

COVID-19, Democratic Attributes, and the Battle for the Nation's Soul

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Introduction

COVID-19 has reached almost every country in the world after it was first detected in Wuhan, China. It has laid bare the vulnerability of health and crippled the world's economy. While health, economic, and social disruptions caused by the pandemic are clear, its impact on democracy is more subtle but important.

As COVID-19 sweeps across the world claiming millions of lives, countries around the world adopted strict measures to mitigate the rate of infection. Countries enacted lockdowns, quarantined people, changed laws, instituted citizen surveillance, collected personal information, and restricted movements in the face of uncertainty. Although such drastic interventions seemed like a clear violation of individual rights in the West, these measures were accepted by a majority of the world's population. In developing nations, the effect was much more on the livelihood of people, particularly on the destitute.

However, from Philippines to Hungary, leaders in many countries were found to be using the coronavirus to entrench their powers. In some of these countries new rules were put in place to the advantage of the authority of the government that would be difficult to undo even if the coronavirus is defeated.

The International Institute for Democracy and Electoral Assistance documented some of these measures taken in countries like India, Brazil, Middle East, Europe and Africa, that could leave a widespread erosion of democratic values. In other words, the condition of democracy and human rights has worsened in 80 countries, according to the Global State of Democracy 2021. The pandemic has exacerbated the 15 years decline in global democracy that Freedom House has documented.¹ In

¹ Sarah Repucci and Amy Slipowitz, *Democracy under lockdown: The impact of COVID-19 on the global struggle for freedom*, Freedom House, 2020.

2020 alone, the number of countries moving in an authoritarian direction outnumbered those going in a democratic direction.²

Democratic Constitutional Monarchy and COVID-19

Bhutan's response to COVID-19 remains exemplary in the South Asian region, reporting only nine deaths as of 28th March 2022, more than 16,000 cases, and inoculating 90% of all eligible population with three doses. This article explores how Bhutan balanced civil liberties against the exigencies of public health during the pandemic.

The conceptual framework of this analysis is based on the three core attributes of democracy used by IDEA. They are: a) Representative Government, b) Fundamental Rights and c) Checks on Government.

For a new democratic country like Bhutan aspiring to be an exemplary democracy, it is vital to strive to keep within the principles and standards of these democratic attributes. Therefore, an attempt is made here to highlight some issues that could prompt discussions, deliberations, and discourses for bettering our democratic institutions, development participation and implementation processes.

a) Representative government pertains to countries' performance on the conduct of elections and the extent to which political parties are able to operate freely.

The Election Commission of Bhutan (ECB) demonstrated strong resilience in the face of the pandemic, conducting the scheduled third local government elections in all 20 districts, enabling the election of 197 gups, 205 mangmis and 1,024 tshogpas. Concurrently, four political by-elections and three thromde elections were conducted during the pandemic.

To keep the voters safe, specific COVID-19 protocols were instituted: mandatory facemasks, physical distancing, hand sanitising gels and allowing only one voter at a time to cast the ballot. Further, ECB facilitated early and extended postal ballot booths in all the districts and mobile voting services for the elderly and people living with disability to help boost voter participation in the elections.

² International Idea, *Global State of Democracy Report 2021: Building Resilience in a Pandemic Era*. International Idea, 2021.

The voter turnout in the third local government election was 68.4%,³ much higher than the second local government election (55.8%) held in 2016.⁴ Likewise, the third *thromde* elections held in April, 2021, saw a voter turnout of 59.5% compared with 37.2% in 2016.⁵ Hence the local government elections, by-elections, and the *thromde* elections could be considered successful without any known constraints, restrictions, and disputes.

b) Fundamental rights measure the extent to which civil liberties such as freedom of expression are upheld and respected. Restriction on freedom of expression includes the use of legislation to silence critical voices, limiting access to information, and threatening journalists.

The outbreak of COVID-19 has forced a large proportion of the public to stay home. Both traditional and social media played an important role in sharing information and influencing public behaviour to curtail the spread of the virus.

