

THE STORY OF COVID-19 AND DEMOCRACY: THE INDIAN PERSPECTIVE

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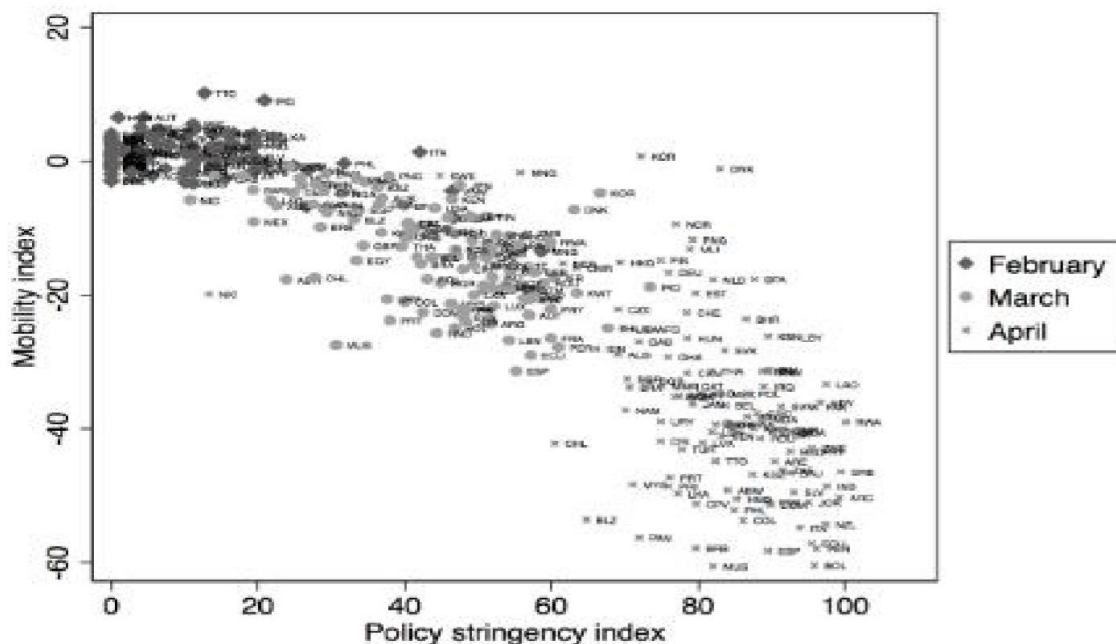
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According to recent stats, India is ranked 3rd in the world in terms of the total cases of Covid-19, with the current all-time high of 40,000 fresh cases each day (as per second wave of Covid-19). What went wrong with the management? How did we end up here and can our democracy survive this? Hop on as we together unravel the Story of Covid-19 and Democracy.

Let's begin this journey from 8 pm on March 24, 2020. A nationwide Lockdown is imposed in India. The Prime Minister of India addresses the nation and draws a parallel between The Mahabharata and the *Lakshmana Rekha* to advise the citizens to stay at home for the next 21 days. The so called world's strictest lockdown has been imposed. But the fate of the lockdown in the realm of India Democracy was known way before it was imposed. It was practically impossible to contain a population of 1.353 Billion without violating the fundamentals of democracy.

The biggest conviction to the failure of Lockdown was the prevalent *Individualism* (Precedence of Freedom of Action for Individuals over State Control) in our country. Although it has had its advantages in the form of higher economic growth rate by giving rewards to *Non-conformism* (wilfully disobeying), it was not meant to handle a pandemic for it included the handicap of *Parochial Altruism* (Narrow scope of welfare for others). This made taking a collective and coordinated decision (or even response to a decision) almost impossible as it focused on Individual gains rather than societal gain. On the contrary, Lockdown proved to be more successful in authoritarian regimes such as the People's Republic of China where collectivism prospered.

The figure below based on the World Value Survey Data (WVS) OxCGR; Google's COVID19 Community Mobility Reports proves that stricter policies to curb mobility were less effective in major democracies and more effective in Authoritarian regimes like China.



MIGRANT CRISIS

What followed the lockdown was complete chaos. Factories and workshops were shut down leaving the labourers unemployed. They faced acute shortages in terms of money, clothes and shelter. The labourers took on their journey to reach their native villages, which served as a transmitter for the infection. In utter helplessness, myriad of migrants gathered near bus and railway stations and some even preferred to walk to their homes. Flying Rumours about travel facilities being arranged by the government, without any prior notice fuelled their migration. Not all made it back home, many died due to starvation, depression, police brutality and road and rail accidents.

The opposition and the ruling majority started with the years old mudslinging (a very important feature of contemporary Democracy).

