵ Weyland, K. (2020). Populism’s Threat to Democracy: Comparative Lessons for the United States. *Perspectives on Politics*, 18(2), 389-406.

¹³⁶ Spitz, B. (2022, July 22) What Draghi's departure tells us: 'Not responding to the crisis in democracy leaves the path open to populism', *Le Monde*.

divisive.” As a matter of fact, viruses oblige people to remain outside of the public space, to live in restrain committee. Covid-19 lockdowns perfectly illustrate this point. First, with border closing, societies physical exchanges were drastically restricted. Within societies, people remained in small circles. This is not without consequence. Cutting societies from each other and dividing the population necessarily impacts the way people see each other. The fear of the uncertainty, in addition with a syndrome of ‘fièvre obsidionale’, has also fed nationalist sentiments. The nationalist ascension is a recurrent topic, cyclically reactivated as countries face situations or events which threatened the nation security and continuity. In the case of the Covid-19 pandemic, it translated into the fear of people coming from outside of the national borders. We have seen many cases of scapegoat designation, namely against the Asian community. Maybe the most singular expression of this rise of nationalism consecutive to the pandemic is the ‘vaccine nationalism’, that is, “when governments sign agreements with pharmaceutical manufacturers to supply their own populations with vaccines ahead of them becoming available for other countries.”¹³⁷

But mainly, the pandemic deeply fragmented the population within societies. Restrictives measures increased inequalities between rich and poor, led to a rise of unemployment increasing precariousness. They also divided the population ideologically, between those supporting the government strategy and those denouncing it, between the vaccinated and the unvaccinated... Another aspect that shall be taken into consideration is the effect of nationalism on the conception of the people. By definition, nationalism circumscribes the concept of people to a given category of citizens, excluding outsiders. Eventually, it may have undermined people’s unity. And if anything, the French example demonstrates how detrimental a fractured society is to democracy. People are unable to gather around common purposes. Political revendications get lost in the mass of unintelligible claim.

Therefore, Covid-19 pandemic is very likely to produce longterm effects on democratic regimes patterns. We have highlighted three main tendencies that tend to partially invalidate our leading hypothesis.

¹³⁷ Jenne, E. (2022). op cit. p.32

First of all, the sanitary crisis both exalted the myth of the active citizen, that recaptures its legitimate power and gets involved in the decision-making process, and undermined popular participation. Balancing the two trends, we observe that the second outweighs the first. Covid-19 has acted as a driver for a depoliticisation of democratic societies. The expanded powers of the State and its interference of private sphere on behalf of security created a need for more State intervention, which is likely to enlarge in the coming years, with all the harmful consequences it involves. The rise of populism and nationalism also jeopardises democratic standards. However, the ascension of technocracy in democracy both represents a threat but also an opportunity to strengthen the decision making process, supporting the hypothesis of a democratic mutation.

This chapter presents all the ambivalences of the Covid-19. It is difficult to make strong assumptions as the pandemic is still going on. Nevertheless, early evidences allow us to assert that the virus, and its correlated restrictive measures, already modified the way democracy is practiced and go in the sense of a democratic mutation, with new patterns shaped by digitalisation and technocratisation.

However, restrictive measures also opened breaches supporting the thesis of an authoritarian regression in the coming years. The question of state of exception holds in abeyance. Either it could be a temporary, and necessary, state. Either it could be the tipping point of a normalisation of extraordinary measures, herald of a democratic backsliding.

As regards the issues of the society depoliticisation and the rise of populism and nationalism, it feels like Covid-19 has enabled long term centrifugal forces to structure and take shape as potential factors of democratic erosion and authoritarian risks.

General conclusion

All along this demonstration, we endeavoured to answer the following question : are restrictive measures, implemented to counter the spread of Covid-19 pandemic, leading to a regression of democratic regimes toward authoritarianism ? Our analysis was based on three assumptions. First, we hypothesised that the diversity of democratic regimes experiences of Covid-19 does not enables us to assert that democratic regimes are all following the path of an authoritarian regression. Second, we hypothesised that Covid-19 restrictive measures were rather exacerbating pre-existing trends, specific to each democratic regimes, than undermining democratic roots. Finally, we hypothesised that, although Covid-19 is not a vector of regime change, it already has reportable effects on both democracy and how it is practice. This led us to think that it might have structural impact.

Regarding the first assumption, our demonstration tends to support it. First, restrictive measures were a ‘necessary evil’ to break the transmission chains and also protect institutions. The virus has been an acute pressure test, namely on the health sector, but also on economical and social structures. In the case of democratic regimes, States find themselves solving the impossible equation of the security dilemma. They had to operate a difficult balance between their primary and constitutive function of security providers, and their inherited function of guardians of fundamental liberties.

However all democratic regimes did not manage well this balance. Based on our comparative study of several democracies, we observe that in many cases, public authorities took advantage of the opportunity given by the legal state of exception to pursue political objectives. Yet, we also observe that the countries where restrictive measures harmed the most democratic principles are countries with lower democratic quality, namely “flawed democracy”. Conversely, countries with higher democratic scores, namely “full democracies” were less likely to implement coercive measures, and let more latitude to their citizens to follow recommendations. The containment strategies were also highly framed by countries political culture. For instance, South Korea privileged privacy infringement to freedom of movement constraint. What surprised us the most is that we cannot always establish a

correlation between more coercive restrictive measures and trust degree decay. We have seen in several examples that the implementation of more strict rules did not unsettle population support.

Comparing those results with authoritarian regimes experiences of the pandemic, we have observed that as for democratic regimes, the diversities of strategies made it difficult to identify one single orientation. However, we have identified several trends that repeat themselves among those countries, namely rigorous controls of information release and social media, propaganda, opposition repression, heavy and centralised administration, coercion as a driver for enforcement. Based on the comparison with previous analysis of democratic regimes experiences, we must acknowledge concerning similarities with some democratic regimes strategies. If those practices inherited from the Covid-19 era were to last, it would be an indicator of a democratic regression in those countries. In this respect, the analysis of the India supposed containment strategy raises serious concern on the future of democracy in the country. However, we observe that democratic systems that were the most shaken by the restrictive measures, were actually already characterised by concerning trends, at play long before the pandemic, that threaten democratic basis.

This leads us to our second hypothesis. Considering Covid-19 as the cause of a generalised democratic regression amounts to considering the pandemic as a regime change vector. Historically, viruses have impacted social structures, leading to considerable mutations, both at the national and the international scale. However, prior experiences of viruses do not indicate that outbreaks are determinant and autonomous factors enabling regime change process. Considering Covid-19 from a broad perspective, the pandemic does not present elements of novelty. It largely extends and heightens pre-existing drivers, at work to undermine democracy, but does not represent a catalyst for a regime change wave. Refining our analysis, the comparison of two diametrically opposed conceptions of democracy allows us to assert that restrictive measures are rather the expression of national particularism. This involves that for political systems where democratic standards are deeply anchored as part of the political culture, the pandemic has been a stress test but did not unsettle its pillars. Conversely, democratic systems characterised by centrifugal forces, the pandemic may have exacerbated authoritarian tendencies, jeopardising democracy.

