

COMBATIVE CIVIL SOCIETY: CONTESTING POLITICAL
LEADERS' POWER GRABS IN CRISES¹

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Abstract. To globally manage COVID-19, governments instituted national emergencies, prohibited large social gatherings, and introduced travel bans and lockdowns. However necessary from a health perspective, these responses allowed politicians in some contexts to threaten the stability of democratic institutions and human rights. Some leaders met with approval from a public rallying around the flag – when citizens put their trust in government to manage a crisis. Yet power grabs also provoked resistance in a number of countries. This study examines a mix of regime types – consolidated democratic, semi-consolidated democratic, illiberal democratic and authoritarian – which include: the US (liberal democracy under threat), Poland (liberal, semi-consolidated democracy), Hungary (illiberal) and China (authoritarian) in a snapshot from the pandemic's outbreak through September 2020. Relying on a theoretical framework that examines the use of emergency powers in the early stages of the COVID-19 crisis where a rally effect enabled some leaders to abuse power, this paper argues that significant popular resistance arose against leaders' power abuses but was hindered initially due to a rally effect. However, rallies were largely temporary, or held only for certain issues. Elements of civil society in the US, Poland and Hungary ultimately slowed political leaders' power grabs. In China, the threat of the pandemic empowered the government to effectively shut down open civic resistance, most visibly in Hong Kong. This paper demonstrates that in authoritarian contexts, the use of emergency powers may have more severe implications compared to democratic or semi-democratic contexts. This research contributes to strategies of democracy promotion in crises by pointing to the need to support civil society, which in many – but not all – cases can subvert overreach by political leaders' power grabs in crises.

Keywords: *Civil Society; Pandemic; Crisis; Rally around the Flag; Emergency Powers, Democracy*

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¹ The authors would like to extend our deepest gratitude to Dr. Ionas Aurelian Rus, Associate Professor of Political Science at University of Cincinnati Blue Ash, for his guidance and support as we worked on this paper. Without his insights and suggestions, this paper would not be what it is today. We are indebted for such mentorship, which included Dr. Rus's close reading of our paper on more than one occasion.

Pol. Sc. Int. Rel., XIX, 1, pp. 49–69, Bucharest, 2022.

Introduction

As COVID-19 spread globally in 2020-2021, it raised the issue of how governments could keep their populations safe while preserving civil rights and liberties.² The current pandemic constitutes a global crisis. Crises are “episodic breakdowns of familiar symbolic frameworks that legitimate the pre-existing... order.”³ Historically, pandemics have altered power dynamics through their accompanying flux in political, social and economic conditions, which create spaces for changes.⁴ COVID-19 also highlights governance problems that arise when addressing infectious diseases that represent a collective action challenge. Domestically, governments rely on securitized measures such as surveying citizens’ movement, declaring states of emergency, and deploying the military to control the virus’ spread. Such securitized measures have a political cost, however necessary they might seem. They allow some politicians to undermine democracy in democratic governments, to bypass checks and balances on their powers and it enables authoritarian governments to justify and exacerbate human rights violations.⁵

The pandemic hits during a period of “decline of democratic regime attributes” among a growing number of democracies and deepening autocratization of authoritarian regimes.⁶ In today’s era of widespread rhetorical support for democracy, coups, one-party autocracies and other direct anti-democratic actions are not feasible. Political leaders instead manoeuvre by constraining the political opposition, the press and civil society, often through politically far-right populisms rooted in intolerant forms of nationalism.⁷ Some political leaders have seized on the pandemic to consolidate power, diminish civil liberties and hamper dissent. In this article, we ask: How did the early stages of COVID-19 accelerate the ongoing authoritarian resurgence and how did civil societies contest political leaders’ power grabs?

² Lawrence Gostin, Eric A. Friedman and Sarah A. Wette, “Responding to COVID-19: How to Navigate a Public Health Emergency Legally and Ethically,” *Hastings Center Report* 50, no. 2 (2020): 8-12; UN, “COVID-19 and Human Rights: We Are All in This Together” Retrieved July 16, 2020, from *United Nations*: https://www.un.org/victimsofterrorism/sites/www.un.org.victimsofterrorism/files/un_-_human_rights_and_covid_april_2020.pdf.

³ Arjen Boin, Allan McConnell and Paul ‘t Hart, “Governing after Crisis”, in *Governing after Crisis: The Politics of Investigation, Accountability and Learning*, ed. Arjen Boin, Allan McConnell and Paul ‘t Hart (Cambridge: Cambridge University Press, 2008), 3.

⁴ Mark Welford, ed., *Geographies of Plague Pandemics: The Spatial-Temporal Behavior of Plague to the Modern Day* (New York: Routledge, 2018); Guido Alfani and Mark Percoco, “Plague and Long-term Development: the Lasting Effects of the 1629-30 Epidemic on the Italian Cities,” *The Economic History Review*, 72, no. 4 (2019): 1175-1201.

⁵ Jules Lobel, “Emergency Power and the Decline of Liberalism,” *The Yale Law Journal*, 98 (1989): 1385-1433; Sadiq Reza, “Endless Emergency: The Case of Egypt,” *New Criminal Law Review*, 10, no. 4 (2007): 532-553; UN, “COVID-19 and Human Rights.”

⁶ Anna Lührmann and Staffan Lindberg, “A Third Wave of Autocratization Is Here: What Is New About It?” *Democratization*, 26, no. 7 (2019): 1095.

⁷ Lührmann and Lindberg, “A Third Wave of Autocratization Is Here;” Valentine Moghadam and Gizem Kaftan, “Right-wing Populisms North and South: Varieties and Gender Dynamics,” *Women’s Studies International Forum*, 75 (2019): 1-9; Pippa Norris and Ronald Inglehart, *Cultural Backlash: Trump, Brexit, and Authoritarian Populism* (Cambridge: Cambridge University Press, 2019).

We examine cases that offer a mix of regime types – fully democratic, semi-consolidated democratic, illiberal democratic and authoritarian – which include: the US (liberal democracy increasingly under threat), Poland (liberal, semi-consolidated democracy), Hungary (illiberal) and China (authoritarian) in a snapshot from the pandemic’s outbreak through September 2020. Unpacking the early stages of state response to the pandemic can help shed light on current government efforts, which we outline in the discussion. The cases present differences in regime, region and power on the global stage, as well as differences in the level of freedom within civil society and manoeuvrability for the political opposition. However, in this period, each were defined by leaders with authoritarian tendencies who engaged in rhetoric and/or actions that relied on intolerant nationalisms. In each case, elements of civil society challenged government power grabs, to varying degrees of success.

Civil society is the space of politics that lies outside the household and state, where people come together to push for change.⁸ Anna Lührmann and Staffan Lindberg suggest that authoritarianism includes actions by political leaders that “move away from [full] democracy.”⁹ Robust democracy includes widespread participation of ordinary citizens, the ease of the political opposition to organize, full civil rights and liberties, equal access to government influence and a variety of media sources.¹⁰ Illiberal democracies are countries that hold elections but lack full civil rights and liberties or the rule of law.¹¹ Authoritarian regimes limit political participation in one way or another, with totalitarian governments the most limited.¹²

This paper begins with our theoretical framework that explores how crises can be used to alter power dynamics, highlighting rally around the flag, which refers to when citizens put their trust in government to manage the crisis.¹³ Rallying may enable political leaders to abuse power during a crisis with the support of the population. The second section traces the role of civil society in the US, Poland, Hungary and China (including Hong Kong) during the pandemic in challenging the oppressive tactics deployed by the diverse political leaders in our cases. We argue that significant popular resistance arose against leaders’ power abuses but was hindered initially due to a rally effect. However, rallies were largely temporary, or held only for certain issues. Elements of civil society in the US, Poland and Hungary ultimately slowed political leaders’ power grabs. In China, the threat of the pandemic empowered the government to effectively shut down open civic resistance, most visibly in Hong Kong. The conclusion discusses the critical need to support civil society, which in many – but not all – cases can

⁸ Robert Hefner, *Civil Islam: Muslims and Democratization in Indonesia* (Princeton: Princeton University Press, 2000), 23.

⁹ Lührmann and Lindberg, “A Third Wave of Autocratization Is Here,” 1099.

¹⁰ Robert Dahl, *Polyarchy: Participation and Opposition* (New Haven: Yale University Press, 1971).

¹¹ Farid Zakaria, “The Rise of Illiberal Democracy,” *Foreign Affairs*, 76, no. 6 (1997), 23-4.

¹² Juan Linz, *Totalitarian and Authoritarian Regimes* (Boulder, CO: Lynne Rienner Publishers, 2000).