On the other hand, the COVID-19 pandemic also enhanced the risk and impact of widespread misinformation, particularly through social media platforms. Hence the Media Council of Bhutan issued a notification advising all media houses to follow only the Ministry of Health and the Prime Minister's Office⁶ websites for information relating to COVID-19.

Given the widespread misinformation, high level cautions were taken in providing information to the public. Some misinformation include, for example, basking in the sun, drinking alcohol, and taking hot showers can treat coronavirus. A fake UNICEF message states that COVID-19 is not airborne. Another fake news that went viral was that the guide and the doctors treating Bhutan's first COVID-19 case tested positive.⁷

This arrangement is considered as limiting access to information and undermining the role of media. Because media houses are expected to

³ Election Commission of Bhutan, "Declaration of the results of the polls of the third local government Elections, 2021," Press Release, December 23, 2021.

⁴ Election Commission of Bhutan, "Local government elections 2016," Press Release, October 31, 2016.

⁵ Election Commission of Bhutan, "Declaration of the results of the dzongkhag thromde elections of Thimphu, Phuentsholing and Gelephu," Press Release, April 29, 2021.

⁶ Royal Government of Bhutan, "Notification on COVID-19 related information," Press Release, 29 January, 2022.

⁷ Kuensel, "Fighting Fake News," December 23, 2020.

protect public interest, they must provide facts to allow people and the government to be better informed about issues that matter to them. A case in point is that no irregularities were reported by mainstream media when the number of complaints were widespread on social media platforms.

For example, analysing more than 100 pages of comments from the Prime Minister's Office (PMO's) Facebook page, there are an incredible number of grievances on the impact of the Covid restrictions on people's livelihood. For example: "Please do something other than lockdown; Please do something with people who are stranded; 21 days quarantine is too much; what about us, small business and living on daily wages, what about our rents, please improve the coordination between health, Covid task forces, and De Suups."

Further, even with a highly restrictive level of caution, misinformation, panic, and fear are largely spread through social media platforms like Facebook, TikTok, YouTube, WeChat and WhatsApp, and not through traditional media houses like television, print, media and radio.⁸ Therefore, restricting access of information to government sources could not curb the spread of misinformation.

Although there had been no new legislation during the pandemic to silence critical voices, freedom of expression is considered to be curtailed and paralysed during the pandemic⁹ when controlling access to information and not ensuring protection of journalists and others expressing opinions.¹⁰

For the general public, the Media Council warned of a fourth-degree felony if anyone was found guilty of spreading fake news. However, when a mother with a child voiced the unacceptable conditions in a quarantine facility through one of the widely used social media apps, WeChat, the national COVID-19 taskforce immediately labelled it as highly provocative, instead of redressing the citizen's grievance. Is this fake news? Concurrently, the Drug Regulatory Authority filed a case with the Media Council accusing a reporter of denting the relationship between the Ministry of Health and the Drug Regulatory Authority. The reporter had highlighted the glitches

⁸ Sarah Evanega, et al., "Quantifying Sources and Themes in the Covid-19 Infodemic," *Coronavirus Misinformation* 19, no. 10. (2020): 1-8.

⁹ Sonam Tshering, "Government must Promote Freedom of the Press or face Infodemic," *Kuensel*, February 12, 2022.

¹⁰ Rinzin Wangchuk, "Bhutan's Press Freedom Drawback," *Bhutan Press Mirror, A Journalists' Association of Bhutan Occasional Journal* (2021): 5 - 12.

in the country's COVID-19 vaccination programme.¹¹ Subsequently a popular blogger, Wangcha Sangey, removed his Facebook post "Bhutan in search of Camelot and imaginary kingdom" and said there was an absence of space for honest national discourse.

End to end, the difficulty to access information, financial dependence of media houses on government advertising, and subtle allegations against journalists and citizens during the last two years had the potential to regress Bhutan's freedom of expression, compared with the first five years of democracy (2008-13). The role of media in the first five years of democracy (2008-2013) has been tremendous and enjoyed unprecedented media freedom.¹² Media exposed and spurred public debate, leading to visible impacts and not a single journalist was prosecuted. Among many of these issues, notable ones were the amendment of the Tobacco Control Act of Bhutan 2010, pedestrian day, and the tax revision 2010 which led to the first constitutional case.

c) Check on Government measures -- the extent to which the Parliament oversees the executives, as well as whether the legislative, executive and judicial branches are independent. Primary indicators are effective parliament, independent judiciary, and media integrity.