And this assertion leads us to our final hypothesis. Questioning the consequences of restrictive measures in democratic regimes involves to study the cause : How does Covid-19 affect democracy ? The direct and tangible effects go in the sense of a democratic mutation, with the elaboration of new practices and the development of new patterns. However, restrictive measures leave one question pending : the issue of the persistence and the renewal of states of exception. With new waves that keep breaking, state of exception is still looming upon us, with all the consequences it entails. Plus, the comparative perspective on democratic regimes experiences enabled us to extract recurrent tendencies that have been exacerbated and structured by the pandemic, which act as potential factors of democratic erosion and authoritarian leeway.

To sum up, restrictive measures set up to contain the virus spread are not the sign of a generalised democratic regression. Rather, they are the expression exacerbated patterns specific to each system. However, restrictives measures do impact democratic systems. Direct consequences support the assumption of a democratic mutation rather than an authoritarian wayward trend. Structural consequences, which are yet to be confirmed, mitigate this observation, supporting the thesis of a democratic erosion.

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Thesis summary

Introduction

Just as viruses contaminate an individual body, they also affect political structures, hindering their functioning, impacted their social, economical and institutional foundations.

Since its promotion to the rank of pandemic, the Coronavirus disease has raised questions regarding its impact on political systems. Or rather, concerns have been raised regarding governments legal arsenals, developed to constrain the virus spread, perceived as jeopardising political systems more than the virus itself. This especially concerns democratic regimes. The virus containment relied on restrictive measures that dramatically circumscribed fundamental liberties, raising fears on a potential democratic regression. This de-democratisation process refers to a degradation of democratic standards, among which free and periodic elections, freedom of speech, partisan system or Rule of law.

Between 2020 and 2022, we undeniably assist to a rise of authoritarianism, “a system of government centred on the strict subjection of citizens to the authority of the state.” according to the Oxford Encyclopaedia, as a result of the expansion of restrictive measures all around the globe. However, we argue that restrictive measures are not necessarily the expression of democratic regression. States are entitled to constrain individual freedom on particular situations if the latter jeopardises the general and superior interest of the nation. In democratic regimes, the question of restrictive measures created a conundrum. Torn between their original duty to protect and their role as guardian of fundamental liberties, democratic regimes had to operate a delicate balance, often detrimental for liberties, paving the way for concerns on an authoritarian backlash.

Therefore, one may wonder if restrictive measures set up to contain the virus led to a regression of democracy toward authoritarianism. This problematic first raises the general interrogation of how democracies have reacted to the sanitary crisis and what correlation can be draw with authoritarian regimes. This leads us to interrogate the potential of Covid-19 pandemic as a decisive factor of regime change, or as a driver for democratic mutation.

Our demonstration is supported by a semantic analysis conducted on French newspapers. The choice of a semantic study has been guided by two considerations. First, we believe that press articles, as primary sources, a very useful material to have an overview of the zeitgeist of the Covid-19 period. Second, in democratic regimes, media are powerful and central actors of the Agora. They both voice people claims and reactions and play a fundamental role in the politicisation of the society.

I. Democracy and COVID-10 restrictive measures : a general overview

First of all, Covid-19 pandemic was a political imbroglio for democratic States, having to choose between security and liberty. Although restrictive measures are legal dispositions, the issue of government abuse require to study several cases of democratic experiences of the pandemic and compare them with authoritarian ones, to confirm our leading hypothesis of the absence of a general democratic regression, or invalidate it.

A. Democracies in turmoil : exceptional situation and State interference

The spread of the virus has shed a light on democratic regimes contradictions. On the one hand, the exponential curve of confirmed cases all around the globe has bolstered the security demand. On the other hand, restrictive measures set up to meet with the security demand have been decried as jeopardising individual fundamental liberties and democratic standards. According to the social contract theories, individuals agreed to renounce to their “unlimited rights” in exchange for the security granted by a Leviathan. The original function of a State is therefore to guarantee its citizens security. With the expansion of the State competence areas, it progressively became the guardian of fundamental liberties. However, Arendt raises an important point. Fundamental rights do not exist in the state of nature. They do not exist outside of the State borders. Individuals are granted fundamental rights within a political association. It is the Arendt paradox. Thus, as the State is the entity that grants such rights, it seems coherent that it may be entitled to restrict it for legitimate purposes. However, the modern conception of the State as the fundamental liberties gatekeeper comes in hand with another widespread development : the rise of individualism.

Nonetheless, in extraordinary situations, where citizens lives and community stability are at risk, the State must necessarily interfere and regulate people's behaviour, meaning restricting their liberties. And here arise the democratic regimes contradiction. They cannot protect by any means. Their action is significantly restricted by the limitation of the use of coercion, the existence of constitutional principles and their allegiance to the Rule of law. The only way to overcome this contradiction would be for citizens to be virtuous. Yet, virtue is not innate in every society and cannot be imposed to a population, as the Virtue policy conducted by Robespierre during the Revolution demonstrates. It must be concluded that absolute security can never be reached in democratic regimes without impacting their standards. This type of regime faces the security dilemma, that is, an unsolvable equation with on one side complete protection of fundamental rights, and on the other side an absolute security of the people. The solution to this dilemma is brought by Wickham. In day-to-day situation, it seems obvious that protection of individuals rights prevails over their security. However, in emergency situations, such as Covid-19 pandemic, where the overriding norm of maintaining peace and security is endangered by individual liberties, the balance between security and liberty bends over the former.

Consequently, democratic regimes were entitled, and even bound to implement restrictive measures to contain the pandemic. However, those restrictions must abide by three intangible and cumulative conditions. They must follow a legitimate purpose. They must be enforced for the entire population and serve a superior interest and their duration must be strictly circumscribed by the law. Based on this theoretical framework, we shall now adopt a comparative approach to study how democracies in the world have reacted to the spread of the virus, in order to validate or invalidate our original assumption.

B. A general overview on democracies reactions around the globe

Now that we have discussed the delicate question of State duty of protection and the equally delicate balance between security and liberty in democracies, one shall study different examples of democratic regimes sanitary crisis strategy. Our leading question is the following : did Covid-19 also infected democracy ? In order to have a general overview of how democracies have reacted all around the world, we have selected four study cases. Based

on The Economist Democracy Index 2022, we have selected two regimes considered as full democracies,¹³⁸ and two regimes considered as flawed democracies.¹³⁹

Our first study case focuses on Switzerland, categorised as a ‘full democracy’ by the Index. The Helvetic strategy combined compulsory directives with “more persuasive instruments.” Namely, lockdown and mask bearing were never imposed, but citizens were encouraged to follow recommendations. The Swiss example is an enlightening illustration of a country who chose soft power over coercion. Yet, restrictions were not completely absent and public authorities set up borders controls, demonstration interdictions, cancelled referenda... This significantly affected the Helvetic democratic basis, from federalism, to direct democracy, balance of power and also fundamental liberties. However, Switzerland containment strategy is the mirror of its political system functioning. Switzerland neo-corporatist features enabled the emergence of a consensus narrative, which prevented society fragmentation. In addition, the combination of coercive and non coercive measures, with a relative autonomy of the people, alleviated the sentiment of a democratic erosion. Rather, those measures have been perceived as a necessary and temporary evil.