¹³ John E. Mueller, “Presidential Popularity from Truman to Johnson,” *The American Political Science Review*, 64, no. 1 (1970): 18-34.

subvert overreach by political leaders' power grabs in crises. Elements of civil society in the US, Hungary and Poland have slowed the pace of the early abuse of power in these countries. However, in the US, continued political polarization may hinder these efforts in the future, and barriers to civil society organizing in Hungary and Poland are significant. In China, obstacles have become so great that dissenting civil society has been forced underground.

Crises and Power

Periods of crisis can provide opportunities to alter power structures. These changes may be carried out by political leaders, political opposition or civil society actors. The literature suggests that changes to the power structure do not follow a pattern and may result in a range of outcomes that further or hinder democratic practices and respect for human rights.¹⁴ Crises can also institutionalize the status quo, depending on the actions taken by political actors.¹⁵ Autocratic leaders – from fully democratic, illiberal and authoritarian regimes – have sought to use the pandemic to expand their powers.

One-way political leaders enact changes in power in crises comes through the “rally around the flag” effect. This occurs when citizens respond to a crisis by bolstering support for their leaders, whom they entrust to handle the crisis.¹⁶ This was well-documented in Americans' broad support for George W. Bush in the aftermath of the 9/11 terrorist attacks.¹⁷ In times of uncertainty – as crisis situations are – even those on the political left of the spectrum, typically more open and less fearful compared to those on the political right, may rally for a leader, although this is not always the case.¹⁸ However, popularity surges for a leader are often temporary, with few long-lasting impacts. A rally moment appears to relate to societal levels of trust. Where the public's trust of government is higher, a rally effect will be stronger and/or last longer.¹⁹ It may only be those who already support, or have the potential to support, a leader who rallies in the face of a crisis.²⁰

¹⁴ Naomi Klein, *The Shock Doctrine: The Rise of Disaster Capitalism* (New York: Metropolitan Books/Henry Holt, 2007); Boin, McConnell and 't Hart, “Governing after Crisis”; Paul Gordon, “History and Human Rights: People and Forces in Paradoxical Interaction.” *Journal of Human Rights*, 7, no. 2 (2008): 91-103.

¹⁵ Boin McConnell and 't Hart, “Governing after Crisis,” 10.

¹⁶ Kenneth Waltz, “Electoral Punishment and Foreign Policy Crises,” in *Domestic Sources of Foreign Policy*, ed. James Rosenau (New York: The Free Press, 1967): 263-293; Mueller, “Presidential Popularity from Truman to Johnson;” Brian Newman and Andrew Forcehimes, “‘Rally Round the Flag’ Events for Presidential Approval Research.” *Electoral Studies*, 29, no. 1 (2010): 144-154.

¹⁷ James N. Schubert, Patrick A. Stewart, and Margaret A. Curran, “A Defining Presidential Moment: 9/11 and the Rally Effect.” *Political Psychology*, 23, no. 3 (2002): 559-583.

¹⁸ Roni Porat, Maya Tamir, Michael J. Wohl, Tamar Gur and Eran Halperin, “Motivated Emotion and the Rally around the Flag Effect: Liberals Are Motivated to Feel Collective Angst (Like Conservatives) When Faced with Existential Threat.” *Cognition and Emotion*, 33, no. 3 (2019): 480-491.

¹⁹ J. Tyson Chatagnier, “The Effect of Trust in Government on Rallies' Round the Flag.” *Journal of Peace Research*, 49, no. 5 (2012): 631-645.

²⁰ George C. Edwards III and Tami Swenson, “Who Rallies? The Anatomy of a Rally Event.” *The Journal of Politics*, 59, no. 1 (1997): 200-212.

Another way political leaders succeed with a power grab in a crisis is by abusing emergency powers. Emergency powers – rendered through states of emergency – are meant to be temporary, to allow leaders to take “decisive action” in a crisis. This comes with fewer constraints than under “normal” circumstances, as crises are deemed exceptional periods that require extraordinary measures to manage.²¹ However, emergency powers may be extended to empower leaders. Prior to Egypt’s Arab Spring, the country had been under a state of emergency for the better part of 50 years to enable the government to exercise extreme control.²²

Initially, the US and China were hesitant to declare a state of emergency. In the US, the Trump Administration reluctantly declared a national emergency. Xi Jinping’s Chinese Communist Party (CCP) government was aware of the outbreak in Wuhan for at least two weeks before the CCP declared a national emergency.²³ In contrast, in both Hungary and Poland, Viktor Orbán and Andrzej Duda readily launched emergency powers.²⁴

We suggest that in the US the rally around the flag was issue specific. There was a clear rally for Trump, even among Democrats, on limiting migration as a containment response to COVID-19, although there was no rally on the issue of policing or the government’s response to the pandemic.²⁵ The rally effect holds widely in Hungary and Poland for supporters of these regimes, despite the erosion in civil rights and liberties supported by the respective governments in response to the pandemic.²⁶ China is a different case since it is authoritarian. Yet for many citizens, there is appreciation of the government’s COVID-19 containment, despite increased government surveillance that further violates citizens’ right to privacy.²⁷ This suggests that among the Han majority (“ethnic Chinese”) in mainland China, there is evidence of a rally effect. However, given the often-brutal silencing of dissenters, support for Xi’s CCP may be a measure of personal security.²⁸

²¹ Jules Lobel, “Emergency Power and the Decline of Liberalism.” *The Yale Law Journal*, 98 (1989): 1385-1433.

²² Reza, “Endless Emergency.”

²³ Minxin Pei, “China’s Coming Upheaval: Competition, the Coronavirus, and the Weakness of Xi Jinping.” *Foreign Affairs*, 99 (2020): 82-95.

²⁴ HHC, “Background note on the consequences of the Authorization Act.” Retrieved July 30, 2020, from *The Hungarian Helsinki Committee*: <https://www.helsinki.hu/en/background-note-on-the-consequences-of-the-authorization-act/>; Roman Krakovsky, “Europe Versus Coronavirus – Poland, Between Reactivity and Opportunism.” Retrieved July 30, 2020 from *Institut Montaigne*: <https://www.institutmontaigne.org/en/blog/europe-versus-coronavirus-poland-between-reactivity-and-opportunism>.

²⁵ Allie Bice, “Poll: Support for Trump’s Handling of Coronavirus Pandemic Hits New Low.” Retrieved September 3, 2020, from *Politico*: <https://www.politico.com/news/2020/07/26/support-for-trumps-coronavirus-strategy-dips-381509>; Alan Gomez, “Poll Shows Growing Disconnect over Trump’s Hard-Line Immigration Policies.” Retrieved September 3, 2020, from *USA Today*: <https://www.usatoday.com/story/news/nation/2020/08/12/poll-broad-support-trump-covid-19-immigration-restrictions/3340228001/>.

²⁶ Denes Albert, “Hungary: PM Orbán is 5th Most Popular EU Leader during Coronavirus Crisis.” Retrieved July 10, 2020, from *ReMix*: <https://rmx.news/article/article/hungary-pm-orban-is-5th-most-popular-eu-leader-during-coronavirus-crisis>.

²⁷ Paul Mozur, Raymond Zhong, and Aaron Krolik, “In Coronavirus Fight, China Gives Citizens a Color Code, With Red Flags.” Retrieved August 14, 2020, from *New York Times*: <https://www.nytimes.com/2020/03/01/business/china-coronavirus-surveillance.html>.

²⁸ James Palmer, “China’s Coronavirus Success Is Made Possible by Xi’s Brutality.” Retrieved July 14, 2020, from *Foreign Policy*: <https://foreignpolicy.com/2020/05/14/china-coronavirus-pandemic-lockdown-xi-jinping/>.

Contrarily, the political opposition and civil society may be empowered by crises.²⁹ Thomas Birkland suggests three factors necessary to make use of crises. First, the media must cover such crises widely. Second, there must be ample public interest to generate the political will to see through change. Finally, political actors must be well-organized prior to the crisis, to mobilize quickly for desired changes.³⁰ Coverage of COVID-19 is ubiquitous, and public interest high. To varying degrees, civil society was ready for mobilization in the US, Poland, Hungary and China. Birkland discussed democratic contexts where there is a free press and the ability of the political opposition – both in government and civil society – to organize freely. Notably, in illiberal or authoritarian regimes, freedom of the press may hinder coverage or skew the perspectives of the public in a way unfavourable for the kind of change sought by the political opposition and/or civil society. Furthermore, unless an authoritarian government has lost power, it is typically difficult for civil society to push through changes – as is the case in China – although by no means impossible. Likewise, the political opposition will also have more difficulty organizing under an authoritarian regime than a democratic where there are more political and civil freedoms, even if there are barriers, such as in Hungary and increasingly in Poland.