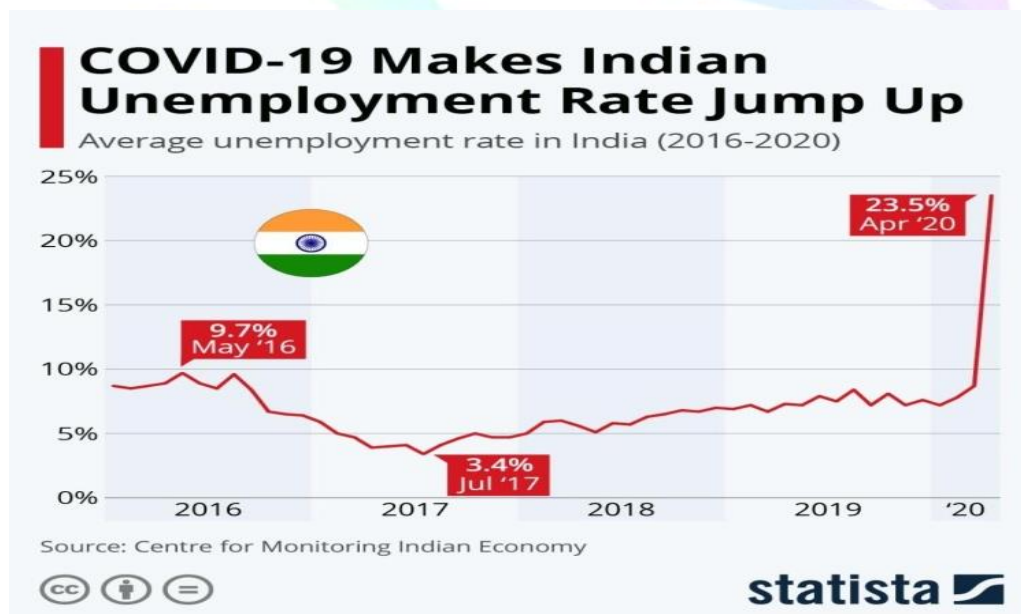
Provisions were made by the government but their implementation remained a problem. The stock of food grains was there to sustain the labourers for at least a year but their distribution through the *One Nation, One Ration Card system* (which was implemented in few cities) remained an area of concern.

Lack of Centre and State Coordination was also highlighted through this crisis. On March 27, a directive was issued by the **Home Ministry** ordering the states to contain the migration. It also gave the states the authority to use the **National Disaster Response Fund** to provide the basic necessities (such as food and shelter) to the labourers. Still, **Regional Friction** remained a problem. While there were some states that chose to use a region specific approach rather than a uniform National one, there were others too that followed the Central order to such an extent that it led to severe police brutality, violating the **Human Rights** of all those affected.

Although **Financial Assistance** was promised, over 90% of labourers who reached out in the month of April reported that they have not been provided with any financial assistance from the government. In Tamil Nadu 97% were not paid during lockdown and in Punjab, 84% had less than Rs100 remaining.

Social Ostracism (Procedure under Athenian Democracy, where any citizen could be expelled from Athens, used here to refer to social exclusion) of migrants remained a problem as they were considered sources of transmission of infection. No one wanted to be near them. **Diminishing Income** and **Societal Discrimination** took a huge **Psychological** toll on the migrants and thus deprived them of their equal status in the society.

This can again be linked to the first point about Individuality and narrow scope of welfare for the society.



ONLINE ALGORITHMS

The Wuhan Virus has changed the trajectory of our lives. Everything you can think of has taken the big leap of faith from Offline to Online. Online teaching has started via apps such as Zoom, Discord, and et-cetera. Our lives are no longer governed by us, but by these **Big Data Algorithms**. We unknowingly give them this permission when we click on “*agree to the terms*” after installing any application.

Concerns have been raised regarding the theft of data through apps like Zoom. There are 2 Major fronts: **Lack of transparency** and **Distribution of Information** to a third party without user consent. To quote the **General Data Protection Regulation**, “consent for collecting personal data must be freely given, and that if there is an imbalance of power between the parties, it cannot be a free choice and that any consent obtained is invalid.”

Following this a school in Sweden was fined 20,000 dollars for using facial biometrics to track 22 students. One might say that the parents had given the consent but consent, (in this situation) Is not a valid legal proof due to the clear imbalance between the data Subject (Students) and the controller (School authorities).

The same reasoning can be applied in the current online environment. Any invitation to a teleconference can be stated as an imbalance of power as there is no realistic option to decline.

Due to these very reasons Companies like Google, Space X and Governments of Taiwan, United States of America and the Australian Defense force have banned the usage of such apps (ZOOM).

Even the Government of India has banned 59 mobile apps which are a viable threat to the **Sovereignty** and **Territorial Integrity of India**.