South Korean public authorities also privileged incentive measures. As for Switzerland, no lockdown was imposed and mask were never compulsory. This is highly correlated to its ‘community-oriented political culture’, where society pressure on individuals reduces the need to resort to coercive measures. South Korea adopted a quite interesting strategy, privileging freedom of movement over privacy. Its strategy was grounded on mass surveillance mechanisms, through phone geolocation or credit card transaction tracing, and a bureaucratic approach, with consultation of experts, private institutions and civil society. This strategy seemed to bear its fruits, as citizens faith in their representatives increased. The Covid-19 experience also bolstered representative democracy. In 2020, South Korea registered its highest turnout rate in 28 years.

¹³⁸ “Countries in which not only basic political freedoms and civil liberties are respected, but which also tend to be underpinned by a political culture conducive to the flourishing of democracy. The functioning of government is satisfactory. Media are independent and diverse. There is an effective system of checks and balances. The judiciary is independent and judicial decisions are enforced. There are only limited problems in the functioning of democracies.”

¹³⁹ “These countries also have free and fair elections and, even if there are problems (such as infringements on media freedom), basic civil liberties are respected. However, there are significant weaknesses in other aspects of democracy, including problems in governance, an underdeveloped political culture and low levels of political participation.”

Our next study case is categorised a “flawed democracy.” The Greek experience is also surprising, as the government strategy was presented as an unexpected model. Public authorities benefit from high support among the population. It appears that the past experiences of Greek emergency situations served as a deterrent for abuse. The restrictive measures package has been perceived as legally immaculate and the executive consecutive empowerment as proportional to the protection of public health. However, this exemplary picture is tarnished by the use of the state of exception to fulfil political purposes. Namely, government instrumentalised emergency laws to pass anti-immigration regulations. Several NGOs have expressed their concerns on the situation of migrants in closed camps and the infringement of Human fundamental rights.

An ultimate study case enables us to grasp the complexity of democratic regimes containment strategies and their impact on democracy : India. The virus lands in the country in a context of political crisis and democratic erosion. Schematically, the central government ruled on its own, without consulting experts, civil society or even regional governments. Parliamentary sessions were cancelled or adjourned. Expression of dissent and opposition were silenced. The government implemented a thorough control of media and social networks. The Covid-19 pandemic served as a justification to deepen the authoritarian regression of the regime, which already started years ago with the BJP accession to power.

The comparative study of several democratic regimes containment strategy reveals how diverse the reactions to the virus were. We conclude that the more a democracy is qualitative, the softer restrictive measures are. The reverse is also true. However, this causal link does not work regarding trust degree allocated to public authorities. Restrictive measures did not necessarily undermined civil society’s support. Another factor that emerges from our research work on French newspapers is the role of the civil society as a counter power, which also significantly influenced restrictive measures impact on democratic standards.

C. **A comparative perspective with authoritarian regimes**

As restrictive measures mushroomed in every democratic regimes, many have raised alarm bells against the potential democratic backsliding. Quickly enough, comparison between democratic regimes and authoritarian ones bloomed. Those comparisons were fed by alleged similarities in containment strategies among the two regimes types. They were also nurtured by the initial belief that authoritarian regimes were the most able to handle crisis, due to the larger latitude to implement coercive measures.

The study of authoritarian regimes from both the MENA and Asia enabled us to identify key and recurrent features of authoritarian containment strategy. The first general observation one can make is a general reinforcement and an acceleration of authoritarian trends as the result of the pandemic. Indeed, it has enabled States, under the cover of containing the virus, to expand their control. Covid-19 was an excuse served on a silver platter to legitimise authoritarian rule. Cyber and mass surveillance exploded. In the same line, the pandemic has nurtured information manipulation and propaganda as new forms of repressions, more efficient than coercion. Every form of dissent and opposition were silenced, with arbitrary arrests, demonstration prohibition and media control in the name of national health security. We have selected two studies cases of authoritarian experiences of the pandemic, which both reinforce and illustrate these recurrent patterns but also show the diversity of national containment strategy.

The Russian approach allows us to observe in detail an example of authoritarian administration of Covid-19. The Russian case is rather surprising on one point : the decentralisation. The Russian central government chose to delegate the covid-19 administration to regional actors, leading to a constellation of more or less coercive restrictive measures and repression. This study case also highlights the degree of information manipulation. Covid-19 experience served as a petri dish for propaganda and provided a legal framework to further crush oppositions.

The case of Nicaragua is an extreme illustration of the fact that coercive measures is not a synonym of authoritarian rule. The Nicaraguan strategy reproduces aforementioned patterns, except for one : the use of coercive measures as part of its containment strategy. The

country's approach has been portrayed as "disease denialism." Surprisingly, public authorities did not imposed a lockdown. On the contrary, it encouraged mass public gathering and undermined civil society effort to voluntarily contain the virus spread.

Consequently, the question of a potential democratic regression correlated to covid-19 restrictive measures first raises the issue of democratic regimes capacity to interfere in the private sphere and restrict individual fundamental liberties in the name of the greater good. Our first conclusion is that restrictive measures were necessary and lawful if they respected cumulative conditions. The study of democratic regimes containment strategies revealed how diverse their reactions were. However, it is possible to identify trends. Namely, countries with higher democratic scores were more likely to implement softer restrictive measures and give latitude to their citizens. We were also surprise to observe that stricter restrictive measures were not necessarily the cause of a defiance toward representatives, which is a crucial indicator of democratic health. In some countries, we observed concerning authoritarian propensities that led us to compare our analysis with authoritarian regimes Covid-19 experience. We have identified worrisome similarities. However, the authoritarian propensities especially concerned regimes with already shaken democratic standards. We also concluded that civil society action as counter power was a strong counter indicator of democratic regression. These early evidences seem to suggest that Covid-19 pandemic might not be the cause of a generalised democratic regression, but a factor of exacerbation of national trends.

II. Covid-19 : a democratic pathology, herald of regime change ?

As historical illustrations provide, viruses are not a vector of regime change. As such, Covid-19 does not appear as an independent factor of democratic regression, but rather emphasises tendencies that were already at play at the international scale and exacerbates patterns that characterise a specific political system.