Civil Society Reacts to Leaders' Power Grabs

The contrast between the US, a liberal democracy, and China, an authoritarian regime, enable fruitful comparisons. The US civil society's response was the greatest in our four cases, an expected outcome given the greater freedoms in a full democracy. In China, the greatest civic turnout was in Hong Kong, where it is easier to organize under the somewhat more liberal regime. The Chinese government responds quickly to contain unrest in mainland China by censoring media and stopping the spread of government resistance, unlike the "one country, two systems" approach it must follow in Hong Kong. This system has provided greater autonomy and civil and political rights for Hongkongers under terms made for the return of Hong Kong from British rule to China in 1997.³¹ Despite the ease of organizing in the US, the Trump Administration responded with force to protests in reaction to the murder of a Black man – George Floyd – by police officers on 25 May 2020. The groundwork for these protests was laid by the Movement for Black Lives (M4BL), also called Black Lives Matter (BLM), established in 2013 in response to state (police) violence against Blacks.³²

²⁹ Thomas Birkland, *After Disaster: Agenda Setting, Public Policy, and Focusing Events*. (Washington, DC: Georgetown University Press, 1997); Klein, *The Shock Doctrine*; John W. Kingdon, *Agendas, Alternatives and Public Policies, Update Edition, with an Epilogue on Health Care, 2nd edition*. (Harlow: Pearson, 2014); Aili M. Tripp, *Women and Power in Postconflict Africa*. (Cambridge: Cambridge University Press, 2015).

³⁰ Birkland, *After Disaster*.

³¹ Chao Ye and Jennifer Onyx, "Development Paths, Problems and Countermeasures of Chinese Civil Society Organizations," *Cosmopolitan Civil Societies: An Interdisciplinary Journal*, 7, no. 2 (2015): 1-18.

³² Barbara Ransby, *Making All Black Lives Matter: Reimagining Freedom in the Twenty-First Century*. (Oakland, CA: University of California Press, 2018).

Poland and Hungary offer similar case comparisons as Eastern European, former Soviet bloc countries. Both are new democracies and part of the European Union (EU). The free press, political opposition and civil society are suppressed to some extent in both countries, which is linked to the rise of populists, who have been emboldened by the COVID-19 crisis.³³ Hungary under Orbán is an illiberal regime – defined as partially free by Freedom House – while Poland retains its free rating, although this once consolidated democracy is undergoing de-democratization, marking it as semi-consolidated.³⁴ Despite increased barriers to organizing in Hungary (since 2010) and Poland (since 2015), both saw significant turnout by civil society against power grabs by Orbán and Duda in the pandemic.³⁵

US

In contrast to leaders in Poland and Hungary who used fears about health and safety related to the pandemic to their advantage in the early stages of the pandemic, Trump initially downplayed health concerns. Nevertheless, the US declared the COVID-19 outbreak a national health emergency. Following this, the Department of Justice and Trump attempted to use the crisis to implement controversial policies in line with the Republican political agenda. Trump named the pandemic as a reason for amplifying border restrictions and limiting asylum claims. Running on a populist platform, Trump had emphasized fear of “Others.”³⁶ Many measures restricting immigration were presented as temporary tools for controlling COVID-19’s spread. However, these measures were extended repeatedly. Citing COVID-19, in 2020, the Trump Administration banned travel from China (January 31), Iran (February 29), some European countries (March 12) and Brazil (May 24). The government suspended routine visa services at US consulates (March 13) and closed many immigration courts and postponed hearings (March 17). The US paused all refugee resettlement (March 18), and began seizing private property along the Mexican border for the construction of “Trump’s wall” before proposing a sweeping new regulation to block asylum-seekers on public health grounds (July 8).

Although Trump’s approval of handling the pandemic was only at 32 percent in July 2020, most Republicans (81%), nearly half of Democrats (49%) and a

³³ Rogers Brubaker, “Between Nationalism and Civilizationism: The European Populist Moment in Comparative Perspective.” *Ethnic and Racial Studies*, 40, no. 8 (2017): 1191-1226; Joanna Fomina and Jacek Kucharczyk, “The Specter Haunting Europe: Populism and Protest in Poland.” *Journal of Democracy*, 27, no. 4 (2016): 58-68; Lorena Stuparu, “Between ‘Traditional’ Populism and ‘Pandemic’ Populism.” *Romanian Review of Political Sciences and International Relations*, XVIII, no. 2 (2021): 17-28.

³⁴ FH, “Countries and Territories.” Retrieved September 11, 2020, from *Freedom House*: <https://freedomhouse.org/countries/freedom-world/scores>; Wojciech Przybylski, “Explaining Eastern Europe: Can Poland’s Backsliding Be Stopped?” *Journal of Democracy*, 29, no. 3 (2018): 52-64.

³⁵ Zsolt Enyedi, “Populist Polarization and Party System Institutionalization: The Role of Party Politics in De-Democratization.” *Problems of Post-Communism*, 63, no. 4 (2016): 210-220; Przybylski, “Explaining Eastern Europe.”

³⁶ Vladimir-Adrian Costea and Alexis Chapelan, “Beyond Conservatism: How the Crisis of the American Right Shaped Trumpism and the Trump Vote in the 2016 Election.” *Romanian Review of Political Sciences and International Relations*, XVII, no. 1 (2020): 138-152.

clear majority of independents (62%) approved of immigration restrictions to slow the spread of the pandemic.³⁷ This broad support for closing the borders is an example of how crises can push even liberals to rally around the flag, such as support for border closure and travel restrictions after the 9/11 terrorist attacks.³⁸ However, the rally effect was not as strong in the US as in other countries. This could be explained by low American public trust in the government, which is at a near historic low. Just 17% of Americans trust the government to do what is right “just about always” (3%) or “most of the time” (14%).³⁹ As Chatagnier explains, the rally effect relates to societal levels of trust. Where the public’s trust of government is higher, a rally effect will be more likely.⁴⁰

In contrast to migration, the rally effect for Trump is far weaker when it comes to questions of policing and rights. This is apparent in rising support for BLM against police brutality. Evidence suggests that the greater free time provided by COVID-19 (due to job loss) and anger over the government’s response to the pandemic led to wide participation in BLM protests.⁴¹ Public opinion on race and criminal justice has steadily moved left since the killings of Trayvon Martin, Michael Brown, and George Floyd. Support for BLM increased dramatically from a 17-point margin before the BLM demonstrations launched in May 2020, to a 28-point margin over summer 2020.⁴² Ultimately, such support at the national level dropped, but in June 2020, 45% of Republicans acknowledged that Black people face discrimination in the US.⁴³ In an appeal to white voters – seeking to rally his base Trump defended Confederate monuments while painting BLM protesters as out-of-control radicals, even as protests were typically peaceful. Trump rebuked “Black Lives Matter” as a “symbol of hate.”⁴⁴ He sent federal agents to Portland, Oregon in response to BLM protests, supposedly to help the city get protests under control and protect federal property. Trump

³⁷ Bice, “Poll: Support for Trump’s Handling of Coronavirus Pandemic Hits New Low;” Gomez, “Poll Shows Growing Disconnect over Trump’s Hard-Line Immigration Policies.”

³⁸ Porat et al., “Motivated Emotion and the Rally around the Flag Effect;” Schubert, Stewart, and Curran, “A Defining Presidential Moment.”

³⁹ PRC, “Little Public Support for Reductions in Federal Spending”, 2019, Retrieved September 3, 2020, from *Pew Research Center*: <https://www.pewresearch.org/politics/2019/04/11/little-public-support-for-reductions-in-federal-spending/>; PRC, 2019b. “Public Trust in Government: 1958-2019.” Retrieved September 3, 2020, from *Pew Research Center*: <https://www.pewresearch.org/politics/2019/04/11/public-trust-in-government-1958-2019/>.

⁴⁰ Chatagnier, “The Effect of Trust in Government on Rallies’ Round the Flag.”

⁴¹ Maneesh Arora, “How the Coronavirus Pandemic Helped the Floyd Protests Become the Biggest in US History.” Retrieved 15 September, 2020, from *Washington Post*: <https://www.washingtonpost.com/politics/2020/08/05/how-coronavirus-pandemic-helped-floyd-protests-become-biggest-us-history/>.

⁴² Civiqs, “Black Lives Matter.” Retrieved September 3, 2020, from *Civiqs*: https://civiqs.com/results/black_lives_matter?uncertainty=true&annotations=true&zoomIn=true.

⁴³ Kim Parker, Juliana M. Horowitz, and Monica Anderson, “Amid Protests, Majorities Across Racial and Ethnic Groups Express Support for the Black Lives Matter Movement.” Retrieved September 4, 2020, from *Pew Research Center*: <https://www.pewsocialtrends.org/2020/06/12/amid-protests-majorities-across-racial-and-ethnic-groups-express-support-for-the-black-lives-matter-movement/>; Alex Samuels and Elena Mejía, “How Views On Black Lives Matter Have Changed – And Why That Makes Police Reform So Hard.” Retrieved July 7, 2021, from *FiveThirtyEight*: <https://fivethirtyeight.com/features/how-views-on-black-lives-matter-have-changed-and-why-that-makes-police-reform-so-hard/>.