In the last two years, the critical role of the Parliament in sustaining democratic models of governance was partially sidelined, both in the approval of COVID-19 strategies and in their implementation. Power was entrusted to the Ministry of Health and the National COVID-19 Task Forces to swiftly respond to the pandemic.

In the initial phase, this might be the right approach but, over time, these measures could exacerbate and cause regression from peace to conflict or democracy to authoritarianism.¹³ Checks and balances are fundamental components enshrined in the Constitution of the Kingdom of Bhutan.

Therefore, the role of an Opposition Party is to question the government of the day and hold it accountable. However, a keyword search (COVID-19,

¹¹ Rinzin Wangchuk, "Bhutan's Press Freedom Drawback," *Bhutan Press Mirror, A Journalists' Association of Bhutan Occasional Journal* (2021): 5 - 12.

¹² Gyambo Sithey, *Democracy in Bhutan: The first five years, 2008-2013*. Centre for Research Initiative, 2013.

¹³ Sean Molloy, *Emergency law responses to Covid-19 and the impact on peace and transition processes: Seventh Edinburgh dialogue on post-conflict constitution-building, 2020*, International IDEA, 2021.

coronavirus, lockdown, quarantine, pandemic) in 3rd, 4th, 5th and 6th National Assembly resolutions retrieved no discussion on COVID-19 initiated by the Opposition Party. Parliament was mute on the COVID-19 policies and strategies. The judicial institutions stayed at arm's length from the pandemic.

Conclusion

The pandemic has placed the government in a difficult position. Some governments have used the pandemic to justify the use of extraordinary powers for their personal benefits while others have shown a reluctance to address the virus and thereby risked public health.

For example, American President Donald Trump is the largest driver of COVID-19 infodemic.¹⁴ On the contrary, Bhutan has demonstrated responsive and responsible leadership in addressing the threats and impact of the virus. It has not misused any extraordinary power outside the bounds of national and international law. Rather, it used existing laws, institutions, and systems to protect the health and lives of the Bhutanese.

The policies to counter the pandemic constitutes social distancing, lockdown, quarantine, and border closure, all of which conflicts with democratic principles that we, as a young democracy, aspire to. However, the trade-off between the democratic principles and the collective interest could have been legitimate if measures were discussed in the parliament, the disaster management act of Bhutan 2013 consulted, restrictions were made proportional to risks, and measures had a time limit.

Reflecting on our limitations to plan, coordinate, and implement COVID protocols, the entire COVID-19 protocol could have been a joint venture between the ruling party, opposition, public, and the media, with a feedback loop to assess, analyse and implement the measures. This may have minimised the social and economic disruption and resulted in wider acceptance of the Covid protocol.

¹⁴ Sarah Evanega, et al., "Quantifying Sources and Themes in the Covid-19 infodemic," *Coronavirus Misinformation* 19, no. 10. (2020): 1-8.

Lessons Learnt and Future Cautions

The pandemic has shown our strengths and weaknesses. It is time to reflect on our strengths and build on them to shape a future (of institutions and professions) that is our aspiration, beyond divisive politics and individualism. For instance, our advancement in digital space and quality of services, including health and financial, was exemplary. Yet there is huge catching up to do if we have to jump on the 21st century bandwagon.

Weaknesses are difficult to number. Like many nations, we have seen disruptions in supply chains, both for rural and urban business enterprises, stories of families not able to feed one quality meal a day to their children, many not able to pay rent, and so on. With better and wider consultation, these are within our means to correct.

But the biggest hurdle to our development, we have realised during the pandemic, is our authoritative approach to the decision-making processes. This will have a debilitating effect on public participation, discourses, feedback, and critiques and as a result, on the birth and flourishing of new ideas, creativity, innovation, and entrepreneurship. It is, therefore, time to take stock of the rights and wrongs we have done and move forward better than before.

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