A. An historical perspective on virus and regime change

Previous outbreaks give us insights on the impact of viruses. The study of viruses such as the Justinian plague or the first Virgin soil epidemic demonstrates that they influenced the march of History, reshaping global order, inverting power equilibrium. At the scale of one society, viruses also affect social structure and individual behaviour. They can be the herald of formidable social mutations. As regard the Covid-19 pandemic, one observes that it already has impacted societies structures and functioning, among which labour market and social interactions. It also shed a light on pathological features of global order, namely the effects of globalisation pushed at it paroxysm. The sanitary crisis may also have determining effects on the long run. The pandemic already worsen precariousness, especially in developing countries. This will feed migration waves in developed countries, which are strong accelerator for isolationist and nationalist sentiments.

Pandemics are considered as powerful factors of regime change. The Spanish Influenza has been pointed as a decisive factor for authoritarian development during the interwar period, namely the ascension of nazism in Germany. Covid-19 is no exception, with the rise of authoritarian trends and the erosion of democratic standards in some countries. However, evidences demonstrate the absence of causal link between pandemics and regime change. Considering the three major outbreaks of the 20th century, one observes that viruses spread did not led to waves of de-democratisation. Yet, those outbreaks did contributed to worsen authoritarian regimes rule. From this perspective, we hypothesise that viruses can also improve democratic rule. For instance, Fukuyama emphasises the benefits of a decision-making process that relies on scientific ground, away from demagogy, and contributes to discredit some leaders.

Consequently, based on an historical perspective, we assert that viruses undeniably challenge the course of the history and triggers important mutations. Nonetheless, considering previous outbreaks, we can hypothesise that Covid-19 pandemic will not be the cause of a wave of regime change, from democracy to authoritarianism. However, as viruses tend to worsen authoritarian rule, we may interrogate the impact of the pandemic on the democratic erosion process, at play for several decades now. That is, does the sanitary crisis brings

elements of novelty and constitutes an autonomous element of major disruption of democratic hegemony ?

B. A democratic regression prior to COVID-19 pandemic

Democratic regression is a tangible process, at play for several decades. Erosion finds its roots in a factor combination. Thereupon, Covid-19 pandemic implications cannot be considered as autonomous and additional factor but rather as an element of continuity and exacerbation of dynamics working to undermine democracy.

We have highlighted three main aspects. The first one is the “civilian assault on democracy.” The last decades have seen the expansion of attacks on democracy coming from civil society itself, embodied by the figures of national and populist leaders. Covid-19 constituted a fertile ground for anti-establishment, security or anti-migration discourses, and thus, has nurtured the attraction for those leaders. Early evidences show that presidential elections in democratic regimes did not consecrate their ascension generally. However, regional and legislative ballots opened a breach for those parties to access democratic institutions and structurally settle in the political sphere.

Another factor for democratic regression is the international context mutation. The last decades have seen the decay of democracy as the political system stallion. This is correlated to several rationales, but mostly the erosion of the American hegemony, which gave latitude for the assertion of centrifugal forces aiming at reversing the status quo. In this respect, Covid-19 seems to reproduce the multipolar struggle. The most staggering illustration is the vaccine race and the correlated vaccine diplomacy. Behind the race, one observes the ideological struggle to export an ideological model. The silent wrestle is supported by the vaccine diplomacy. That is, the export of one country labelled vaccine to others, that enables the former to penetrate into health and economic sphere of the receiving countries, create interconnections and, doing so, expand its sphere of influence.

Democratic standards have also been strained by the deterioration of freedom of expression. As the cornerstone of democratic principles, freedom of expression has been crippled by a general movement in favour of information manipulation and disinformation. Especially, the development of the internet, and social media, produced side effects, highly detrimental to democracy. Covid-19 pandemic has also nurtured this trend with restrictive measures set up to silence opposition and circumscribed public expression. We are especially concerned by examples in democratic regimes, where governments have shown propensities to restrict freedom of expression. We obviously remember the Indian case. However, in democracies with higher scores such as France and the U.K, we find evidences of such attempts. Civil society, and namely media, played an important role in raising awareness and voice opposition, which enabled the withdrawal of above restrictive measures. This observation goes in line with our assumption that even though Covid-19 creates authoritarian temptations on the rulers side, civil society remains a powerful counter power.

Therefore, we assert that Covid-19 pandemic cannot be considered as an autonomous and decisive factor of regime change. Rather, the analysis of democratic regression drivers shows that restrictive measures strengthen tendencies that undermined democratic standards for decades, and are in line with an authoritarian rule hardening. Transposed to the national scale, it implies that Covid-19 restrictive measures may not be the sign of a democratic regression but the cause of an exacerbation of national patterns of political culture.

C. COVID-19 restrictive measures as the expression of core features of national political configurations

In order to verify our assumption, we will study two democratic regimes experiences of the sanitary crisis: France, heavily criticised for its alleged authoritarian management of the crisis, charged with “sanitary dictatorship”, and Sweden, praised for its exemplary strategy.

The analysis first reveals a significant discrepancy in the Covid-19 management strategies. In France, the strategy orientation is explained by the theory of democratic powerlessness. That is, in situations of emergency, democracy is considered as inefficient. This explains the government’s propensity to rather rely on experts opinion. This seriously entailed a defiance against the representatives. However, oddly enough, the legitimacy of the

government has never been questioned. Criticisms were rather focused on technical aspects and Covid-19 topic remained, on the overall, depoliticised. Conversely, Swede approach is structured by the belief of a “Swedish exceptionalism.” The government considered that freedom preservation should prevail over restrictions, and its approach was a mix between individual autonomy and responsibility, and blind trust toward the public authorities policies.

The discrepancy in sanitary crisis management is related to diverse political traditions, which explain the different degrees of coercion and restrictive measures. Divergences are highlighted by two patterns, with antipodal conceptions. First, the conception of society largely differs. In Sweden, individualism prevails over common good. The society relies on a delicate balance between individualism and dependence, encompassed in the concept of ‘Folkhemmet’. Conversely, the French conception lies on a dichotomy. The French people is considered as a unity, a tradition inherited from the Revolution. However, this conception overshadows the actual diversity of the people. The pandemic shed a light on the ambiguity between the ‘one’ and the ‘multiple’.

Second, containment strategies were driven by a substantial differences in the relationship between rulers and citizens. Sweden approach is grounded on a quasi-religious commitment to the State, an unconditional trust. This has been especially highlighted by the Covid-19 crisis. The failure of the containment model did not undermined people trust. On the contrary, it exacerbated nationalist trends and a phenomenon of “blind patriotism.” The pandemic revealed the cruel lack of “critical patriotism” in the Swedish democracy. As for France, this relationship can be summarise as “mutual defiance”. First, a defiance of rulers toward the people. Also called sovereignty of reason, it refers to the alleged inability of the majority of the people to take enlightened decisions. Second, a defiance of the people toward the ruling class, always suspected of abusing its powers. Covid-19 also exacerbated these trends, with the ascension of technocracy in the decision making process, and the lack of people’s consultation generating widespread defiance among the population.