⁴⁴ Donald Trump, @realDonaldTrump. Retrieved September 15, 2020, from Twitter: <https://twitter.com/realDonaldTrump/status/1278324680311681024>.

suggested that federal agents could be deployed to Chicago, New York, Philadelphia, Detroit, Baltimore and Oakland, saying these cities are run by “radical left” Democrats. Moreover, the Department of Justice has asked Congress to detain people without trial and to stop court proceedings during emergencies, with BLM protesters the clear target. These moves were meant to revive support for Trump in the November presidential elections, by shifting the nation’s attention away from the coronavirus crisis by driving fear of BLM. In parts of US civil society, there is a reckoning with police brutality and the ongoing – often violent – mistreatment of Black Americans. The rally among Trump’s base held through the 2020 election, but for increasing numbers of Americans, there was a drift towards Biden. The November election served as evidence that Trump could not make use of the crises of COVID-19 and BLM protests to maintain power.

Poland

Poland’s “de-democratization” began in 2015 when the current government came to power. Previously a consolidated democracy, Poland has moved toward semi-consolidation.⁴⁵ To combat COVID-19, the government enforced a wide-ranging lockdown in mid-March 2020 through “a state of epidemic threat.”⁴⁶ This was a form of emergency law, although not a declaration of emergency per se.⁴⁷ While an emergency declaration would have required Parliamentary approval and been limited to a period of 90 days (with a possible 60-day renewal), the government opted for a special powers law, known as the COVID Act.⁴⁸ This allowed the government to forego Parliamentary approval and to avoid triggering a delay in the upcoming elections slated for 10 May 2020, a measure required under a state of emergency declaration.⁴⁹

Some Members of Parliament questioned the COVID Act’s constitutionality and the limits it would entail to civil rights and liberties. However, no follow-up action was taken with the Ombudsman’s office or other legal experts to review the Act’s legality.⁵⁰ On 15 March 2020, gatherings of 50 were prohibited by the government on the grounds of COVID-19. Banning gatherings was convenient for President Andrzej Duda given that this came during the presidential election campaign. Duda continued to hold campaign events and meet with the press controlled by his party, the right-wing populist Prawo i Sprawiedliwość (Law and Justice) (PiS) party, while the opposition was largely forced to end

⁴⁵ Przybylski, “Explaining Eastern Europe.”

⁴⁶ Roman Krakovsky, “Europe Versus Coronavirus – Poland, Between Reactivity and Opportunism.” Retrieved July 12, 2020, from *Institut Montaigne*: <https://www.institutmontaigne.org/en/blog/europe-versus-coronavirus-poland-between-reactivity-and-opportunism>.

⁴⁷ PolandIn, “Emergency, But Not a State of Emergency.” Retrieved July 10, 2020, from *PolandIn*: <https://polandin.com/47124167/emergency-but-not-a-state-of-emergency>.

⁴⁸ HF, “Coronavirus COVID-19 outbreak in the EU: Fundamental Rights Implications.” Retrieved August 6, 2020, from *Helsinki Foundation for Human Rights*: https://fra.europa.eu/sites/default/files/fra_uploads/poland-report-covid-19-april-2020_en.pdf.

⁴⁹ PolandIn, “Emergency”, 2020.

⁵⁰ HF, “Coronavirus COVID-19 outbreak in the EU”, 2020.

campaigning.⁵¹ Over March, Duda saw a small boost in his approval – linked to a rally effect – moving from a 42% approval on 2 March 2020 to 48% in mid-March. In a March survey by the newspaper *Gazeta.pl*, 73% of respondents believed Duda was favourably managing the pandemic, despite the restrictions for the political opposition.⁵²

While Poland's political opposition, free press and civil society remain strong, the country has become increasingly illiberal under the PiS government. In part, this has been the result of the PiS government's attacks on the country's judiciary, which has reduced the court's independence. The government overtook control of both the constitutional court as well as the governing body that determines judge appointments in 2015.⁵³ Additionally, independent journalists face increasing attacks. Meanwhile, state-owned media operate essentially as a mouthpiece of the government and often contain hate speech, especially against the LGBTQI+ community.⁵⁴ Likewise, Polish civil society has faced increasing restrictions since 2015, including the PiS's government's politicization of civic organizations' funding that limits support for human rights. There is a notable resistance against public engagement with women's and LGBTQI+ groups by the government.⁵⁵

Further reductions in manoeuvrability for Poland's civil society since March 2020 are linked to the pandemic. Opposition candidates and parts of civil society called for postponing the presidential elections on the grounds of fairness and safety. Hindered by the ban of public gatherings, civic resistance moved online. A "Let's postpone the election" campaign was held on 11 April 2020 after being promoted on social media. At the appointed time, thousands of Poles poked their heads through open windows or stood on their balconies to yell their demands that the upcoming 10 May 2020 election be postponed. In addition, the civic group Obywatele RP posted an online petition to demand rescheduling the elections and declared that if the voting was held as scheduled, they would organize an election boycott.⁵⁶ Elections were postponed to June, proving civil society could organize without gathering on the streets.

⁵¹ Joanna Fomina, "Poland: How Populists Have Exploited the Coronavirus." Retrieved July 14, 2020 from *Carnegie Endowment for International Peace*: <https://carnegieendowment.org/2020/04/28/poland-how-populists-have-exploited-coronavirus-pub-81648>; Krakovsky, "Europe Versus Coronavirus."

⁵² Cited in PPB, "How Is the Coronavirus Pandemic Affecting Polish Politics?" Retrieved September 21, 2020, from the *Polish Politics Blog*: <https://polishpoliticsblog.wordpress.com/2020/04/>.

⁵³ Zselyke Csaky, "Nations in Transit 2020: Dropping the Democratic Facade." Retrieved July 16, 2020, from *Freedom House*: <https://freedomhouse.org/report/nations-transit/2020/dropping-democratic-facade>.

⁵⁴ RWB, "Poland." Retrieved August 12, 2020, from *Reporters Without Borders*: <https://rsf.org/en/poland>; RWB, "Polish Public Broadcaster Peddles Government Hate Speech in Presidential Election Run-Up." Retrieved September 12, 2020, from *Reporters Without Borders*: <https://rsf.org/en/news/polish-public-broadcaster-peddles-government-hate-speech-presidential-election-run-1>.

⁵⁵ Barbara Smith, "Polish Civil Society: Adapting to New Pressures", 2018. Retrieved July 16, 2020, from *Center for Strategic and International Studies*: https://csis-website-prod.s3.amazonaws.com/s3fs-public/publication/181219_PolishCivilSociety.pdf.

⁵⁶ Claudia Ciobanu, "Poles Find Creative Ways to Protest Despite the Pandemic." Retrieved August 11, 2020, from *Balkan Investigative Reporting Network*: <https://balkaninsight.com/2020/04/21/poles-find-creative-ways-to-protest-despite-the-pandemic/?fbclid=IwAR1EQWsiOJR6hMCKHyvVV5z6EO8d65LMIVqRLooRJg4GW38zFeOhmbCx7AY>.

The government also saw in the pandemic an opportunity to restrict women's and LGBTQI+ rights due the restrictions on public gatherings. The government assumed this would prevent any visible opposition to human rights restrictions. In early April 2020, the government re-introduced the so-called "Stop Abortion" bill and the "Stop Paedophilia" bill. Originally presented in March 2018 and October 2019 respectively, the bills had been greeted by widespread protests and ultimately languished in Parliament. The abortion bill proposes reducing women's access on the grounds of foetal anomalies. Abortion is limited to cases where woman's health is endangered, if there has been rape and incest, or if there are concerns regarding the viability or quality of life of the foetus.⁵⁷ The other bill would criminalize "promoting" sexual activities by minors as a way of supposedly ending paedophilia. However, the target is sex educators and sex positive perspectives. By mid-April 2020, when social distancing made any public gathering illegal, the PiS government re-introduced the bills. In response, on 14 April 2020, approximately 100 feminists protested the bills in downtown Warsaw, despite the ban on gatherings. The police broke up the protest and issued sky-high fines to protestors, with some women receiving fines of €6,600 (~US \$7,747) for violating the public safety restrictions during the pandemic. Other efforts against the bills included dissenters queuing in front of stores while wearing symbols of the women's movement and wielding protest banners as they ostensibly shopped for groceries.⁵⁸ Thanks to these actions, the government moved both bills back to committee, meaning they are currently off the table.⁵⁹

As noted, presidential elections were pushed back. The final results on 28 June 2020 were close, reflecting Poland's polarization, but ultimately returned Duda to power, 51.21 percent to 48.79 percent.⁶⁰ Anti-LGBTQI+ and women's rights policy positions pushed by Duda's government during the pandemic played a decisive role in Duda's re-election. Duda wasted no time pushing forward PiS's agenda. On 25 July 2020, it withdrew Poland from the anti-domestic violence treaty the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention), which was signed and ratified by the previous centrist government to promote women's rights.