Appendix

1. TikTok
2. Shareit
3. Kwai
4. UC Browser
5. Baidu map
6. Shein
7. Clash of Kings
8. DU battery saver
9. Helo
10. Likee
11. YouCam makeup
12. Mi Community
13. CM Browsers
14. Virus Cleaner
15. APUS Browser
16. ROMWE
17. Club Factory
18. Newsdog
19. Beutry Plus
20. WeChat
21. UC News
22. QQ Mail
23. Weibo
24. Xender
25. QQ Music
26. QQ Newsfeed
27. Bigo Live
28. SelfieCity
29. Mail Master
30. Parallel Space
31. Mi Video Call – Xiaomi
32. WeSync
33. ES File Explorer
34. Viva Video – QU Video Inc
35. Meitu
36. Vigo Video
37. New Video Status
38. DU Recorder
39. Vault- Hide
40. Cache Cleaner DU App studio
41. DU Cleaner
42. DU Browser
43. Hago Play With New Friends
44. Cam Scanner
45. Clean Master – Cheetah Mobile
46. Wonder Camera
47. Photo Wonder
48. QQ Player
49. We Meet
50. Sweet Selfie
51. Baidu Translate
52. Vmate
53. QQ International
54. QQ Security Center
55. QQ Launcher
56. U Video
57. V fly Status Video
58. Mobile Legends
59. DU Privacy

We have often heard that *Human Liberty* is the Soul of any democracy. It reflects the, “*Free Will*” which is the utmost source of authority. But is this will truly free? Isn’t it affected by these algorithms that dictate our actions and responses?

It was rightly stated by Yuval Noah Harari in his book, 21 lessons for the 21st Century that, “When the *Biotech Revolution* merges with the *InfoTech revolution*, it will produce Big Data Algorithms that can monitor and understand my feelings much better than I ever can, and then Authority will probably shift from Humans to Computers.”

This is the truth of our lives, we are still living in a *Utopian Society* if we consider that we make our own choices. All the choices are fed to us by these algorithms, and we merely respond to it the way it wants us too.

INDIA COUNTRY PROFILE

This Research Article would be using the data brought forward by the *Global Monitor of Covid-19's Impact on Democracy and Human Rights*, to summarize India's performance with respect to Covid-19.

General Analysis- No Emergency was imposed by the state of India as it has been reserved by the constitution of India to be used only when the territorial sovereignty of India is under question due to acts of aggression such as a war. (Article 352, Constitution of India)

The response can be categorized as a *Neutral* one, owing to the *Social polarization* that already exists in the present status quo. In order to portray a better understanding and understand the nuanced aspects of Covid 19 and its impact on the democratic rights, we shall focus more on the rights that were compromised due to Covid response set by the Government of India and World Governments in general.

SPECIFIC ANALYSIS OF CIVIL LIBERTIES

1. FREEDOM OF ASSOCIATION AND ASSEMBLY-

As stated under Article 11 of the Freedom of Assembly and Association (Human Rights Act)

- Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade for the protection of his interests.
- No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others.

Covid Impact- This right was considerably restricted due to the challenges that were faced due to the pandemic. This is evident from the following cases-

1. All Public Gatherings were banned in Phase 1 of the Lockdown.
2. Using this very narrative of Spread of the virus, Delhi police dispersed a multi month sit in protest on the citizenship laws imposed in the state.

3. Government of Kerala issued a notification extending the enforcement of Covid and public gathering protocols till July, 2021. No more than 10 people are allowed in a public gathering in the state.
 4. Opposition parties such as the United Democratic front had to halt their protests against the government policies due to increase in covid cases in Kerala.
 5. The Ministry of Health and Family Welfare issued standardized operating procedures to be followed during the festive seasons with respect to the social gatherings and containment zones in particular.
- 5.2 Operating procedures were also issued on preventive measures in the market which majorly included-
- 5.2.1 Self Regulations by the Market associations
 - 5.2.2 Liability of owners for maintaining physical distancing and crowd management
 - 5.2.3 Penalties for non-adherence to guidelines.

2. FREEDOM OF RELIGION

Freedom of religion is guaranteed by Article 25 of the Constitution of India. It provides that all persons in India, subject to public order, morality, health, and other provisions:

- Are equally entitled to freedom of conscience, and
- Have the right to freely profess, practice and propagate religion.

Covid Impact-

1. Hatred against Muslims was on the rise due to the increase in Covid cases linked with a Muslim Missionary group which held its annual conference in Delhi. This led to boycott of many Muslim businesses.
2. According to data shared with TIME by Equality labs, a digital human rights group, tweets with hashtag #CoronaJihad had appeared nearly 300,000 times and viewed by numerous entities. Other tweets such as “#CoronaTerrorism” and “CoronaBombsTablighi” reflect the merger of anxieties over the virus with rising Islamophobia.