Therefore, although viruses are petri dishes for social structure mutations and powerful source of global order destabilisation, they do not provide conditions to enable a

phenomenon of regime change. This assumption is reinforced by the fact that Covid-19 pandemic does not constitute, as such, elements of novelty. Its implications on the global scale on democratic standards seem to support and feed longterm trends working to unsettle democracy. Focusing more specifically on the State scale, we achieve the same conclusion. Covid-19 is a prolongation of already existing patterns. Restrictive measures were framed by national political tradition and culture. Which means that in well-established democratic regimes, Covid-19 has only been a stress test for institutions, but did not unsettle the whole structure. Yet, the reciprocal is true. In regimes where authoritarian trends were already at play, the pandemic may have worsen the situation. This last issue leads us to interrogate the direct but also the structural impact of restrictive measures on democracy.

III. The impact of Covid-19 restrictive measures: toward a democratic mutation ?

The question of the effects of Covid-19 restrictive measures on democratic regimes leads us first to interrogate the direct and tangible impact, which indicate a democratic mutation rather than a regression toward authoritarianism. By mutation, we refer to the evolving nature of political regimes. But it also requires to study more hypothetical consequences. Although most democratic regimes have lifted those extraordinary time legislations, states of exception spectrum is still looming upon us as the virus continues to spread, and raises concerns on the potential effects of its persistence. In addition, the comparative approach we conducted during the demonstration enabled us to extract noticeable trends, which could produce structural effects on democratic regimes.

A. Has COVID-19 already modified the way we practice democracy ?

It appears that Covid-19 pandemic provides enabling conditions for regime mutation. The direct impacts on democracy are noticeable on four grounds. First, restrictive measures have disturbed elections and referenda schedules. Elections postponement is not an unusual procedure. However, the uncertainty of the tenure and the opacity surrounding the whole process created an unprecedented situation.

Restrictive measures also conditioned voting patterns, but in different ways from one country to another. For instance, in France, localities that were the most hardly hit by the virus were more likely to elect incumbents representatives and were characterised by higher participation rate. In Basque Country, we observe the opposite trend. Regarding presidential elections, the Poland case demonstrates how the pandemic shaped an election outcome. The election was initially planned during the first lockdown. The government used the sanitary crisis as a way to support its reelection, by controlling digital public space or modifying electoral laws. Oddly enough, it benefits from high support of the population, which considered that its management of the pandemic was appropriated, and eventually got reelected.

Nevertheless, it seems like sanitary crisis has a limited effect on elections patterns. Latest elections show that with the attenuation the crisis, voting behaviour returned to normal. 2022 elections revealed that restrictive measures are not longer a decisive factor. In addition, the Covid-19 thematic is no longer a polarising topic. In France, besides the heavy criticisms against the government and its containment strategy, accused of imposing a sanitary dictatorship, Emmanuel Macron got reelected. All across democratic regimes, same tendencies are observable.

The pandemic also bolstered the digitalisation of democratic process. Along with the closure of physical spaces, institutions were forced to move to the dematerialised world. In well functioning democracies, it did not hindered their functioning. It mostly concerned Parliamentary activities, which continuity was crucial to scrutinise and monitor government actions. States demonstrated innovative skills to ensure that debates and votes would carry one. Conversely to the previous trends, we hypothesise that digitalisation will endure and expand, raising new issues and requiring new regulations. Namely, the digitalisation process of parliamentary activity will create debates on how to recreate the same conditions than a physical assembly.

As a consequence, one observes that on the short term, Covid-19 pandemic has affected the way we practice democracy. Some effects are meant to last while other are just spontaneous side effects that are likely to vanish. Durable effects, namely digitalisation, are

plausible factors that would lead to a democratic mutation, with an evolution of patterns and practices of democratic regimes. The question of the persistence of trends inherited from the Covid-19 era also leads us to interrogate the structural effects of restrictive measures

B. The democracy long-haul COVID-19 symptom : when state of exception becomes the new normal

The relative 'back to normal' seems to have occulted curbing liberties measures and public authorities expanded powers. However, next waves leave doubt about on the possibility for States to trigger, once more, those extraordinary legal arsenals. Learning to live with the virus also involves learning to live with extraordinary legislative measures, as part of a new order. The cumulation may open a breach in democratic safeguards, with risk of government abuses of extended prerogatives and risk of civil society to progressively get use to this new order.

The state of exception refers to a situation where common law is suspended to solve a extraordinary situation which requires specific legal dispositions. This possibility is strictly overseen by international laws. It must abide by the principles of legality, proportionality, legitimacy and non discrimination. As such, state of exception is not considered as the expression of democratic violation. Yet, the last three years have been marked by a succession of restrictive measures lifts, followed by regulations tightening. We observe that even in strong democracies, government have intended to use their prerogatives to enact abusive regulation. However, governments do not bear the sole responsibility.

Undoubtedly, governments are the central actors in the process. A extreme illustration of this point is Hungary, known for its repeated abuse of state of exception. Its own constitution provides for broad provisions to trigger states of exception on a daily basis and restrict or suspend Human rights application. Hungary has a long tradition of state of exception. And the latest declaration of a new type of exception state as the result of the Ukraine war is a case in point. Yet, the most worrisome development is perhaps the

transposition of laws adopted under the exception state, taking advantage of the pandemic, into ordinary laws.

Nonetheless, in case of persistence of extraordinary state in democratic regime, States would not be the only responsible for the potential correlated democratic regression. One must also take into consideration the weight of the civil society. In this respect, the relatively short experience of states of exception in democratic regimes revealed how easily citizens complied with liberty restrictions and got used to them. This observation stems from our researches conducted on French Newspapers semantic, which emphasises a considerable shift between 2021, marked by high degree of fear of democratic regression, 'ubris' and the sentiment of a 'fièvre poliorcétique' in the population, and 2022. This year is characterised by a sudden return to normal, with Covid-19 pandemic largely pushed in the background, illustrating a form of acclimatisation to state of exception.

Thus, when interrogating the impact of Covid-19 pandemic on democratic regimes, one shall consider the longterm symptom of the virus : the persistence of the state of exception. Besides the supposed legal framework surrounding those extraordinary regulations, the Hungarian case demonstrates how easily a government can overturn and use it to support political aims. However, our analysis on the French press semantic also reveals that progressively, people got used to restrictive measures, resulting in a relative acceptance.

C. Perspectives and Covid-19 structural impact

Finally, the comparative perspective on democratic regimes experience of the pandemic has enabled us to extract three trends that may have a structural impact on democracy.