In response to the government's anti-LGBTQI+ and women's rights positions, on 29 July, activists with Stop Bzdurom (Stop Bullshit) – a radical queer feminist organization – gave "rainbow makeovers" to Warsaw's famous statues of the Christian Jesus, Nicolaus Copernicus (the astronomer) and the Mermaid of Warsaw, a figure associated with the city. The statues were covered in LGBTQI+ flags and adorned with pink face masks. Three activists were arrested and charged with "desecrating monuments and offending religious feelings."⁶¹ On

⁵⁷ HRW, "Poland: Reject New Curbs on Abortion, Sex Ed." Retrieved August 11, 2020, from *Human Rights Watch*: <https://www.hrw.org/news/2020/04/14/poland-reject-new-curbs-abortion-sex-ed>.

⁵⁸ Claudia, "Poles Find Creative Ways to Protest Despite the Pandemic."

⁵⁹ HRW, "Poland."

⁶⁰ Zosia Wanat, "4 Takeaways from Duda's Reelection as Polish President." Retrieved August 12, 2020, from *Politico*: <https://www.politico.com/news/2020/07/13/andrzej-duda-poland-reelection-takeaways-359578>.

⁶¹ Miroslava. G. Sirotnikova, Nedim Dervisbegovic and Srećko Latal, "Democracy Digest: Fight for Media Freedom and LGBT Rights as COVID-19 Spikes." Retrieved August 12, 2020, from *Balkan Investigative*

8 August 2020, thousands gathered to in Warsaw to show their support for LGBTQI+ rights. Duda won the election during the pandemic, indicating a rally around the flag effect. However, elements of civil society stood up to the continued power grabs.

Hungary

On 11 March 2020, a state of emergency was declared by the Hungarian government, shortly followed by the announcement of far-reaching emergency powers to allow Orbán to rule by decree and to suspend acts of Parliament. Rule by decree – in which an unchallenged government authority sets laws – is decidedly non-democratic. The emergency law, known as the Authorization Act, provided no guarantees for civil rights and liberties during the crisis.⁶² The unicameral Hungarian National Assembly – with a two-thirds majority, aligned with the two-thirds seats held by the governing coalition dominated by Orbán's party – Hungarian Civic Alliance, "Fidesz," which is a result of gerrymandering – approved the Act on 30 March 2020.⁶³ The measure was immediately criticized by much of civil society as overreach. While elsewhere emergency powers have reduced citizens' civil liberties temporarily – in democracies such as the UK, France and Germany in mandatory quarantines – Hungary's Authorization Act included no end date. Although rescinded on 20 June 2020, many speculate that damage from the Act is already done.⁶⁴ A report from the Corruption Research Centre Budapest indicates that in the first four months of 2020, corruption risk in Hungary was at its highest point since 2005, with 41% of the contracts with the government awarded without competitive bids.⁶⁵ The lack of public data regarding the awarding of government and EU contracts rose, indicating a decline in transparency.⁶⁶ Companies associated with Orbán have been the main winners of these contracts, taking an estimated 27% of public money, an unprecedented amount.⁶⁷

Hungary's press, political opposition and civil society saw reduced manoeuvrability due to the Authorization Act. Provisions allowed the government

Reporting Network: <https://balkaninsight.com/2020/07/31/democracy-digest-media-freedom-lgbt-rights-covid-spike/>; BBC, "Poland LGBT Protests: Three Charged with Hanging Rainbow Flags Off Statues." Retrieved August 12, 2020, from BBC: <https://www.bbc.com/news/world-europe-53673411>.

⁶² HHC, "Background Note on the Consequences of the Authorization Act." Retrieved July 30, 2020, from *The Hungarian Helsinki Committee*: <https://www.helsinki.hu/en/background-note-on-the-consequences-of-the-authorization-act/>.

⁶³ Michelle A. Orenstein, Peter Krekó, and Attila Juhász, "The Hungarian Putin? Viktor Orban and the Kremlin's Playbook", 2015. Retrieved from July 30, 2020, *Foreign Affairs*: <https://www.foreignaffairs.com/articles/hungary/2015-02-08/hungarian-putin>.

⁶⁴ PC, "Nothing is More Permanent Than a Temporary Solution - the State of Danger Will Come to an End In Hungary, But Its Impact Remains." Retrieved July 10, 2020, from *Political Capital Policy Research & Consulting Institute*: https://politicalcapital.hu/news.php?article_read=1&article_id=2540.

⁶⁵ CRCB, "New Trends in Corruption Risk and Intensity of Competition in the Hungarian Public Procurement from January 2005 to April 2020." Retrieved 28 July 2020 from the *Corruption Research Center Budapest*: http://wargo.hu/2020_hpp_0520_flash_report_1_200526_.pdf, 3.

⁶⁶ CRCB, "New Trends in Corruption Risk and Intensity of Competition in the Hungarian Public Procurement from January 2005 to April 2020," 26-9.

⁶⁷ PC, "Nothing is More Permanent Than a Temporary Solution."

to imprison journalists supposedly providing false information about the pandemic. By the end of May 2020, at least 100 police investigations into journalists accused of spreading false information had been documented, all of whom were from independent news outlets. Moreover, in the two weeks after the Act passed, the government claimed to “save money on politicians” by halving state financial support for political parties. This hurt only opposition parties, as Fidesz (Orbán’s party) maintains access to considerable public funds.⁶⁸ Over five weeks in April and May 2020, two independent MPs organized protests (conducted from cars to promote social distancing) against government overreach. Police subjected protestors to high fines, which went up in price at subsequent protests. The steep fines were deemed necessary on the grounds that cars were blocking traffic, which was said to endanger the public health in the pandemic. At least one individual is documented as being fined €2000 (over \$2,000 US).⁶⁹ Ultimately, the high price of the fines deterred further protests for the remainder of May. Even so, on 7 June 2020, hundreds gathered for a peaceful protest in front of the US Embassy to show solidarity with US BLM protests.

Since rule by decree ended on 20 June 2020, parts of civil society came out in full force. On 21 June (the day after it was rescinded), protests erupted in Budapest around the government’s planned reforms for the University of Theatre and Film Arts. The reforms move maintenance of the University from state administration to a private foundation, which the government claims will lead to financial efficiency. Many fears that the University’s new board of trustees will consist of government supporters who will erode accountability, transparency and academic freedom. The efforts to preserve the autonomy of the University included a student-led proposal for an independent regulatory board. While a valiant effort, the government pushed forward its proposal. At the end of July 2020, new protests aimed at promoting freedom of the press erupted, although the government has long limited the independent press. On 22 July 2020, the government had the editor-in-chief of Index – the last major independent media outlet in Hungary – dismissed. In solidarity, 70 journalists at Index resigned and crowds gathered on the streets to support press freedom.

While parts of civil society demonstrated opposition to the government’s power grab during the pandemic, rally around the flag – when citizens so fear a crisis that they put their trust and support in a government to manage the crisis – appears to be in effect.⁷⁰ While the rally effect is often temporary, in Hungary, it may be longer lasting. The populace largely supported Orbán’s exercise of emergency powers in the early stages and this support remained through the end of the rule by decree measure, toward the end of June 2020. In April, Orbán had a 74% approval rating. Even in June 2020, his approval stood at 62%, despite restrictions against protesters and opposition parties.⁷¹

⁶⁸ PC, “Nothing is More Permanent Than a Temporary Solution.”

⁶⁹ *Ibidem*.

⁷⁰ Newman and Forcehimes, “Rally Round the Flag’ Events for Presidential Approval Research.”

⁷¹ MTI, “PM Orbán’s Approval Rating Surges Following Successful Pandemic Handling.” Retrieved July 29, 2020, from *Remix*: <https://rmx.news/article/article/pm-orban-s-approval-rate-surges-following-successful-pandemic-handling>.