3. As of June, 2020 eight British Muslims have been detained for more than two months facing criminal charges for violating the coronavirus lockdown.
4. For the First time in 91 years, the Durga Pooja (Renowned Indian Festival) was celebrated virtually this year in Mumbai. In West Bengal steps were taken to organize the Durga Pooja in correctional homes with necessary health precautions.
5. Recently, In January 2021 around 1 million Hindu Pilgrims gathered in Northern India marking the start of the Kumbh Mela. Concerns were raised regarding the health protocols not being followed leading to friction between different religious groups targeting the government for giving preferential treatment to the Hindus.

3. SOCIAL RIGHTS AND EQUALITY

In a country like India, It is desirable that there is increased intergroup homogeneity and decreased friction among such groups. Social barriers have existed well before covid times and the pandemic has only led to its heightening.

1. Due to increased Islamophobia, there were reports about Muslims not being allowed to enter into hospitals or any other public spaces.
2. Domestic violence and mental traumas linked with Covid-19 were on the rise. The call centers operated by the Social Justice Department received numerous distress calls.
3. Domestic workers and casual laborers suffered the worst due to the Lockdowns that were imposed. Prime Minister Narendra Modi delivered a call for unity stating that Covid Virus does not discriminate between races, religion and gender.
4. The Ministry of Health and Family Welfare issued many notifications and guides helping the youth to avoid the stigmas and prevent discrimination associated with the pandemic

ISOLATION NORMATIVITY LINKED WITH PANDEMIC

Through the means of this paper, I would like to promote the concept of a term called *Isolation normativity* as suggested by Matteo Winkler, a professor at HEC Paris. In one of his articles in Forbes, he talks about coining this new term which encompasses the aspects of *normative ethics* or *moral philosophy* along with a Public health terminology, *Isolation*.

Normative ethics focusses on classification of things as morally right or wrong whereas isolation, according to WHO disease Control Priorities Handbook refers to “a key precaution to reduce pandemic threats in the absence of antivirals, antibiotics and vaccines.”

Man is by nature a social animal and putting him behind a roof and four walls can not only have serious mental implications but can also cause the heightening of the prevalent social issues thereby disturbing the existing status quo. For instance, asking someone to stay at home during the pandemic may prove to be a necessary safety precaution, but is it morally the correct thing to do. Well, in some cases it isn't. A simple example to substantiate my cause is that of India and other Asian countries where exploitation of the LGTBQ+ is on the rise as they are subjected to extreme torture and exploitation by their toxic family members. During the first four phases of the COVID-19-related lockdown, Indian women filed more domestic violence complaints than recorded in a similar period in the last 10 years.

To put it in the words of Matteo Winkler, *Some homes are safe spaces, but not all home spaces are safe.*

Isolation alone cannot be sufficient in handling the pandemic as it heightens the existing gaps in our society. Example the phrase, Wash your hands focusses on the immediate necessity of the action (I.e. washing your hands with soap or hydro alcoholic gel) but doesn't reflect the marginalization of around 9% of the world population (around 666 million people) who have no access to such sources of water. This is one of the most common issues faced in refugee camps in remote areas like Syria, Lebanon, and Africa where alcohol and other dangerous substitutes are used as clean water is not readily available. Thereby a more realistic version of this phrase would be to say Wash your hands... if you have access to water which, around 29 % of the world population doesn't.

Hence these stringent emergency measures have become the new normal intensifying the Social imbalance in our society.

These two examples prove that Morality and isolation need not always go hand in hand. So the question arises, should the state (Governments in this case) intervene to decide the ethics that will govern our actions?

The answer to this is not a simple one as it varies depending on the geopolitical and socio economic setup of various states. Excessive government involvement in well-established democracies like India, United States of America may prove to be beneficial as long as basic ideals of the constitution are not violated. What makes it easy to judge such violations is the long history of hit and trial that these countries have had with Democracy. But the same might not be true in countries like Zimbabwe, which are still at their initial stages of imbibing these democratic ideals. Excessive involvement might only lead to inefficient utilization of the scarce resources and further marginalization of the already deprived sections of the society.

CONCLUSION

The nations satisfactory performance with respect to rights such as *Freedom of Movement, Personal Integrity and Security, Basic Welfare, Effective Parliament, Judicial Independence, Civil Society Participation* and *Local Democracy* helped contain the adverse effects of the Pandemic. In the words of the Union Health Minister, Mr Harsh Vardhan, “India’s pre-emptive, proactive and graded approach ensured a plateaued graph of COVID-19 cases and a significant number of unoccupied beds in the health facilities at any point in time.

It is often said that the best way to judge any Democracy is to see the result it produces and the challenges it overcomes. These challenges have existed since a long time and have only evolved with the incoming wave of Covid-19.

Will our Democracy survive this test of time or will something Novel, Stronger and Better emerge from this?