First, we have observed a paradox. The pandemic has generated a sort of democratic revival, a democratic effervescence with citizens implications in the public sphere through diverse ways. It seemed like the pandemic help the people to recapture their power. However, as the situation bogged down, citizens lost their interest for the 'life of the city'. This

accelerated depoliticisation may constitute the greatest threat for democracy. When private interest and demand for security supersedes the superior interest, it paves the way for the ascent of the Tocquevillian concept of “Despotisme doux”. Progressively, individuals abdicate their freewill and autonomy to the State, which expands its “pouvoir immense et tutélaire”, leading to gradual backlash toward tyranny. However, the semantic study conducted on French newspapers demonstrates how the depoliticisation of the society is tempered by media, which play a significant role in bringing the *politics* in the public debate

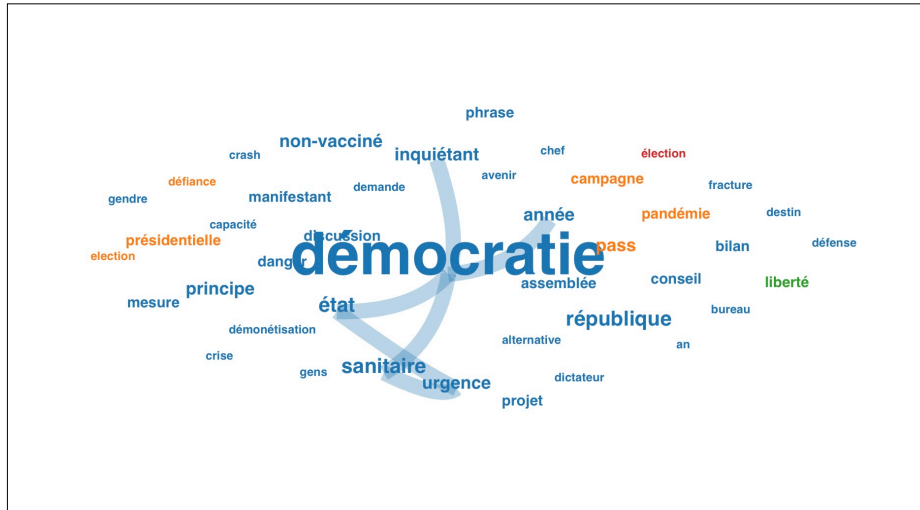
Second, the pandemic consecrated the centrality of experts. The primacy of experts discourse over politicians one stems from two considerations. Experts are considered as non-partisan, unbiased by the politics power games. As such, they are expected to be objective and bring enlightened solutions. Songs of praise for scientific discourse is both the cause and the consequence of a widespread defiance toward the ruling class. Technocracy can be considered both as an erosion and a reinforcement of democracy. The pandemic perfectly illustrates how technocratic rule set the people aside from the decision making process. However, experts presence within democratic institutions tends to be beneficial to democracy.

Lastly, as we already discussed, the sanitary crisis provided a fertile ground for populism and nationalism. Populism is inherently linked to democracy, as it proposes to re-establish an unmediated relation between the People and power. Populism only harms democracy if two cumulative conditions are gathered : institutional deficiency and serious crisis that result in massive support from the population, which enables the leader to drained democratic standards from their substance. The pandemic also nurture nationalist tendencies. Viruses are by nature divisive. Covid-19 bolstered catalysts for nationalist reaction (fear of strangers, scapegoat designation, communitarianism, population polarisation...). In the aftermaths of the pandemic, democratic societies appear to be even more fragmented, which is an additional factor for potential democratic erosion.

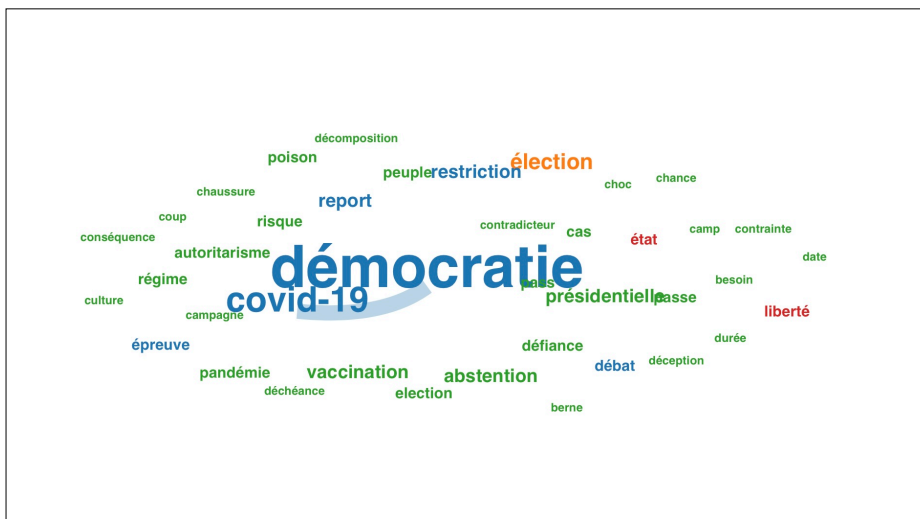
To sum up, restrictive measures set up to contain the virus spread are not the sign of a generalised democratic regression. Rather, they are the expression of exacerbated patterns specific to each system. However, restrictives measures do impact democratic systems. Direct consequences support the assumption of a democratic mutation rather than an authoritarian

wayward trend. Structural consequences, which are yet to be confirmed, mitigate this observation, supporting the thesis of a democratic erosion on the long run.

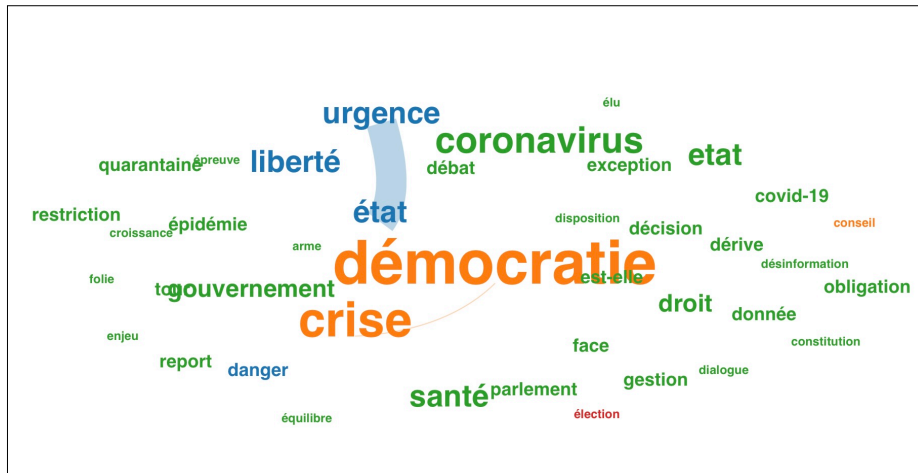
Annexe 1 - Semantic graphs



Graph 1 - Semantic graph of the 2020 press corpus : synthesis of the structuring words and themes of a corpus and their most frequent associations. (Source : YouMean)



Graph 2 - Semantic graph of the 2021 press corpus : synthesis of the structuring words and themes of a corpus and their most frequent associations. (Source : YouMean)