Part of Orbán's high approval during the initial phase of the pandemic was a result of long-time crackdowns on the political opposition and civil society and because his right-wing populist nationalism resonated. Hungarian society is politically polarized, with those on the left favouring liberal economic policies and human rights, while those on the right focus on "traditional" values, religiosity and nationalism.⁷² Civil rights and liberties were greatly reduced from 2005 to 2014, as was freedom of the press, largely due to a growth in right-wing populism that justified such crackdowns on the grounds of national security.⁷³ At the start of this backsliding, the then left-leaning government responded to public demonstrations with a police crackdown on protestors. This led to the landslide 2010 election victory of Fidesz (and Orbán).⁷⁴ Once in power, Orbán did not restore rights but rather led a "constitutional revolution" in which he expanded his control of the Constitutional Court by reducing the opposition's input for judge appointments and expanding the number of judges loyal to him. Orbán also saw the reorganization of the Supreme Court and National Election Commission to better ensure his own power.⁷⁵ The 2014 elections were marred by restrictions against the political opposition and a media openly in favour of Fidesz.⁷⁶ By limiting civil society, the political opposition and the press and catering to those on the right, Orbán has found the ticket to longevity in power.

The initial phase of the pandemic presented new opportunities for Orbán to further right-wing populism rooted in anti-migration, LGBTQI+ and women's rights.⁷⁷ Orbán is infamous for flouting EU and international law by resisting granting asylum to refugees, who are mainly Syrian Muslims. Orbán claims that migration will destroy Europe, relying on a "Christianist populism" that projects "European civilization" as a reverse image of an anti-civilizational Islamic other.⁷⁸ In 2015, Hungary erected barbed wire fences along its borders with Croatia and Serbia and made entry into the country for asylum purposes illegal, a violation of the 1951 Refugee Convention.⁷⁹ Instead, two "transit zones" at Hungary's

⁷² Emilia Palonen, "Political Polarisation and Populism in Contemporary Hungary." *Parliamentary Affairs*, 62, no. 2 (2009), 321-2; Andras Körösiényi, "Political Polarization and Its Consequences on Democratic Accountability." *Corvinus Journal of Sociology and Social Policy*, 4, no. 2 (2013), 9.

⁷³ Zsolt Enyedi, "Populist Polarization and Party System Institutionalization: The Role of Party Politics in De-Democratization." *Problems of Post-Communism*, 63, no. 4 (2016): 210-220; Cas Mudde, 2019. „Why the Far Right Is Obsessed with ‘Gender Ideology.’” Retrieved August 4, 2020, from *New Statesman America*: <https://www.newstatesman.com/world/europe/2019/09/why-far-right-obsessed-gender-ideology>.

⁷⁴ Enyedi, "Populist Polarization and Party System Institutionalization."

⁷⁵ R. Daniel Kelemen and Mitchell A. Orenstein, "Europe's Autocracy Problem." *Foreign Affairs*, 7 (2016), 4-5.

⁷⁶ Enyedi, "Populist Polarization and Party System Institutionalization."

⁷⁷ Rogers Brubaker, "Between Nationalism and Civilizationism: The European Populist Moment in Comparative Perspective." *Ethnic and Racial Studies*, 40, no. 8 (2017): 1191-1226; Mudde, "Why the Far Right Is Obsessed with ‘Gender Ideology.’” Elzbieta. M. Gołdziak, 2019. "Using Fear of the ‘Other,’ Orbán Reshapes Migration Policy in a Hungary Built on Cultural Diversity." Retrieved August 5, 2020, from *Migration Policy Institute*: <https://www.migrationpolicy.org/article/orban-reshapes-migration-policy-hungary>.

⁷⁸ Brubaker, "Between Nationalism and Civilizationism," 1202.

⁷⁹ Georgi Voynov, Hana Franková, Aniko Bakonyi, Marta Górczyńska and Miha Nabergoj, "Pushed Back at the Door: Denial of Access to Asylum in Eastern EU Members States", 2017. Retrieved August 12, 2020 from *Hungarian Helsinki Committee*: https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwjYjoD_r_qAhUJCKwKHYjZBlwQFjABegQIAhAB&url=https%3A%2F%2Fmigrationpolicy.org%2Ffiles%2F2018%2F01%2Fpushed_back.pdf&usg=AOvVaw0JFA4Z7uDOkmhlmlxAVZV.

southern border have held asylum seekers. Reports of abuse in these zones, including asylum seekers being deprived of food, have been common. On 1 March 2020, the government announced that it would no longer accept asylum seekers, ostensibly to protect public health during the pandemic. However, most asylum seekers had been in Serbia for about 1.5 years, awaiting their chance for asylum, meaning that none had recently been in high outbreak countries. Nevertheless, Hungary closed its borders on 16 March to most foreigners. Orbán has asserted that migrants in search of economic opportunity are apt to be COVID-19 carriers because (as he has stated): “They are economic migrants coming from unsafe sanitary conditions.”⁸⁰ Border control has become a politically convenient measure to “manage” the pandemic. There was little resistance from civil society on this issue in 2020.

China

Xi appears to have found the pandemic useful to expand his power, particularly in Hong Kong. After the central government learned of the virus outbreak in Wuhan, it remained passive for at least two weeks in early January.⁸¹ However, by the end of January 2020, the government appeared to see it needed to act if it hoped to slow COVID-19’s spread. More than thirty provinces and cities in China came under level-one states of emergencies to control the outbreak. A level-one delineation placed the emergency response under the directive of the central rather than local government. The CCP enacted checkpoints in Henan and Jiangxi provinces – located next to Hubei province, where the outbreak originated – and a lockdown of Wuhan – Hubei’s capital – as well as five other cities in Hubei.

During the lockdown, citizens were required to stay at home, where they were visited daily by state workers who took people’s temperatures. The lockdown remained through February 2020. Numerous doctors, citizen journalists and other activists were silenced – some even disappeared – in this period for calling attention to the government’s initial ineptitude in addressing COVID-19.⁸² By March, the virus was largely under control and the government sought to encourage a return to work yet wanted to prevent further outbreaks. It turned to electronic surveillance technologies, such as phone tracking, facial recognition and even drones in its next phase of containment response. The government encouraged citizens to install software onto their smartphones to inform them whether they should quarantine or if it were safe to be in public. China’s extensive surveillance systems are infamous for enabling state human rights violations. Justifying new surveillance measures because of the pandemic seemed acceptable to many in China. One

⁸⁰ Edit Inotai, “Pandemic-Hit Hungary Harps on About ‘Migrant Crisis.’” Retrieved July 31, 2020, from *Reporting Democracy*: <https://balkaninsight.com/2020/03/19/pandemic-hit-hungary-harps-on-about-migrant-crisis/>.

⁸¹ Pei, “China’s Coming Upheaval.”

⁸² Aylin Woodward, “At Least 5 People in China Have Disappeared, Gotten Arrested, or Been Silenced After Speaking Out About the Coronavirus – Here’s What We Know about Them.” Retrieved August 19, 2020, from *Business Insider*: <https://www.businessinsider.com/china-coronavirus-whistleblowers-speak-out-vanish-2020-2>.

citizen explained: “If we had to use it indefinitely, that would be crazy... But for the epidemic, it makes sense.” Yet data gathered from these new technologies are shared with the government and it is unclear when or how this data sharing will end.⁸³

In the early months of 2020, there was resistance to Xi’s handling of the crisis, especially by Chinese youth on social media who spoke out against the CCP’s censorship around the pandemic. In YouTube videos, people demanded free speech and one young person, Hannah Yang, used an encrypted messaging app to share screenshots of social media posts and articles taken down by the government. By 29 March 2020, over 14,000 people had joined Yang’s channel on Telegram.⁸⁴ Workers engaged in protests, with at least 25 recorded as the country returned to work at the end of February. This included construction workers who had built hospitals in Wuhan demanding owed wages.⁸⁵

Despite its authoritarian system, collective actions against the government are common in mainland China. Over January 2010 through June 2017, there were 136,330 separate examples of public resistance against the CCP.⁸⁶ However, since 2016, the government has clamped down on the release of information about protests. Moreover, the CCP works to disrupt activists’ networks and to censor information through surveillance. This ensures that wherever state resistance breaks out, it does not travel beyond that locale.⁸⁷

Early resistance quieted in mainland China by May 2020. Some speculate it was due to Xi’s sympathetic performances toward those impacted by the pandemic.⁸⁸ Others point to China’s government-controlled press, which promotes Xi’s positive messaging regarding the pandemic. Xi has asserted: “Great historical progress always happens after major disasters,” pointing to China’s past of overcoming adversity. This has a wide reach with few counterpoints given the limits on alternative press in China, where, moreover, government critics are regularly silenced.⁸⁹ Furthermore, it may be China’s authoritarian structure – once the central government acted – that enabled the CCP to combat the outbreak compared to the slower responses of some democratic governments, which were

⁸³ Mozur Zhong and Krolak, “In Coronavirus Fight, China Gives Citizens a Color Code, With Red Flags,” Zak Doffman, “This New Coronavirus Spy Drone Will Make Sure You Stay Home.” Retrieved August 14, 2020, from *Forbes*: <https://www.forbes.com/sites/zakdoffman/2020/03/05/meet-the-coronavirus-spy-drones-that-make-sure-you-stay-home/#2ebceda71669>.