Graph 3 - Semantic graph of the 2022 press corpus : synthesis of the structuring words and themes of a corpus and their most frequent associations. (Source : YouMean)

Annexe 2 - Values graphs



Graph 4 - Values highlighted in the 2020 press corpus (source : You Mean)

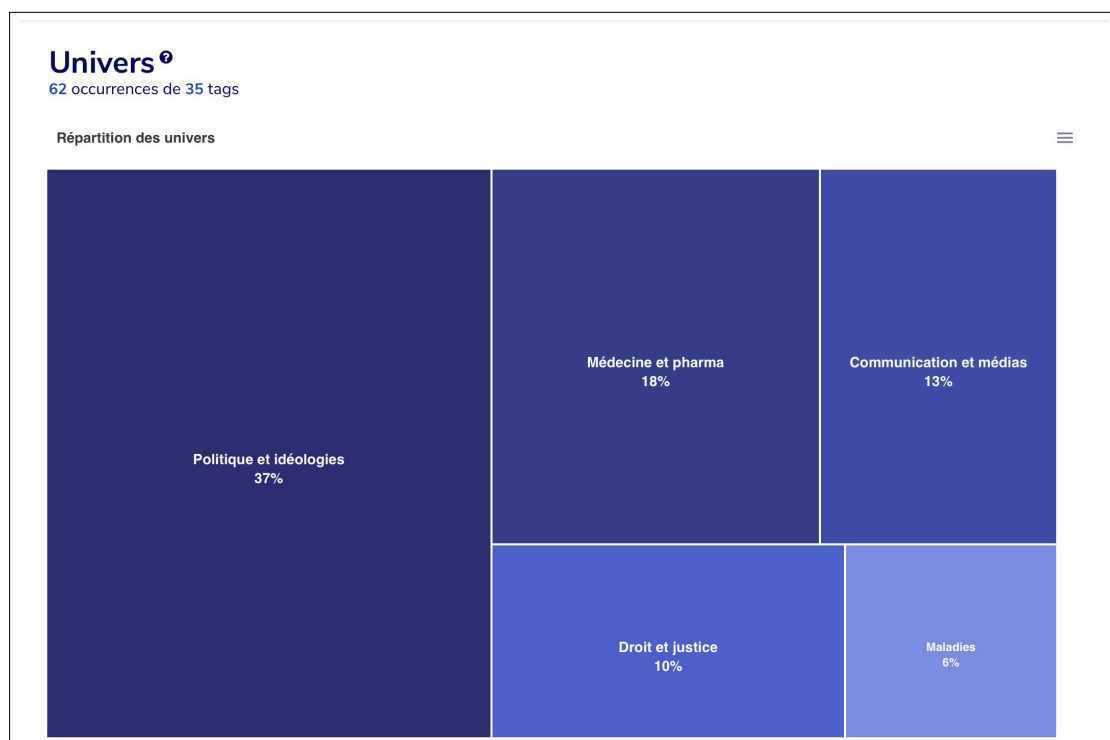


Graph 5 - Values highlighted in the 2021 press corpus (source : You Mean)

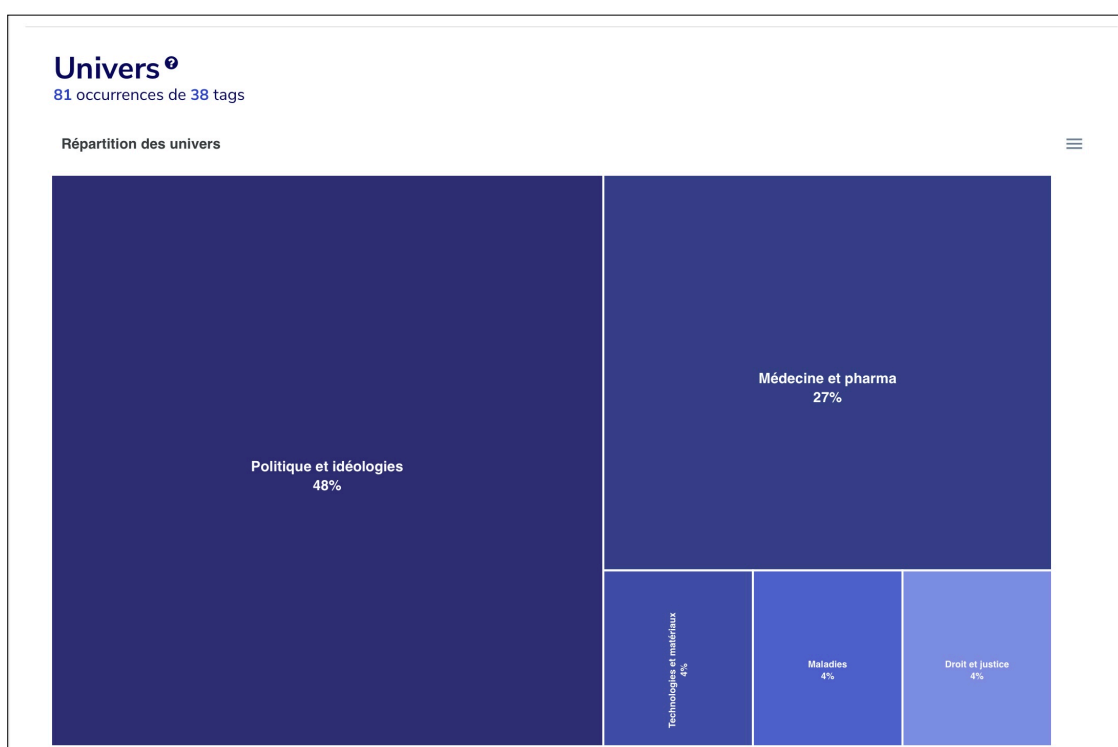


Graph 6 - Values highlighted in the 2022 press corpus (source : You Mean)