⁸⁴ Vivian Wang and Javier Hernandez, “Coronavirus: China’s Youth Begin to Resist Communist Party Agenda in Wake of Covid-19 Outbreak.” Retrieved July 14, 2020, from *Independent*: <https://www.independent.co.uk/news/world/asia/coronavirus-china-communist-party-youth-xi-jinping-economy-a9432301.html>.

⁸⁵ CLB, “China: Collective Protests, Mainly In Service And Transport Industries, Resume As Workers Return To Work.” Retrieved August 14, 2020, from *China Labour Bulletin*: <https://www.business-humanrights.org/en/china-business-action-and-alleged-inaction-in-response-to-spread-of-novel-coronavirus-2020>.

⁸⁶ Han Zhang and Jennifer Pan, “Casm: A Deep-Learning Approach for Identifying Collective Action Events with Text and Image Data from Social Media.” *Sociological Methodology*, 49, no. 1 (2019), 10, 28.

⁸⁷ Kevin Slaten, “China Ridicules U.S. Protests Out of Fear of Its Own People.” Retrieved August 17, 2020, from *Foreign Policy*: <https://foreignpolicy.com/2020/06/26/george-floyd-protests-china-feminism-communist-party/>.

⁸⁸ Hemant Kakkar, “Why Trump’s Popularity Surge Faded So Quickly.” Retrieved July 12, 2020, from *Scientific American*: <https://www.scientificamerican.com/article/why-trumps-popularity-surge-faded-so-quickly/>.

⁸⁹ Steven L. Myers and Chris Buckley, “In China’s Crisis, Xi Sees a Crucible to Strengthen His Rule.” Retrieved July 12, 2020, from *New York Times*: <https://www.nytimes.com/2020/05/20/world/asia/coronavirus->

concerned with civil rights and liberties.⁹⁰ While Europe went through a period of a drop in cases over summer 2020, many countries saw a rise in new cases in August 2020 and US cases never dropped in this period. In Wuhan – the origin of COVID-19 – life was nearly back to normal. Across China, movie theatres, gyms, open markets, bars and restaurants opened, and concerts and other public gatherings – including the jam-packed pool party in Wuhan on 23 August 2020 – were back. One attendee of Wuhan’s pool party shared, “To be honest, I almost forgot about the epidemic,” which speaks to the effectiveness of the Chinese government’s containment response.⁹¹

We argue that it likely is a combination of a rally effect paired with the severe limitations of the free press that led to a drop-in state resistance. Chinese citizens consistently claim trust in their government, which suggests a strong possibility for a rally effect.⁹² Rally around the flag is most likely when leaders are trusted.⁹³ Likewise, as Chinese citizens have learned, being supportive of their government means greater personal security while speaking against the state can lead to regular harassment as well as arrest, detention (and poor treatment while detained) and even state murder. China is infamous for human rights violation against minorities, as well as for violating the rights of those in Hong Kong. Tibet, where the majority are Buddhist and ethnically Tibetan, has long experienced a lack of religious and political freedoms. Uyghurs, who are concentrated in Xinjiang and are a Turkic Muslim population, have faced violent repression, including stays in concentration camps and mass surveillance.

Hong Kong, formerly under British rule until 1997, has challenged the CCP since 2014 through the pro-democracy Umbrella Movement, which seeks to retain the “one country, two systems” policy, or even self-determination for Hong Kong. There are greater civil and political rights in Hong Kong compared to mainland China. While public assembly was curtailed in Tibet and Xinjiang and under attack in Hong Kong before the current pandemic, the CCP found COVID-19 useful in justifying repression of Hongkongers. In Hong Kong, the right to assembly made protests over much of 2020 possible (unlike in Tibet and Xinjiang, where political assembly is banned). Protests thinned at the highest point of the COVID-19 outbreak in the area, February through April. This was not only due to the danger of transmission but because of the government ban on public gatherings launched on 29 March 2020. While protests were banned, on 18 April 2020, the Hong Kong government – likely pressured by the CCP – arrested fifteen

china-xi-jinping.html; RWB, “2020 World Freedom Press Index.” Retrieved July 15, 2020, from *Reporters Without Borders*: <https://rsf.org/en/ranking?#>.

⁹⁰ Maylin Meisenheimer, “Democracy? Autocracy? Coronavirus Doesn’t Care.” Retrieved June 20, 2020, from *The Diplomat*: <https://thediplomat.com/2020/03/democracy-autocracy-coronavirus-doesnt-care/>; Palmer, “China’s Coronavirus Success Is Made Possible by Xi’s Brutality.”

⁹¹ Javier C. Hernández, “In China, Where the Pandemic Began, Life Is Starting to Look ... Normal.” Retrieved August 24, 2020, from *New York Times*: <https://www.nytimes.com/2020/08/23/world/asia/china-coronavirus-normal-life.html?searchResultPosition=3>.

⁹² Edward Cunningham, Terry Saich and Jessie Turiel, “Understanding CCP Resilience: Surveying Chinese Public Opinion Through Time.” Retrieved August 20, 2020, from *Ash Center for Democratic Governance and Innovation*: <https://ash.harvard.edu/publications/understanding-ccp-resilience-surveying-chinese-public-opinion-through-time>.

⁹³ Chatagnier, “The Effect of Trust in Government on Rallies’ Round the Flag.”

pro-democracy advocates “under cover of coronavirus” who were involved in either independent media or civil society.⁹⁴ A month later, on 21 May, a new set of laws meant to “promote national security” were presented in the legislature. These allow for the presence of Chinese security forces in Hong Kong and make it easier to outlaw activities that “threaten” national security. Wang Yi, China’s foreign minister, claimed that the legislation would entail “no impact on Hong Kong’s high degree of autonomy and the rights and freedoms of Hong Kong residents.”⁹⁵ On the heels of the national security law’s introduction, on 4 June 2020, a law passed making it illegal to disrespect the national anthem, which since 1997 has been China’s anthem. 4 June was a symbolic date to implement the legislation, as this marks the anniversary of the 1989 Tiananmen Square Massacre.

The national security laws were enacted on 30 June and designate property damage to government buildings and disrupting public transportation as “acts of subversion and terrorism” that carry lengthy prison sentences. This appears targeted at pro-democracy protestors, who in the past have damaged police buildings and disrupted airport and subway travel to make their demands heard. The laws allow for extradition to mainland China for trial, as well as for trials to be conducted in secret. A new body, the Committee for Safeguarding National Security, was created to monitor schools, businesses, civic organizations, the media and foreigners for threats to security. The day after the national security bills became law, on 1 July – significant as the anniversary of Hong Kong’s handover to mainland China in 1997 – came the first arrest under the national security laws, for a demonstrator carrying a Hong Kong flag.

Pro-democracy demonstrations continued throughout July as the primaries began for the upcoming legislative elections, slated for 6 September 2020. On 30 July, the government denied twelve candidates the right to run in the elections on the grounds of supporting self-determination for Hong Kong, a clear denial of freedom of political thought. The next day, the government announced that the upcoming elections were postponed – for an entire year – to 5 September 2021. The given justification was the pandemic and a need for safety. On 10 August, Jimmy Lai, the owner of the independent Apple Daily newspaper, was arrested. That same day, three prominent individuals were arrested for their activism, including the well-known politician and activist Agnes Chow. Hong Kong was the last arena where citizens could exercise sustained political assembly, even if under state attack, to contest Xi.

Towards a Conclusion

The pandemic created a severe health crisis globally and generated opportunities for leaders with autocratic proclivities to strengthen their hold on power by using

⁹⁴ Austin Ramzy and Elaine Yu, “Under Cover of Coronavirus, Hong Kong Cracks Down on Protest Movement.” Retrieved August 17, 2020, from *New York Times*: <https://www.nytimes.com/2020/04/21/world/asia/coronavirus-hong-kong-protests.html>.

⁹⁵ Lily Kuo, “Beijing to Impose Hong Kong Security Laws ‘Without Delay.’” Retrieved August 18, 2020, from *The Guardian*: <https://www.theguardian.com/world/2020/may/24/beijing-to-impose-hong-kong-security-laws-without-delay>.

emergency powers meant to control the spread of the virus to push for restrictive policies. Governments in the US, Poland, Hungary and China attempted to take advantage of the temporary support emerging from the rally around the flag effect to push for such policies. However, the level of rally for the leaders or their conservative policies varies from country to country, depending on the level of trust in the government. In the US, it manifested in support for more restrictive immigration policies among most citizens. However, broad support for Trump was only stable among Republicans, particularly in the lead up to the 2020 election. In Poland and Hungary, supporters of the regimes approved of emergency power, although parts of civil society remain engaged against rights violations. A rally effect appears prevalent among the Han majority in mainland China, although this may reflect a strategy of personal security. A rally would not be evident among most Tibetans and Uyghurs, if such data were available, and most Hongkongers have expressed clear censure of the CCP.