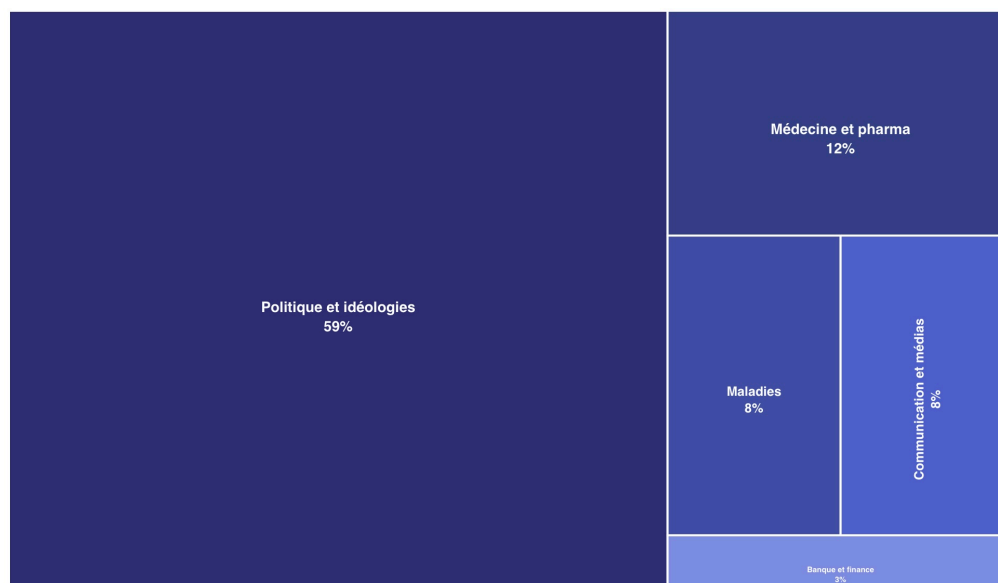
Annexe 3 - Universes graphs



Graph 7 - Semantic universes emphasised in the 2020 press corpus (source : YouMean)



Graph 8 - Semantic universes emphasised in the 2021 press corpus (source : YouMean)



Graph 9 - Semantic universes emphasised in the 2022 press corpus (source : YouMean)

Annexe 4 - Press corpus

Newspaper - Le Monde

2020 (438 RÉSULTATS)

La démocratie en santé, victime oubliée du Covid-19

https://www.lemonde.fr/idees/article/2020/09/25/la-democratie-en-sante-victime-oubliee-du-covid-19_6053545_3232.html

« Faisons de cette crise sanitaire l'occasion de renforcer la vitalité de notre démocratie »

https://www.lemonde.fr/idees/article/2020/12/04/faisons-de-cette-crise-sanitaire-l-occasion-de-renforcer-la-vitalite-de-notre-democratie_6062117_3232.html

« Qui contrôle le débat public ? En France comme aux Etats-Unis, c'est devenu un enjeu crucial pour la démocratie »

https://www.lemonde.fr/idees/article/2020/11/18/qui-regit-le-debat-public-en-france-comme-aux-etats-unis-c-est-devenu-un-enjeu-crucial-pour-la-democratie_6060123_3232.html

Covid-19 : « L'Etat ne trouve pas l'équilibre qui fait des restrictions aux droits de l'homme une exception acceptable »

https://www.lemonde.fr/idees/article/2020/11/08/l-etat-n-arrive-pas-a-trouver-l-equilibre-de-proportionnalite-qui-fait-des-restrictions-aux-droits-de-l-homme-une-exception-acceptable_6058957_3232.html

Coronavirus : entre volte-face du gouvernement sur les masques et prolifération des « fake news », la parole politique mise à mal

https://www.lemonde.fr/politique/article/2020/04/06/la-parole-politique-mise-a-mal-dans-la-lutte-contre-le-covid-19_6035667_823448.html

« Le report du second tour des élections municipales n'est pas contraire à la Constitution »

https://www.lemonde.fr/idees/article/2020/03/20/le-report-du-second-tour-des-elections-municipales-n-est-pas-contraire-a-la-constitution_6033894_3232.html

Coronavirus : les démocraties européennes à l'épreuve d'une crise sanitaire hors norme

https://www.lemonde.fr/international/article/2020/03/30/les-democraties-europeennes-a-l-epreuve-d-une-crise-sanitaire-hors-norme_6034851_3210.html

Nicole Belloubet : « L'Etat de droit n'est pas mis en quarantaine »

https://www.lemonde.fr/idees/article/2020/04/01/nicole-belloubet-l-etat-de-droit-n-est-pas-mis-en-quarantaine_6035194_3232.html

La pandémie, arme de désinformation massive contre l'Europe

https://www.lemonde.fr/planete/article/2020/04/03/la-pandemie-arme-de-desinformation-massive-contre-l-europe_6035355_3244.html

« Des médias publics en bonne santé constituent une force pour les démocraties »

https://www.lemonde.fr/idees/article/2020/07/29/des-medias-publics-en-bonne-sante-constituent-une-force-pour-les-democraties_6047645_3232.html

« Dans une période de “crise totale”, la démocratie ne peut plus attendre »

https://www.lemonde.fr/idees/article/2020/09/16/dans-une-periode-de-crise-totale-la-democratie-ne-peut-plus-attendre_6052465_3232.html

« Nous assistons à une véritable faillite de notre démocratie sanitaire »

https://www.lemonde.fr/idees/article/2020/03/26/coronavirus-nous-assistons-a-une-veritable-faillite-de-notre-democratie-sanitaire_6034459_3232.html

« Peut-on parler d'une dérive autoritaire de l'Etat en France ? » : regardez en replay le dialogue avec la rédaction du « Monde »

https://www.lemonde.fr/le-monde-evenements/live/2020/12/16/peut-on-parler-d-une-derive-autoritaire-de-l-etat-en-france-dialoguez-en-direct-avec-la-redaction-du-monde_6063604_4333359.html

« Séparatisme », état d'urgence... Le tour de vis sécuritaire du gouvernement inquiète jusque dans la majorité

https://www.lemonde.fr/politique/article/2020/11/20/securite-separatisme-etat-d-urgence-la-derive-liberticide-du-gouvernement-inquiete-jusque-dans-la-majorite_6060446_823448.html

Covid-19 : l'impossible débat sur la gestion de crise

https://www.lemonde.fr/politique/article/2020/10/23/covid-19-l-impossible-debat-autour-de-la-gestion-de-crise_6057039_823448.html

2021 (288 RÉSULTATS)

Covid-19 : la démocratie en berne

https://www.lemonde.fr/idees/article/2021/03/26/covid-19-la-democratie-en-berne_6074551_3232.html

« De la démocratie en pandémie » de Barbara Stiegler : quand le Covid-19 change les règles du jeu

https://www.lemonde.fr/idees/article/2021/02/03/de-la-democratie-en-pandemie-de-barbara-stiegler-quand-le-covid-19-change-les-regles-du-jeu_6068583_3232.html

Présidentielle 2022 : les pistes de l'exécutif pour organiser une élection sous Covid-19

https://www.lemonde.fr/politique/article/2021/12/29/presidentielle-2022-les-pistes-de-l-executif-pour-organiser-une-election-sous-covid-19_6107569_823448.html

L'état d'urgence, un poison lent qui engourdit la démocratie

https://www.lemonde.fr/idees/article/2021/07/02/l-etat-d-urgence-poison-lent-de-la-democratie_6086611_3232.html

« Le Covid-19, en éloignant les citoyens des urnes, risque de faire une nouvelle victime : la démocratie »

https://www.lemonde.fr/idees/article/2021/02/20/le-covid-19-en-eloignant-les-citoyens-des-urnes-risque-de-faire-une-nouvelle-victime-la-democratie_6070634_3232.html

« L'hypercompétition sécuritaire est un poison pour la démocratie »

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