Also, in the liberal democracy of the US, semi-consolidated Poland and illiberal Hungary, we see a resurgence of civil society resistance to the government. In the US, playing off Richard Nixon's 1968 winning strategy – a period of similar upheaval during the Black civil rights and anti-war movements – Trump used fear of minorities to frighten his base. However, the dedicated work of members of BLM to shed light on police brutality and structural inequalities challenged Trump's attempts to abuse power. In Poland, with Duda re-elected and PiS firmly in control of parliament, the country's path away from democracy looks to continue. The pandemic provided leverage for the government to support its anti-feminist and anti-LGBTQI+ agenda, although elements of civil society have met the government at every step and look prepared to continue to do so. This suggests that civil society groups will continue to generate creative ways to force the government's hand despite ongoing restrictions. In Hungary, while civil society remains constrained, it is supported by Hungary's status in the EU. In authoritarian China, initial resistance against the government has been met with a brutal crackdown by the state, most apparent in Hong Kong, although many were silenced in mainland China. Civil society in Hong Kong is being decimated and reform through government has been stopped with pro-democracy candidates eliminated from elections and the elections were postponed. Hong Kong residents had a far greater ability to organize against the CCP compared to those in mainland China. However, the rollbacks to these rights in Hong Kong during the pandemic hampered civil society.

Civil society is most hindered in China, obstacles to voicing dissent have become so great that we fear open resistance may be shut down almost entirely for the near future. However, in more open countries such as in the US, Poland and Hungary, protesters have ways to make things difficult for governments attempting further power grabs in the pandemic. Elements of civil society in Poland and Hungary have the potential to slow the pace of the leaders' continued power grabs in these countries. However, in the US, political polarization may hinder future civic efforts to promote democracy – particularly around false narratives of a fraudulent 2020 election – and barriers against civil society organizing in Hungary and Poland are significant.

BIBLIOGRAPHY (SELECTIVE)

- Alfani, Guido, and Marco Percoco, "Plague and Long-Term Development: The Lasting Effects of the 1629 – 30 Epidemic on the Italian Cities." *Economic History Review*, 72(4): 1175-1201, 2019;
- Birkland, Thomas A., *After Disaster: Agenda Setting, Public Policy, and Focusing Events*. Washington, DC: Georgetown University Press, 1997;
- Boin, Arjen, Allan McConnell, and Paul t'Hart, "Governing after Crisis." In *Governing after Crisis: The Politics of Investigation, Accountability and Learning*, ed. Arjen Boin, Allan McConnell and Paul t'Hart, Cambridge: Cambridge University Press, 2008, pp. 3-30;
- Brubaker, Rogers, "Between Nationalism and Civilizationism: The European Populist Moment in Comparative Perspective." *Ethnic and Racial Studies*, 40(8): 1191-1226, 2017;
- Chatagnier, J. Tyson, "The Effect of Trust in Government on Rallies' Round the Flag." *Journal of Peace Research*, 49(5): 631-645, 2012;
- Costea, Vladimir-Adrian and Alexis Chapelan, "Beyond Conservatism: How the Crisis of the American Right Shaped Trumpism and the Trump Vote in the 2016 Election." *Romanian Review of Political Sciences and International Relations*, XVII (1): 138-152, 2020;
- Dahl, Robert, *Polyarchy: Participation and Opposition*. New Haven: Yale University Press, 1971;
- Edwards, George C. III and Tami Swenson, "Who Rallies? The Anatomy of a Rally Event." *The Journal of Politics*, 59(1): 200-212, 1997;
- Enyedi, Zsolt, "Populist Polarization and Party System Institutionalization: The Role of Party Politics in De-Democratization." *Problems of Post-Communism*, 63(4): 210-220, 2016;
- Fomina, Joanna and Jacek Kucharczyk, "The Specter Haunting Europe: Populism and Protest in Poland." *Journal of Democracy*, 27(4): 58-68, 2016;
- Gordon, Paul, "History and Human Rights: People and Forces in Paradoxical Interaction." *Journal of Human Rights*, 7(2): 91-103, 2008;
- Gostin, Lawrence, Eric A. Friedman and Sarah A. Wette, "Responding to COVID-19: How to Navigate a Public Health Emergency Legally and Ethically." *Hastings Centre Report*, 50(2): 8-12, 2020;
- Hefner, Robert, *Civil Islam: Muslims and Democratization in Indonesia*. Princeton: Princeton University Press, 2000;
- Kelemen, R. Daniel and Mitchell A. Orenstein, "Europe's Autocracy Problem." *Foreign Affairs*, 7: 4-5, 2016;
- Körösi, Andras, "Political Polarization and Its Consequences on Democratic Accountability." *Corvinus Journal of Sociology and Social Policy*, 4(2): 3-30, 2013;
- Linz, Juan, *Totalitarian and Authoritarian Regimes*. Boulder, CO: Lynne Rienner Publishers, 2000;
- Lobel, Jules, "Emergency Power and the Decline of Liberalism." *The Yale Law Journal*, 98: 1385-1433, 1989;
- Lührmann, Anna and Staffan Lindberg, "A Third Wave of Autocratization Is Here: What Is New About It?" *Democratization*, 26(7): 1095-1113, 2019;
- Moghadam, Valentine and Gizem Kaftan, "Right-wing Populisms North and South: Varieties and Gender Dynamics." *Women's Studies International Forum*, 75: 1-9, 2019;
- Mueller, John E., "Presidential Popularity from Truman to Johnson." *The American Political Science Review*, 64(1): 18-34, 1970;
- Newman, Brian and Andrew Forcehimes, "'Rally Round the Flag' Events for Presidential Approval Research." *Electoral Studies*, 29(1): 144-154, 2010;
- Norris, Pippa and Ronald Inglehart, *Cultural Backlash: Trump, Brexit, and Authoritarian Populism*. Cambridge: Cambridge University Press, 2019;
- Palonen, Emilia, "Political Polarisation and Populism in Contemporary Hungary." *Parliamentary Affairs*, 62(2): 318-334, 2009;

- Pei, Minxin, "China's Coming Upheaval: Competition, the Coronavirus, and the Weakness of Xi Jinping." *Foreign Affairs*, 99: 82-95, 2020;
- Porat, Roni, Maya Tamir, Michael J. Wohl, Tamar Gur and Eran Halperin, "Motivated Emotion and the Rally around the Flag Effect: Liberals Are Motivated to Feel Collective Angst (Like Conservatives) When Faced with Existential Threat." *Cognition and Emotion*, 33(3): 480-491, 2019;
- Przybylski, Wojciech, "Explaining Eastern Europe: Can Poland's Backsliding Be Stopped?" *Journal of Democracy*, 29(3): 52-64, 2018;
- Ransby, Barbara, *Making All Black Lives Matter: Reimagining Freedom in the Twenty-First Century*. Oakland, CA: University of California Press, 2018;
- Reza, Sadiq, "Endless Emergency: The Case of Egypt," *New Criminal Law Review*, 10(4): 532-553, 2007;
- Schubert, James N., Patrick A. Stewart, and Margaret A. Curran, "A Defining Presidential Moment: 9/11 and the Rally Effect." *Political Psychology*, 23(3): 559-583, 2002;
- Stuparu, Lorena, "Between 'Traditional' Populism and 'Pandemic' Populism." *Romanian Review of Political Sciences and International Relations*. XVIII (2): 17-28, 2021;
- Tripp, Aili M., *Women and Power in Postconflict Africa*. Cambridge: Cambridge University Press, 2015;
- Waltz, Kenneth, "Electoral Punishment and Foreign Policy Crises." In *Domestic Sources of Foreign Policy*, ed. James Rosenau. New York: The Free Press, pp. 263-293, 1967;
- Welford, Mark, ed., *Geographies of Plague Pandemics: The Spatial-Temporal Behavior of Plague to the Modern Day*. New York: Routledge, 2018;
- Ye, Chao and Jennifer Onyx, "Development Paths, Problems and Countermeasures of Chinese Civil Society Organizations." *Cosmopolitan Civil Societies: An Interdisciplinary Journal*, 7(2): 1-18, 2015;
- Zakaria, Fareed, "The Rise of Illiberal Democracy." *Foreign Affairs*, 76(6): 22-43, 1997;
- Zhang, Han and Jennifer Pan, "Casm: A Deep-Learning Approach for Identifying Collective Action Events with Text and Image Data from Social Media." *Sociological Methodology*, 49(1): 1-57, 2019.